

Proxmire	Smith	Walters
Randolph	Sparkman	Williams, Del.
Russell	Stennis	Young, N. Dak.
Simpson	Talmadge	

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Florida [Mr. HOLLAND], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. McCARTHY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Louisiana [Mr. LONG], the Senator from Wyoming [Mr. McGEE], the Senator from South Dakota [Mr. McGOVERN], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from California [Mr. SALINGER], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

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

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. GOLDWATER], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from New Mexico [Mr. MECHEM], the Senator from Iowa [Mr. MILLER], the Senator from Kentucky [Mr. MORTON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

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

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

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

The motion was agreed to.

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

After a little delay Mr. CLARK, Mr. EDMONDSON, Mr. ERVIN, Mr. LAUSCHE, Mr. MAGNUSON, Mr. MUNDT, Mr. SMATHERS, and Mr. WILLIAMS of New Jersey entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is not present.

#### ADJOURNMENT

Mr. MANSFIELD. Mr. President, in view of the fact that it seems impossible to develop a quorum of Senators today, and in view of the prospect that the attendance of Senators will be skimpier tomorrow, I announce that, instead of continuing with the call of the quorum tomorrow, it is the intention of the leadership to have a pro forma meeting at 12 o'clock, and then to move to adjourn to 12 o'clock noon on Monday next.

At this time, Mr. President, I move that the Senate adjourn.

The motion was agreed to, and (at 1 o'clock and 14 minutes p.m.) the Senate adjourned until tomorrow, Saturday, September 19, 1964, at 12 o'clock meridian.

#### SENATE

SATURDAY, SEPTEMBER 19, 1964

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

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

Our Father, God: In all the stress and strain of the tasks whose weight is laid upon the shoulders of all who faithfully serve the Nation in times such as these, we turn to Thee with the solemn realization that—

Our strength is dust and ashes;  
Our years, a passing hour;  
But Thou canst use our weakness  
To magnify Thy power.  
From ease and plenty, save us;  
From pride of place, absolve.  
Purge us of low desire;  
Lift us to high resolve.

And Thine shall be the kingdom and the power and the glory. Amen.

#### ADJOURNMENT UNTIL MONDAY

The PRESIDING OFFICER pro tempore. A quorum not being present when the Senate adjourned on yesterday, a motion to adjourn is now in order.

Mr. MANSFIELD. Mr. President, I move that the Senate adjourn.

The PRESIDING OFFICER pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and (at 12 o'clock and 2 minutes p.m.) the Senate adjourned until Monday, September 21, 1964, at 12 o'clock meridian.

#### SENATE

MONDAY, SEPTEMBER 21, 1964

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

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

O God, the Father of mankind: As another week beckons, with its pressing problems calling for our best endeavor, we are grateful for unhurried moments of communion with Thee, when spirit with spirit may meet.

It is in such spiritual commerce that the swift pace of our lives is slackened, and that in the fevers of haste we glimpse the peace of green pastures and the cool caress of still waters.

Thus, if we so will by waiting upon Thee, we shall renew our strength and shall see more clearly, think more truly, and in all our decisions choose more worthily. Above all our desires which may be tinged by hidden self-interest, we would seek Thy will, and would toil so that it may come to its coronation in the affairs of men across all dividing gulfs.

May the petitions which our hearts lift, and which our lips so feebly frame, be fulfilled in the deeds of this law-making instrument of the people's rule.

We bring our prayer in the dear Redeemer's name. Amen.

#### CALL OF THE ROLL

The PRESIDING OFFICER pro tempore. The Senate having adjourned without a quorum on Saturday last, the clerk will call the roll to develop a quorum.

The Chief Clerk called the roll; and the following Senators answered to their names:

[No. 577 Leg.]		
Bartlett	Inouye	Randolph
Bible	Johnston	Ribicoff
Brewster	Jordan, Idaho	Robertson
Carlson	Kuchel	Salinger
Cooper	Mansfield	Simpson
Dirksen	McClellan	Smith
Ervin	Monroney	Sparkman
Hartke	Morse	Stennis
Hayden	Mundt	Talmadge
Hickenlooper	Pell	Walters
Holland	Proxmire	Young, N. Dak.

Mr. MANSFIELD. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Rhode Island [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Ohio [Mr. LAUSCHE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Missouri [Mr. LONG], the Senator from Michigan [Mr. HART], the Senator from Virginia [Mr. BYRD], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee

[Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Wisconsin [Mr. NELSON], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Texas [Mr. YARBOROUGH], the Senator from Louisiana [Mr. LONG], and the Senator from South Dakota [Mr. McGOVERN] are necessarily absent.

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

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], the Senator from New Jersey [Mr. CASE], the Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from New Mexico [Mr. MECHAM], the Senator from Iowa [Mr. MILLER], the Senator from Kansas [Mr. PEARSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Delaware [Mr. WILLIAMS] is detained on official business.

The PRESIDENT pro tempore. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AIKEN, Mr. ALLOTT, Mr. ANDERSON, Mr. BOGGS, Mr. CURTIS, Mr. DOUGLAS, Mr. ELLENDER, Mr. FONG, Mr. FULBRIGHT, Mr. JORDAN of North Carolina, Mr. MAGNUSON, Mr. McGEE, Mr. McNAMARA, Mr. METCALF, Mr. MORTON, Mr. PROUTY, Mr. RUSSELL, and Mr. YOUNG of Ohio entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

#### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 17, Friday, September 18, and Saturday, September 19, 1964, was dispensed with.

#### MESSAGES FROM THE PRESIDENT

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

#### REPORT ON ACTIVITIES UNDER PUBLIC LAW 480—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

##### *To the Congress of the United States:*

I am sending to the Congress the 20th semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period January 1 through June 30, 1964.

LYNDON B. JOHNSON.

THE WHITE HOUSE, September 21, 1964.

#### EXECUTIVE MESSAGES REFERRED

As in executive session.

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Ralph E. Haffenden, to be postmaster at Belvidere, Ill., which nominating messages were referred to the appropriate committees.

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

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. WALTER NORBLAD, late a Representative from the State of Oregon, and transmitted the resolutions of the House thereon.

#### ENROLLED BILL SIGNED

The message announced that the Speaker had affixed his signature to the enrolled bill (S. 49) to provide for recognition by the United States of Alaska's 100th anniversary under the American flag, and for other purposes, and it was signed by the President pro tempore.

#### THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the legislative calendar under rule VIII was dispensed with.

#### LIMITATION OF DEBATE DURING MORNING HOUR

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

#### EXECUTIVE COMMUNICATIONS, ETC.

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

#### REPORT ON COMMISSARY ACTIVITIES OUTSIDE THE CONTINENTAL UNITED STATES

A letter from the Assistant Secretary of Commerce, reporting, pursuant to law, that the Department conducted no commissary activities outside the continental United States during the fiscal year 1964; to the Committee on Commerce.

#### REPORT ON SCIENTIFIC RESEARCH GRANTS

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on scientific research grants, for the fiscal year 1964 (with an accompanying report); to the Committee on Government Operations.

#### REPORT ON NEED FOR EFFECTIVE MANAGEMENT

##### ACTION TO ACHIEVE SUBSTANTIAL SAVINGS BY FURNISHING UNIFORMS IN LIEU OF PAYING CASH ALLOWANCES TO EMPLOYEES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for effective management action to achieve substantial savings by furnishing uniforms in lieu of paying cash allowances to employees, Veterans' Administration, dated September 1964 (with an accompanying report); to the Committee on Government Operations.

#### REPORT ON UNECONOMICAL PROCUREMENT OF MOTOR VEHICLE PARTS AND ACCESSORIES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on uneconomical procurement of motor vehicle parts and accessories, Department of the Navy, dated September 1964 (with an accompanying report); to the Committee on Government Operations.

#### REPORT ON PETITIONS TO ACCORD FIRST PREFERENCE STATUS TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report on petitions to accord first-preference status to certain aliens (with accompanying papers); to the Committee on the Judiciary.

#### PETITIONS

Petitions were laid before the Senate and referred as indicated:

##### By the PRESIDENT pro tempore:

A resolution adopted by the Constitution Island Association, of West Point, N.Y., protesting against the proposed Consolidated Edison pumped-storage hydropower plant at Storm King Mountain, N.Y.; to the Committee on Commerce.

A resolution adopted by the Constitution Island Association, of West Point, N.Y., commending the Congress on the enactment of the wilderness and land and water conservation bills; to the Committee on Interior and Insular Affairs.

#### CIVIL RIGHTS—RESOLUTION

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Municipal Council of São Paulo, Brazil, expressing appreciation for the enactment of civil rights bill, which was referred to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Armed Services, with an amendment:

H.R. 8427. An act to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes (Rept. No. 1589).

By Mr. DOUGLAS, from the Committee on Banking and Currency, without amendment:

S. 3174. A bill to amend section 5 of the Employment Act of 1946 (Rept. No. 1590).

## BILLS INTRODUCED

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

By Mr. BREWSTER:

S. 3198. A bill for the relief of Salvatore Tropea; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. PROXIMIRE, Mr. BARTLETT, Mr. MOSS, Mr. SALTONSTALL, and Mr. JAVITS):

S. 3199. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

## RESOLUTION

## DEATH OF REPRESENTATIVE WALTER NORBLAD, OF OREGON

Mr. MORSE (for himself and Mrs. NEUBERGER) submitted a resolution (S. Res. 370) relative to the death of Representative WALTER NORBLAD, of Oregon, which was considered and agreed to.

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

## SECRET SERVICE PROTECTION FOR PRESIDENTIAL AND VICE-PRESIDENTIAL NOMINEES—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the junior Senator from New Mexico [Mr. MECHAM] be added as a cosponsor of S. 3191, the bill introduced by the distinguished minority leader the Senator from Illinois [Mr. DIRKSEN] and me to authorize the U.S. Secret Service to protect the persons of the nominees of the major political parties for President and Vice President of the United States.

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

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the orders of the Senate of September 14 and 16, 1964, the names of Mr. ALLOTT, Mr. CURTIS, and Mr. HRUSKA were added as additional cosponsors of amendment No. 1272, intended to be proposed by Mr. PEARSON (for himself and other Senators) to the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, submitted on September 14, 1964.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 21, 1964, he presented to the President of the United States the enrolled bill (S. 49) to provide for recognition by the United States of Alaska's 100th anniversary under the American flag, and for other purposes.

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

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

By Mr. RANDOLPH:

Editorial in the September 11, 1964, Morgantown (W. Va.) Post, together with proceedings incident to the groundbreaking ceremonies for the Fort Martin Power Generating Station, Fort Martin, W. Va.

## VISIT BY THE PRESIDENT OF THE UNITED STATES TO CANADA AND THE PACIFIC NORTHWEST

Mr. MANSFIELD. Mr. President, I had the good fortune to travel with the President of the United States on Wednesday and Thursday last, when he visited Great Falls, Mont.; Vancouver, British Columbia; the Peace Arch at Blaine, Wash.; Seattle, Wash.; Portland, Oreg., and Sacramento, Calif.

At Great Falls, Mont., 30,000 people turned out to hear the President as he arrived at Malmstrom Air Force Base. Thousands of others were on the way to welcome him but could not get through because only one gate was available. But Montana showed its appreciation and welcome.

I ask unanimous consent that the speech delivered by the President upon his arrival at Malmstrom Air Force Base, Great Falls, Mont.; the exchange of remarks between President Johnson and Prime Minister Lester B. Pearson, of Canada, at Malmstrom Air Force Base; and the exchange of remarks between the President and the Prime Minister upon arrival at Vancouver International Airport, British Columbia, Canada, be printed at this point in the RECORD.

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

## REMARKS OF THE PRESIDENT UPON ARRIVAL AT MALMSTROM AIR FORCE BASE, GREAT FALLS, MONT.

Thank you, Mayor, and my Montana friends.

This is a bountiful and spacious State, but you have known the ravages as well as the rewards of nature. On June 9 I declared a "major disaster" caused by floods in northwestern Montana and allocated \$2 million for disaster relief. Today I have approved another \$4½ million to finish the job of reconstruction and rebuilding this great State.

We are now on our way to Canada to proclaim a treaty which will make possible the construction of the Libby Dam—bringing jobs and power and recreation to your State. Neither the treaty nor dam would be a reality if it were not for the work of your representatives of both parties in the Congress. I want to congratulate the people of this great section of the United States for the

quality of the public servants they select. I am happy to have been honored at the steps when I descended from the plane by many of your great Governors, who will be introduced a little later. I came out with some of the leaders of your Nation in the plane—your own beloved Senators MIKE MANSFIELD and LEE METCALF.

I have come here today to make a report. This has been the greatest conservation Congress in the history of the United States. This has not been a partisan or a sectional work. It has been the achievement of farsighted men of every party and of every section, and your children will thank you for making that investment in their future.

Your State was once a remote and distant place. Today it is only hours away from Washington. We had breakfast in your Nation's Capital. We will lunch in our neighboring country of Canada.

The resources of Montana underlie the strength of America. The military might of Montana is a bulwark of the defense of freedom, and we must never forget that it is only minutes away from the missiles of our adversaries. Montana, thus, today is a vital link in a united country in a very shrinking world. Everything we hope for, the greatness of America, the hope for peace, depends upon common partnership in common purpose.

When Captain Lewis first saw the Great Falls of Montana, he reported that in a few days he was attacked by a grizzly bear, a mountain lion, three buffalo bulls, and he woke up the next morning staring at a rattlesnake. Those were truly impressive dangers, but today the people of Montana and the people of the world face far more towering threats. You live in the midst of the power that could destroy the entire world.

So let us work together so the day need never come when your peaceful soil must send forth instruments of destruction and death to the millions of human beings.

I know that this peace is your dearest wish. We will always keep our hand out and our guard up. As long as I am privileged to be a part of the leadership of this country, I want you to know that peace will be my fixed star. It will be my first objective, as it is your first goal.

Thank you for this warm welcome on this wonderful day under this great sky. May God bless each of you.

## EXCHANGE OF REMARKS BETWEEN PRESIDENT LYNDON B. JOHNSON AND PRIME MINISTER LESTER B. PEARSON, OF CANADA, AT MALMSTROM AIR FORCE BASE, GREAT FALLS, MONT.

President JOHNSON. Ladies and gentlemen, distinguished Members of the Congress, distinguished Governors, welcome to the United States, Mr. Prime Minister, and welcome to Montana, whose majesty and western warmth should remind you of your own great country.

In 1963, Mr. Prime Minister, you said of Canada: "We are so friendly that we feel that we can criticize the United States like a Texan does—and in the same idiom." This Texan hopes that you still feel that freedom, for we welcome the comments and the counsel which spring, as yours does, from friendship and understanding, although I doubt that even with your grasp of languages you will be able to match the Texas idiom.

Twenty-one years ago President Franklin D. Roosevelt and Prime Minister Mackenzie King met in Hyde Park. They agreed to work together to defend this hemisphere and to defend democracy everywhere. From that day to this, we have followed the same path of partnership. Free people everywhere are more secure because of our cooperation in NORAD, in NATO, and in the United Nations.

The freedom and richness of our lands, the hopes of the people it serves, depend upon the peace of the world that we live in. It is a symbol of our time that beneath the magnificence of this Montana stand weapons that are powerful enough to devastate much of a continent. Those of us who seek peace know that only wisdom and patience, and the fortitude of long effort, can bring us near to that goal. But we will always pursue that goal.

You, Mr. Prime Minister, are a symbol of that effort. You have never wavered in the defense of freedom. But you also have given much of your life so that freemen might live in peace. You have done much for your people. You have carried the influence of Canada to the highest councils and to the most hazardous crises of the world.

But we greet you not only as a great Canadian today. We welcome you as a man whose home is found wherever man seeks fulfillment amid the peace that you, Mr. Prime Minister, have labored so long and so hard to build.

Prime Minister PEARSON. Mr. President, distinguished Governors, distinguished Members of Congress, Members of Parliament, ladies and gentlemen, it gives me a very great pleasure to be on American soil once more and to receive such a kind and generous welcome from you, Mr. President, and from your distinguished colleagues.

This is a very brief visit, but it gives me time and opportunity to bring to you the warm good wishes of the Canadian people toward their American friends. You know, I feel like a neighbor dropping in to make a friendly visit. Indeed, that is what I am doing, because I just dropped in to pick up the President and take him back to Canada.

This is the kind of relationship which exists between our two peoples. It is close, it is informal, it is important, and it is neighborly. Like leaning over a back fence to talk to your neighbor, but a back fence which neither neighbor wishes to pull down and which both are anxious to keep in good repair. Of course, there are differences of opinion and, at times, frustrations between even the best of neighbors, and we have them between our two countries, but they do not prevent a warm underlying friendship and understanding.

Mr. President, you and I will be setting forth today on a fascinating and historic journey to explore from the air—I hope we will be able to see it—the mighty Columbia River and the region of a great cooperative development, a development which agreement between our two Governments made possible. To me, the Columbia River project is the kind of enterprise which best demonstrates the partnership between the United States and Canada. This is what our two countries are uniquely fitted to do, to join together in the constructive development of our continent's resources for the benefit of present and future generations, in a world in which I hope we will be at peace.

The Columbia River Treaty is not only an achievement in itself, but an earnest for the future. We must follow it up with other fruitful joint endeavors which will give substance to our friendship which I am so proud to acknowledge this morning, and meaning to our good neighborhood, of which this happy meeting is a witness.

Thank you.

EXCHANGE OF REMARKS BETWEEN PRIME MINISTER LESTER B. PEARSON, OF CANADA, AND PRESIDENT LYNDON B. JOHNSON UPON THEIR ARRIVAL AT VANCOUVER INTERNATIONAL AIRPORT, VANCOUVER, BRITISH COLUMBIA, CANADA  
Prime Minister PEARSON. Mr. President, Mr. Premier, distinguished guests from the

United States, and friends, it is a very great pleasure, Mr. President, to welcome you to Canadian soil, as I have been welcoming you to Canadian air space, and especially happy because this is the occasion of the ratification of a treaty which will benefit both our countries and which is the result of friendly cooperation between them.

It is, I think, appropriate that your first visit, as President, outside the United States should be to Canada, your nearest neighbor, your closest friend, and naturally, therefore, your most candid and constructive critic.

It is the accepted convention that the first official visit of the head of a state or the head of a government to another country should be to the capital of that country, but you, Mr. President, are a Texan and, as such, not bound by conventions—at least that kind of convention. So your first visit to Canada, and your first visit as President outside the United States, is to British Columbia, to Vancouver, where you are being greeted today by Premier Bennett and other distinguished citizens of this Province.

It is fitting, I believe, that this should be the case, and it is a recognition of the surge of Canadian development west and north, and of our interest and our destiny across the Pacific. In no part of Canada could your welcome be more sincere than in this great Province. But I assure you, Mr. President, that had you landed at our most eastern airport in Newfoundland, 5,000 or more miles away, or at any place between, our welcome to you would have been equally warm both for yourself and as President of the United States of America, the Nation which bears today so much of the burden of insuring peace and promoting freedom in the world, the Nation which has led the free world through these troubled postwar years, the Nation that is our good friend and our good neighbor.

President JOHNSON. Thank you, Mr. Prime Minister.

Premier Bennett, honorable Ministers and Members of Parliament, citizens of British Columbia, my fellow westerners, ladies and gentlemen, if you would indulge me just a moment, I should like to introduce to our Canadian friends the distinguished Americans who have come with me today to participate in this most enjoyable occasion, and to commemorate this day.

First of all, I should like to ask the distinguished chairman of our Foreign Relations Committee of the U.S. Senate, Senator J. WILLIAM FULBRIGHT, to stand, and his wise and beloved colleague, Senator GEORGE AIKEN, a great friend of Canada.

From our neighboring State of Montana, we have the great majority leader of the U.S. Senate, Mike Mansfield; his colleague, our friend Senator Lee Metcalf, and Governor Babcock.

From Oregon we have Senator Morse; the distinguished member of the Foreign Relations Committee, Senator Neuberger; the fine young Governor of Florida—of Oregon, Governor Hatfield.

Governor, I hope you will pardon me, because I was in Florida yesterday, and I am going to be in Oregon tomorrow.

From the State of Washington, we have Senator Warren Magnuson; Senator Henry Jackson, and Governor Rosellini.

It is on rare occasions that we have a quorum of the Senate here in the middle of the afternoon.

From the great State of Nevada, we have Senator Alan Bible, Senator Howard Cannon; and Gov. Grant Sawyer.

And my own distinguished Secretary of the Interior, Mr. Stewart Udall.

Mr. Prime Minister, Mr. Premier, I want to thank you for your generous welcome. This trip to Vancouver is the first that I have taken outside of my own country since I became President last November.

I think I will be guided by an old Chinese proverb: "When you enter a country, inquire as to what is forbidden; when you cross a boundary, ask about the customs." Well, I have made careful inquiries and I will eat the salmon and praise the B.C. Lions.

It is appropriate that this first trip should be to Canada. Our ties are old and they are strong. We are at once neighbors and friends, and partners and allies, and I am very glad my first stop is Vancouver.

Here is that spirit of adventure and commitment, of building a nation which is part of the West, which is my home also. I won't say that Vancouver reminds me of Texas. I will say, though, when I go home, that Texas reminds me of Vancouver.

Your Prime Minister has said that the great purpose of international statesmanship today must be to make possible a better life for all. Well, that is the purpose of this visit. The treaty we proclaim will lay a new foundation of prosperity for Canadians and Americans, for your West and for ours.

We have achieved this partnership because we respect our differences. This continent is a richer and freer place for that respect. At the same time, we owe much to each other. We can never forget that the rich soil of American freedom has been washed with Canadian blood, shed in a common effort against foreign enemies; nor can we forget that you have an honest interest in our affairs. We will always stand with you in the defense of freedom.

But I also tell you that in the years to come, my country will spare no effort to achieve a lasting peace for all of us.

I hope to learn more about your country. I hope to encourage my people to discover more of the richness of your culture, the values of your people, and the promise of your destiny. But this much we already know: No nation in the world has had greater fortune than mine in sharing a continent with the people and the nation of Canada.

And now, in the midst of a great drought in Texas, we welcome this great rain here.

Mr. MANSFIELD. Mr. President, we of Montana were honored at the meetings of the two chiefs of state. It was the first time a meeting of this kind had ever occurred in our territory, and it was most auspicious that it should be done in the Big Sky Country and on the 100th anniversary of Montana's becoming a Territory.

When the President left Malmstrom Air Force Base, he traveled in an Air Force plane with the Prime Minister. It was the first time the President had traveled outside the United States while in office. We were honored to have the Prime Minister of Canada as our guest on that most auspicious occasion, which put into effect the treaty for the development of the Columbia River Basin, which means so much to all of us in that region.

ADDRESS DELIVERED BY PRESIDENT OF THE UNITED STATES AT INTERNATIONAL PEACE ARCH, BLAINE, WASH.

Mr. MAGNUSON. Mr. President, I, too, like the distinguished majority leader, had the privilege of accompanying the President of the United States on a trip last week to Canada and the Pacific Northwest, and later to the State of the distinguished junior Senator from California [Mr. SALINGER].

At Blaine, Wash., some years ago, the peoples of Canada and the United States erected what we term a "Peace Arch" to commemorate the years and decades of friendship between our two countries, and the thousands of miles of border which exist without any barriers of any kind, with the possible exception of immigration and customs.

At the Peace Arch in Blaine, Wash., on September 16, the Prime Minister of Canada, Hon. Lester B. Pearson, and the President of the United States formally signed the final documents to commemorate another great mark of good feeling between the two countries, when their representatives affixed their signatures to what is known as the Columbia River Treaty. Not only was this an impressive ceremony as relating to the two countries and their people; but the senior Senator from Washington and his junior colleague [Mr. JACKSON], and the Senators from Oregon, Montana, California, Utah, Nevada, Arizona, Idaho, and the States in the great Columbia Basin, and those of the Pacific Southwest, took added pleasure in being in attendance at this ceremony.

This event culminated the work of many years—14, to be exact, which included the holding of many hearings and conferences, telephone calls, and meetings of all types. Finally the work was accomplished. It will make the potential of the great Columbia River available to all the people of the Pacific Northwest and Canada, and will also provide added benefits which we hope will flow to the great Pacific Southwest, because at the same time we culminated an intertie between the Pacific Southwest and the Pacific Northwest for the transmission of power.

This arrangement will add to the prime power load in the area farther south. It will add to the flood control works and provide for the additional development of natural resources. In Montana, benefits will flow from the great Libby Dam.

Mr. President, this is a prime example of what two countries can do to realize the full potential of their God-given resources.

I ask unanimous consent to have printed at this point in the RECORD the remarks of the President of the United States and the Prime Minister of Canada at the Peace Arch.

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

REMARKS OF PRIME MINISTER LESTER B. PEARSON, OF CANADA, AND PRESIDENT LYNDON B. JOHNSON AT THE INTERNATIONAL PEACE ARCH, BLAINE, WASH.

President JOHNSON. I proclaim this treaty from this day forward. Let it be observed by the Government and by the people of the United States of America.

Prime Minister PEARSON. Mr. President, Premier Bennett, Governor Rosellini, distinguished guests, ladies and gentlemen, it is raining, and I was going to make a speech, but I think the best thing I can do is to cut my speech short and let you get in out of the rain.

But before I do that, may I say how honored and privileged I am to be here, to participate in this impressive and moving ceremony with the President of the United States of America. I think the signing of

this treaty is an important accomplishment, not only because it will be of great material benefit to our two countries and our two peoples in the development of the resources of this continent, but because it is another illustration of friendship and good neighborhood, and the way two countries can and should work together.

Mr. President, we are grateful to you for coming to this border to make this possible. We are grateful to you for bringing with you distinguished Members of Congress and important men in the political life of your country. We want you to know that you have been very welcome to Canada on this first visit to our country. We would like you to come back. If you come back, you will see, Mr. President, that this treaty has indeed been a constructive one and that it is going to work to the benefit of both of our countries. For that we owe a debt of gratitude not only to the negotiators, but to the Premier of this Province who worked with them to bring about this great day in the development of this part of North America and a great day in international cooperation between our two countries.

Thank you very much.

President JOHNSON. Mr. Premier, Mr. Prime Minister, distinguished guests on the platform, ladies and gentlemen, there are many reasons why my first trip abroad as President should be to Canada. In 1839 J. Pinkney Henderson, the representative of the Republic of Texas to France and to England wrote that Great Britain might delay its recognition of the new Republic for fear of the impact in Canada. But Canada remained loyal. Great Britain recognized Texas, and that recognition helped open the door to American union for Texas.

Had that not happened, Mr. Prime Minister, had Texas stayed independent, classical diplomacy suggests that we might very well today be concluding a treaty of mutual defense against the American influence. As a Texan, I can sympathize with the problems of living beside a wealthy and powerful and pervasive neighbor. That is just how the rest of the United States feels about Texas.

More than 3 years ago, President Kennedy came to Canada. He told your Parliament his trip was "an act of faith." He said it was faith in our capacity to meet common problems, and in our common cause of freedom. Well, my trip today is a fulfillment and a renewal of that act of faith. It is both a resolution of a common problem, and a strengthening of freedom's cause.

Lord Durham, in the famous report that laid the foundation for modern Canada, spoke of the possibility of establishing "partners in a new industry, the creation of happy human beings." That partnership is the purpose of this treaty that we have signed today.

It will supply new electric power to millions of my countrymen. It will supply revenues to Canada, although I was somewhat shocked when I heard you read that cable about receiving \$253,999,884, and then to show you what the Canadians really went for, they went for that last 25 cents.

It joins common purpose to common interest in pursuit of the welfare of the free people who share our continent. My country is grateful for the spacious spirit with which this generous design was conceived and the way it was carried out, even down to the last quarter. It is another landmark in the history of one of the oldest and most successful associations of sovereign governments anywhere in the world.

What is the secret of this success? It begins with a truth: The only justifiable object of government is the welfare of individual men and women. It is a simple truth. But had others shared it with us, the world would have been spared many dark years.

With this as the animating design, our partnership has been built on four pillars, and the success of that structure might well serve as a model to the world.

The first pillar is peace.

The second pillar is freedom.

The third pillar is respect. One of my predecessors, Woodrow Wilson, said, "You cannot be friends upon any other basis than upon terms of equality." We maintain with each other the relationship we seek for all the world: cooperation amid diversity.

Pericles said of a state that was much smaller than yours, "We have forced every sea and land to be the highway of our daring." In the founding of the United Nations, in the Middle East, in the Congo, in southeast Asia, the world has responded to Canadian daring. You have followed not the highway of empire which helped destroy Athens, but the more difficult path to peace which can save the world, and you have been a principal architect, Mr. Prime Minister, of that profound achievement.

The fourth pillar is cooperation. This agreement is the latest in an impressive list. We have disarmed our border; we have shared the costs of defense; we have divided power at Niagara; we have built the St. Lawrence Seaway, and resolved scores of other problems. Difficulties that divide others have united us.

The reason is plain. We share interest and we share purpose. We come to the council table advised by reason, aware of each other's problems, anxious to find final agreement. You told us, Mr. Prime Minister, "As good neighbors we must be able to sit down and discuss (problems) realizing that solutions will not be found without hard work and without give and take on both sides."

We both have problems we must solve within our borders. My country has a war to win on poverty. We must find justice for men of all races. We must crush the forces of division which gnaw at the fabric of our union.

You have your own difficulties. We watch, with friendly confidence in your capacity to merge differences in the grand dream of Canadian design. But there is also much, Mr. Prime Minister, which we share.

In the world we seek peace, and mounting fulfillment for man. Here we work together, from ocean to ocean, in resources and science, to enrich the life of our two peoples to elevate the quality of our two societies.

Franklin Roosevelt once said, "Democracy is the form of government which guarantees to every generation of men the right to imagine and to attempt to bring to pass a better world." That has been the story of your life, Mr. Prime Minister. It is also the strength of our two nations, and I believe that future generations will have cause for gratitude that two great democracies—Canada and the United States—shared the most generous continent which God has ever granted to man.

Thank you.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES AT "A SALUTE TO UNITED STATES AND CANADIAN PARTNERSHIP IN PROGRESS," SEATTLE, WASH.

Mr. MAGNUSON. Mr. President, the President of the United States then proceeded that evening to my hometown, Seattle, and before a widely representative audience, which included the World Affairs Institute, the presidents of the three great universities in the area, the chamber of commerce, the English-Speaking Union, and many similar organizations which have an interest in the close relations between the United States

and Canada, the President made further remarks, which are entitled "A Salute to United States and Canadian Partnership in Progress." I ask unanimous consent that those remarks be printed at this point in the RECORD.

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

**REMARKS OF THE PRESIDENT AT "A SALUTE TO UNITED STATES AND CANADIAN PARTNERSHIP IN PROGRESS," OLYMPIC HOTEL, SEATTLE, WASH.**

Thank you, Senator JACKSON.

My friend Governor Rosellini, my old friend and your great Senator, Warren Magnuson; Senator Aiken, one of the best Republicans I know, and he proved tonight he has good judgment when he told you he didn't dare come out here and run in Washington. We always want Senator Aiken to remain in the Senate. We want him there from the Northeast, and not the Northwest.

Mayor Braman, Mr. Turner, my friends, my fellow westerners, let me begin tonight by thanking my very gracious hosts for their very warm and friendly welcome. I want to especially say thank you to the three great institutions of learning, the chamber of commerce, and the other fine organizations that have joined you here tonight in this meeting.

I want to pay my respects to the distinguished leaders in our public life who have come here with us this evening: the distinguished chairman of the Senate Foreign Relations Committee, Senator Fulbright; the distinguished majority leader from Montana, Senator Mansfield; the two great Senators from Oregon, Senators Morse and Neuberger; the two distinguished Senators from Nevada, Senator Bible and Senator Cannon; from California, Senator Salinger; and the great Secretary of the Interior, Secretary Udall.

Tonight I want to talk to you about one of the most solemn responsibilities of the President of the United States, and that is the duty to direct and control the nuclear power of the United States.

Nineteen years ago President Truman announced "the force from which the sun draws its power has been loosed." In a single, fiery flash the world as we had known it was forever changed. Into our hands had come much of the responsibility for the life of freedom, for the life of our civilization, and for the life of man on this planet, and the realities of atomic power placed much of that burden in the hands of the President of the United States.

Let no one think atomic weapons are simply bigger and more destructive than other weapons; just another development like the airplane or the tank. The total number of Americans killed in battle from the Revolution until tonight is a little over 526,000 people. Today a single nuclear weapon can kill more than 526,000.

Our experts tell us as of today that a full-scale nuclear exchange between the East and the West would kill almost 300 million people around the world, and in the midst of that terror and tragedy we could expect that weapon after weapon would soon engulf a portion of mankind. A cloud of deadly radiation would drift and destroy, menacing every living thing on God's earth, and in those unimaginable hours unborn generations would forever be lame.

Now, in the face of these facts, every American President has drawn the same conclusion:

President Harry Truman said: "Such a war is not a possible policy for rational man."

President Eisenhower said: "In a nuclear war, there can be no victory—only losers."

President Kennedy said: "Total war makes no sense \* \* \*."

And I say that we must learn to live with each other or we will destroy each other.

Many forces have converged to make the modern world. Atomic power is very high among those forces, but what has the atomic age meant for us who have come here to this dinner tonight?

It means, I think, that we have a unique responsibility, unique in history, for the defense of freedom. Our nuclear power alone has deterred Soviet aggression. Under the shadow of our strength, our friends have kept their freedom and have built their nations.

It means that we can no longer wait for the tides of conflict to touch our shores.

It means that great powers can never again delude themselves into thinking that war will be painless or that victory will be easy. Thus, atomic power creates urgent pressure for peaceful settlements, and for the strengthening of the United Nations.

It means a change must come in the life of nations. Man has fought since time began, and now it has become clear that the consequences of conflict are greater than any gain, and man just simply must change if man is to survive.

For Americans, it means that control over nuclear weapons must be centralized in the hands of the highest and the most responsible officer of Government—the President of the United States. He, alone, has been chosen by all the people to lead all the Nation. He, alone, is the constitutional Commander in Chief of the Nation. On his prudence and wisdom alone can rest the decision which can alter or destroy the Nation. The responsibility for the control of U.S. nuclear weapons rests solely with the President, who exercises the control of their use in all foreseeable circumstances. This has been the case since 1945, under four Presidents. It will continue to be the case as long as I am President of the United States.

In this atomic age we have always been required to show restraint as well as strength. At moments of decisive tests, our nuclear power has been essential. But we have never rattled our rockets or come carelessly to the edge of war.

Each of the great conflicts of this century have begun when nations wrongly thought others would shrink before their might. As I and my predecessors have said, we may have to use nuclear weapons to defend American freedom, but I will never let slip the engines of destruction because of a reckless and rash miscalculation about our adversaries.

We have worked consistently to bring nuclear weapons under careful control, and to lessen the danger of nuclear conflict, and this policy has been the policy of the United States of America for 19 years now, under both Democratic and Republican administrations, and this will continue to be the policy of the United States of America.

First, we have worked to avoid war by accident or miscalculation. I believe the American people should know the steps that we have taken to eliminate the danger of accidental attack by our strategic forces, and I am going to talk about that tonight.

The release of nuclear weapons would come by Presidential decision alone. Complex codes and electronic devices prevent any unauthorized nuclear bursts. In addition, since 1961 we have placed permissive action links on several of our weapons. These are electromechanical locks which must be opened by secret combination before action at all is possible, and we are extending this system.

The American people and all the world can rest assured that we have taken every step man can devise to insure that neither a madman nor a malfunction could ever trigger nuclear war.

We have also worked to avoid war by miscalculation. There may be little time for decision between our first warning and our need to reply. If our weapons could be easily destroyed, we would have to make the final decision in a matter of minutes. By protecting our power against surprise attack, we give ourselves more time to confirm that war has actually begun.

Thus, we have placed missiles in protected, underground sites. We have placed missiles beneath the seas. And we have provided constant and secure communication between strategic forces and the Commander in Chief, the President of the United States.

I do not want to fight a war that no one meant to begin. We have worked to limit the spread of nuclear weapons. The dignity and the interest of our allies demands that they share nuclear responsibility, and we have proposed such measures. The secrets of the atom are known to many people. No single nation can forever prevent their use. If effective arms control is not achieved, we may see the day when these frightful, fearful weapons are in the hands of many nations. Their concern and capacity for control may be more limited than our own.

So our work against nuclear spread must go on.

Third, we have developed ways to meet force with appropriate force by expanding and modernizing our conventional forces. We have increased our ground forces. We have increased our tactical air force. We have increased our airlift. We have increased our stock of the most modern weapons.

Thus, we do not need to use nuclear power to solve every problem. We will not let our might make us musclebound.

Fourth, we have worked to damp down disputes and to contain conflict. In an atomic world, any spark might ignite the bonfire. Thus, our responses are firm, but measured. We saw an example of that in the Tonkin Gulf just the other day. Thus, we pursue peaceful settlement in many remote corners of the globe.

Fifth, we constantly work toward arms control. A test ban agreement has ended atmospheric explosions which were poisoning the atmosphere. We have established a hot line for instant communication between the United States and Moscow in case of crisis.

As President, I ordered a cutback of unnecessary nuclear production, and this year we submitted several major new proposals to the disarmament conference in Geneva. I will pursue with vigor all of those proposals.

These are only first steps. But they point the way toward the ultimate elimination of ultimate destruction. So long as I am your President, I intend to follow that course with all the patience at my command. In these ways, for 19 dangerous years, my three predecessors have acted to insure the survival of the Nation, to insure survival of our freedom, and to insure survival of our race. That will always be my policy and this is the wish of the people of the United States.

I want to depart just a moment to say that this next month I will have been in Washington for 33 years, serving as a secretary, as a Congressman, as a Senator, and as Vice President, and now as President. I want to say a genuine "Thank you" to you good, enlightened people from this modern, progressive State for sending to us, through the years, such outstanding, patriotic, competent public servants. I particularly am grateful to you for having given to all the Nation a man like WARREN MAGNUSON, who has served so well, and no man has done more about the policy that I speak of tonight than MAGGIE's efficient colleague, your junior Senator, and my beloved friend, "Scoop" JACKSON.

Now, the thing that concerns us all more than anything else in the world is how we

can live in peace, because in the largest sense we will never be safe until the world is at peace, and until free men are secure, and that kind of world, my friends, is not going to come to us easily. But it must be the untiring pursuit of every man that is entrusted with the leadership of America. And it is the untiring pursuit of the Washington delegation in the U.S. Senate, I am proud to say.

Conflict among nations will trouble this planet and will test our patience for a long time to come. And as long as weapons are necessary, wisdom in their control is going to be needed. The man who guides them holds in his hands the hopes of survival for the entire world.

As I exercise my cares every day and every night, I often think of those who have just begun and those who are yet unborn. I want them to have a chance. With all my power, and all the aid the Lord offers me, I will help give them that chance. And I think so will all of you.

In many ways the world tonight is now in the valley of the shadow. But there is an old poem that ends: "Westward look the land is bright." From this western shore tonight I believe we, too, can see a brightening land. Our country is moving forward. It is carrying with it the advancing ranks of freedom. Somehow or other—optimist that I am—I just believe that peace is coming nearer. If this is so, we may one day see fulfilled the prophecy of the Bible: "The morning stars sang together, and all the sons of God shouted for joy." Thank you; good night.

(At this point Mr. BREWSTER took the chair as Presiding Officer.)

#### VISIT BY THE PRESIDENT OF THE UNITED STATES TO SACRAMENTO, CALIF.

Mr. SALINGER. Mr. President, following the visit of the President of the United States to Montana, Washington, and Oregon, spoken of by the distinguished majority leader [Mr. MANSFIELD] and the distinguished Senator from Washington [Mr. MAGNUSON], the President visited Sacramento, where he received the most enthusiastic crowd that that city of my home State of California has ever produced. A vast assemblage of about 75,000 persons was gathered in front of the State Capitol, where the President delivered a most remarkable address.

I commend the address to the American people and also to all people throughout the world, whether they be friends or foes, because, more than any recent speech by the President, it tells our own people about the lengths to which the U.S. Government has gone to protect the people of this country against attack at any time.

I ask unanimous consent that the remarks delivered by the President on the steps of the capitol in Sacramento, Calif., be printed at this point in the RECORD.

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

#### REMARKS OF THE PRESIDENT ON THE STEPS OF THE CAPITOL, SACRAMENTO, CALIF.

Thank you, Governor Brown. I am very pleased to have Mrs. Brown and Cathy here. Reverend Ferguson, Senator Salinger, Speaker Unruh, Senator Byrnes, Congressman Moss, my good friend and gracious hosts in Sacramento, I am very proud to be in the home State of more Americans than any other. California sets a fine example for the Nation, because here Americans and

Texans live together side by side in relative harmony. Your State was almost my home State, too. When I was a teenager, I heard that California wanted men to match her mountains, so I came out here to apply, but I got a job in the fruit orchards instead and I went back home to the Texas hills.

I am very proud to be here in Sacramento today where everything is done up brown. As the son of a State legislator, I knew its ways and the wisdom of the State house before I ever knew the location of the White House, and my respect for State governments and the people who serve them has never waned.

I might say that Pat Brown knows the way to both the State house and the White House, and the door is open to him in both places. I know that you have no vacancies in the U.S. Senate, but anything can happen, and so I would like you to meet and to know my Press Secretary, George Reedy. But PIERRE was my press secretary, too. I always thought he would go a long way, too, but I never dreamed that the day would come when I would be responsible for his public relations.

Four years ago I came to this same scene to ask your votes, to ask your votes for a great and gallant American, John Fitzgerald Kennedy. On this occasion, at the capital of all the people of this Union's largest State, I come as no partisan. I come as President of all the people of the United States, to speak to all the Nation, and for the Nation, to all the world.

In our history, this is a day of highest honor. On this day 177 years ago our forefathers ordained and established the Constitution of the United States. Over the years, our Union has grown—from the Atlantic seaboard to the mid-Pacific; from the Florida Keys to the Far North; from 13 States to 50 States; from 3 million citizens to nearly 200 million now.

On that same rock of the Constitution, our Republic still stands. It stands stable, it stands secure, never stronger, never more successful, never so prosperous, never more determined to defend freedom or to preserve peace. Our system is succeeding as none before—anywhere, at any time—have ever succeeded.

Of all the ages that men have lived, this age of America is the best of all. This is the real truth about America now—and you know it. But others must know this and others must understand it. That is why I have come to California to speak to you as I do today. I want my voice to be heard around the world, for I speak not for myself, but for the people I serve—the strong, the sensible, the moral, the decent, and the peaceful people of the United States.

In this century, time and time again, other men in other lands have misled themselves about what they have heard or what they have read from our land in national election years. From Hitler in 1940 to Castro in 1962, grave miscalculations have been made about America at election time. Our seasons of debate have been miscalculated as seasons of distraction and diversion and division.

There must be no such miscalculation in 1964. To those who look to us in trust, to all who wish us well, and to any who wish us ill, I say this today: Do not misjudge America's readiness or America's will. Do not miscalculate the unity of all the American people.

Our Nation, conceived in independence and brought forth in unity, has not now come to a time of disunity, or division, or diversion. Through all our years America's cause has been the cause of all of mankind, and this is our cause still. Our purpose is to live in freedom in a world of peace—and that American purpose will never change. But this generation of Americans, blooded in battle, matured in peril, living in times

when life was never better, but never in graver danger—we know that eternal vigilance is the price of liberty.

We know, as Tom Paine put it, "Those who would reap the benefits of liberty must bear like men the hardships of defending it." This we are doing, and this we shall always do.

Here in California, I do not need to recite the facts of America's strength and power, for you are the real builders of that strength. We are strong; we are the strongest Nation on the earth. Our allies trust that strength. Our adversaries must respect it. Men of all lands can have faith in its wise use. But the condition of our strength is never static. As dangers change, our strength must change, and we are matching new dangers with sure reply.

Seven years ago America awakened one morning to find a Soviet satellite orbiting the skies. We found that our adversaries had acquired new capabilities for the use, or the misuse, of space. This administration moved to meet that challenge. We sought and we supported a resolution unanimously approved in the United Nations banning the use of weapons of mass destruction in outer space. We have stated that we have no intention of putting warheads into orbit. We have no reason to believe that any nation now plans to put nuclear warheads into orbit. We have more effective systems today.

At the same time, we recognize the danger that an aggressor might some day use armed satellites to try to terrorize the entire population of the world, and we have acted to meet that threat. To insure that no nation will be tempted to use the reaches of space as a platform for weapons of mass destruction, we began in 1962 and 1963 to develop systems capable of destroying bomb-carrying satellites. We have now developed and tested two systems with the ability to intercept and destroy armed satellites circling the earth in space. I can tell you today that these systems are in place, that these systems are operationally ready, that these systems are on alert to protect this Nation and to protect the free world.

Our only purpose still is peace, but should another nation employ such weapons in space, the United States will be prepared and will be ready to reply. But this is not the only new development.

We are constantly seeking means of protecting this Nation and our allies. Today I am able to tell you, and I am able to say to the entire world, we have a major increase in our capacity to detect hostile launches against the free world. Previously, our radar capability has been limited to the detection of objects within the line of sight, but now we have produced, and we are installing, our first facilities for operational over-the-horizon radar. This radar will literally look around the curve of the earth, alerting us to aircraft, and especially to missiles, within seconds after they are launched.

This capability will give us earlier warning than ever before of any hostile launches against this country. This means more time to prepare for our retaliatory strike and more time for us to decide, to decide with prudence and reason, the scope and the extent of our retaliatory strike. This is another advance in our vigil of peace to fulfill our responsibility as the sentry of security for all the free world.

Let me also say this for the people of this Nation, to all, also, who may listen in the world: Long ago, a great American patriot said to his countrymen, "We have one country, one Constitution, and one destiny." So let all understand that this is America today. We are not a Nation divided, or dividing, or divisible. Our will and our work today is that the meaning of our country and our Constitution, and our destiny, shall be

the same for all Americans, regardless of their creed or their color, or their origins. What men are in America is not determined by their pedigree or their purse, by which their soul and spirit and by their God-given worth. Others have in times past believed that abundance and comfort and contentment would make Americans flabby and soft and weak. I know this generation of Americans is lean and strong and wise. As we have no delusions about the dangers of the world, we have no illusions about our challenges here at home. We know that we have problems to meet; and we know that we shall meet those challenges.

Our abundance will not produce arrogance. Success will not turn us into suspicion of one another. We will never trade the pursuit of happiness for the persecutions of hate. If we have new prosperity in our pockets, we carry priceless values in our hearts.

Our fathers followed the sun westward to open a continent. Today we guide our course by the star of the Constitution that our forefathers fixed for us as we go forth to open the new age of civilization in America. Others searched for gold. We searched and we seek after far more precious values. We seek peace and justice and decency for all mankind everywhere. Our arms shall be always ready, but our hand shall be always extended to those who will join us in a pursuit of peace with honor.

We live in a glorious time in a wonderful land. We have much to be thankful for. We can count our blessings, and they are many. We have much to protect and to preserve, and to perpetuate.

You are the leading State in the leading Nation in the world. You have produced leaders worthy of your people, and today California stands out in front as no other State in this Nation stands out. So let us realize that we are trustees and we are guardians of all that is good, and let us try to be worthy of this land of ours. Let us try to build this State and build this Nation as a Nation of lovers instead of a Nation of haters.

Let us direct and guide our conduct by the Golden Rule of doing unto others as you would have them do unto you. Let us try to join in a cooperative effort, not a dividing one, to see that our resources are conserved, that we have the water that we need to live in happiness, that we have the roads that we need to travel over, that we have a transportation system that will bring us to work and to our pleasures, that we have a roof over the homes of all of our children, that we have a school for them to attend and a teacher awaiting there to meet them that is competent to lead them, and then let us see that we not only have this in the great State of California, but we have it in the Union of the Nation.

Oh, what you have done to lead the way in the field of education. It was an inspiration to all of us who come here. So keep up your leadership. Go on your forward march in this great work until the day comes when all have homes, when all children are taught all they can absorb, when we have recreation to take care of our leisure time, and when brother loves brother and neighbor embraces neighbor.

Thank you, goodby, and God bless you.

#### COMMEMORATION OF MEXICAN INDEPENDENCE DAY

Mr. MANSFIELD. Mr. President, on Wednesday, September 16, I had intended to make some remarks in the Senate on this particular date because it is Mexican Independence Day. However, as Senators know, I accompanied the President of the United States on his trip to the Northwest for the finalization of a

treaty with another good neighbor, Canada, having to do with the Columbia River Basin.

Armed with little more than courage and determination, not only had the people of the United Mexican States had been able to achieve their independence, but today they stand as a symbol of progress and a bulwark in the ranks of democracy. The destinies of the United States and Mexico are joined in the common cause for freedom of all men, and just as the President emphasized that our border with Canada is cemented in a permanent bond of friendship, so is our border with Mexico.

This country is fortunate, indeed, that hundreds of thousands of our citizens are of Mexican descent and background. These fine people have enriched our lives with their language, their music, their cultural customs and their great cultural talents. Our citizens of Mexican descent and all Americans of whatever descent take pride in the achievements of this great republic to the south and join with our Mexican brothers in celebrating this independence day of September 16 as we will also celebrate the meeting of our two great leaders, President Lyndon B. Johnson and President Adolfo Lopez Mateos, at the Chamizal strip on next Friday, September 25, to mark a further cementing of the bonds between our two great nations.

Mexico is a shining example of what a nation can do to help itself develop a modern and viable economy to meet the challenges of the 20th century. Tremendous accomplishments are characteristic of the administration of its outstanding leader, President Adolfo Lopez Mateos. Mexico has set an example of rapid economic and social development for the rest of Latin America. Few other developing nations attract foreign investment and highly competitive commercial credit as actively as Mexico. Political stability has prevailed throughout President Lopez Mateos' 6-year term and inflation has been kept to a minimum. The rate of economic growth has been greater than that of all other nations in this hemisphere during that time and far exceeds the goal set for the Alliance for Progress nations at Punta del Este in 1961.

Mr. President, on September 25 President Lopez Mateos will meet with President Johnson at El Chamizal to commemorate the official turnover to Mexico of the Chamizal Territory near El Paso, Tex. Chamizal has long been an area of dispute between our two nations and its solution brings us to a high mark in our relations. One more longstanding problem between the United States and Mexico remains to be settled. That is the problem concerning the salinization of the waters of the Colorado River. I know that discussions are being held to work out a mutually acceptable agreement. I hope that a satisfactory conclusion can be reached expeditiously and in the same amicable vein that marked the Chamizal Treaty negotiations. The meeting of the two Presidents will take place in the wake of criticism concerning Mexico's refusal to vote with the 19 other Western Hemisphere nations to cut off

relations with Castro Communist Cuba. I cannot say that I agree with Mexico's decision; I do not. But I can say that we should not expect our friends to unwaveringly adhere to our policies any more than we can be expected always to adhere to theirs. Let us not obscure the purpose of foreign economic policies: It is to build free, independent, and democratic allies, able to withstand Communist efforts at subversion. It is not to convert sovereign nations into "yes men."

Mr. President, I have great respect for the leadership that President Lopez Mateos has given Mexico over the last 6 years. Expectations are equally high for the leadership that his successor President-Elect Diaz Ordaz will give to the people of Mexico in the next 6 years. Few men assume a position of such great responsibility with better training than he has. I know that the Senate joins with me in wishing him well.

Mr. President, I ask unanimous consent that an article which appeared in the Baltimore Sun of September 15, 1964, entitled "Not Underdeveloped Now," written by Daniel James, be printed at this point in the RECORD.

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

**MEXICO ON A NEW PLATEAU—NOT UNDERDEVELOPED NOW**

(By Daniel James)

**MEXICO CITY.**—When President Johnson meets with President Adolfo López Mateos, of Mexico, on September 25, at a place in Texas called El Chamizal—a 600-acre tract in El Paso which then formally reverts to Mexico after a 100-year dispute—the Mexican will be ending 6 crucial years as our nearest Latin neighbor's chief executive. It is therefore pertinent to ask: "What has he done in that time?"

López Mateos' supreme accomplishment, in this writer's opinion, is one of the rarest in this turbulent and often retrogressive world: in 6 short years he has lifted his country out of the ranks of the underdeveloped nations. That is a feat matched by no other nation in Latin America—or Asia or Africa—and it makes Mexico a leader and a model for those confused and strife-torn areas to follow.

In his final message to Congress on September 1, the outgoing Mexican President proudly cited the unprecedented economic and social record of his stewardship which leads one to make the above conclusion. Some of its salient features are worth noting here, particularly when one keeps in mind what the imposition of a foreign ideology upon neighboring Cuba has done to that country, during the same period of time; Castro came to power exactly 1 month after López Mateos.

Mexico's gross national product, reported López Mateos, has increased one-third since he took office, and the annual rate of economic growth now stands at 7 percent. That is almost three times the 2.5-percent rate set by the Alliance for Progress as a goal for Latin America, and just about matches the pace of such miracle nations as Germany and Japan.

Industrial production alone has soared 52 percent, with record gains made particularly in basic industries such as steel, chemicals, electricity, petroleum, and autos. Mexico has replaced Argentina as Latin America's second largest steel producer, rivaling Brazil, which has twice her population. She is second only to Venezuela in oil production. She leads in chemicals, and may well overtake Brazil in autos and electric power. She is

Latin America's only producer of rolling stock, of which Brazil herself wants to become a customer.

The economic infrastructure has probably received its biggest impetus under López Mateos, paving the way for expected new industrial records during the coming 6-year term of his successor, President-elect Gustavo Díaz Ordaz.

To give one key example, installed electric power capacity has doubled since 1958. Though still small by our standards—a mere 5,300,000 kilowatts—it reflects a rate of growth greater than our own. With big new dams going up literally from border to border, the chances of even greater proportional growth by 1970 are great.

Transportation, another vital infrastructural sector, also saw the kind of phenomenal increase which marks Mexico as an ex-underdeveloped country today. With nearly 3 times the number of roads she had in 1958—33,000 miles compared with 12,500—Mexico has the best highway network in Latin America. The same may be said for her rail system, with new trunklines opened up by López Mateos.

Although advances were made in communications, the Mexican telephone system, unfortunately, is still backward and its relatively poor performance mars an otherwise excellent record for industry as a whole.

But it is one thing to industrialize fast—other countries are doing it—and another to do so in a balanced manner without injuring other vital economic sectors, such as agriculture, or driving down the people's living standards. In the Communist countries, both agriculture and general living standards suffer in the process, as Russia dramatically illustrates nearly 50 years after her revolution.

In Mexico, however, more than 50 years after her own non-Communist revolution, agriculture is flourishing as never before. López Mateos could report an annual rate of agricultural production under his tenure which nearly equaled the industrial—it was 6 percent—and was almost three times the Latin-American average.

What is more, that is nearly double Mexico's rate of population growth—at about 3.5 percent, the second highest in the world. How many other nations can boast an agricultural output that has kept them as far ahead in the relentless race against the population explosion?

Incidentally, the President reported that Mexico's population is increasing about 1 million annually and has reached 40 million. Projections indicate that before Díaz Ordaz leaves office in 1970, it should have surpassed the populations of Britain, France, and Italy.

It is true that many Mexicans still have an inadequate diet, despite the agricultural gains. But, the President could truthfully report, "there is no shortage in any region." He cited record rises in such vital food-stuffs as corn (5.3 percent), beans (9.5 percent), wheat (5.3 percent), and cattle (6 percent).

Had the Mexican Government, for some unknown reason probably having to do with ultranationalism exported more than 1 million tons of the above grains last year—leaving a food deficit which had to be made up by \$24 million worth of American surplus-food grants—the country could have attained self-sufficiency in edibles.

As for living standards, they have risen rather than decreased, in the wake of industrialization. Inflation, which is virtually uncontrolled in fast-industrializing Brazil and further impoverishes the masses there, has been kept to a modest 14.1 percent increase by López Mateos. At the same time, he has raised wages 96.7 percent. Both facts, plus a worker's profit-sharing program he introduced, have increased the average Mexican's

real purchasing power (although per capita income remains relatively low).

In addition, the Mexican worker and peasant have made big social strides under the present administration. Three times as many of them are covered by social security as in 1958. Increasing numbers are receiving low-cost housing—introduced on a large scale during this Presidential term. Illiteracy has been cut to a record low of only 28.9 percent. Mortality is down to only 9.6 per 1,000, while longevity has reached 64 years (compared with 35 in many Latin countries).

All of these social and economic gains have been made without straining the country's finances or credits. On the contrary, its internal and international financial position is sounder than at any time in the past half century. López Mateos leaves behind a record \$549 million in foreign reserves, backed by another \$345 million available in the International Monetary Fund, and a reputation in world financial markets so high that foreign financiers scramble over each other to offer Mexico credits.

Above all, he kept Mexico's unit of currency, the peso, firm at 12.50 to the dollar—a rate it has maintained consistently for a decade. And, to complete this part of the story, he reduced Mexico's chronic unfavorable trade balance to economically tolerable proportions.

If asked what he thought was his most important single accomplishment in 6 years, López Mateos' own answer would probably be that he has distributed to the peasantry more than one-third of the total amount of land they had received from all his revolutionary predecessors since the agrarian reform began in 1915. It amounted to some 35 million acres, compared with 95,700,000 up till 1958.

The broader significance of that act is that it virtually ends the first, and most fundamental phase of the agrarian reform, division of the land, and makes possible the fullest concentration upon the next phase (already begun): the complete modernization of Mexican agriculture through universal application of technology and efficient farming methods.

American circles here were disappointed when López Mateos delivered a eulogy to John F. Kennedy, in his final message to Congress, without mentioning that which the late President himself had regarded as the most important program of his administration: the Alliance for Progress. The omission left the impression that the Alliance has played no role in Mexico's great progress, whereas the truth is that she has received more than \$800 million in Alliance funds—\$650 million of it from the United States—since January 1961.

Cuba has been, of course, López Mateos' hair shirt, as it was the late President Kennedy's, but for a different reason; he held to the position that any effort to isolate or punish Castro would constitute intervention, while tolerating the very real and direct intervention of the Soviets. That position was reaffirmed in his September 1 message.

Now, however, that Uruguay has become the last Latin republic to break off relations with Castro, in compliance with the majority sanctions vote at the American Foreign Ministers meeting on July 26, the price of López Mateos' inflexibility has been the complete isolation of Mexico. She alone, among the American States, continues to maintain diplomatic relations with Havana; she alone has refused to accept the decision of the great majority of the American States.

Though the Mexican attitude toward Castro has naturally irked our Government, it has not been permitted to affect United States-Mexican relations, which are the most cordial both nations have ever enjoyed. When the Chamizal territory is formally turned over to Mexico later this month, that

will remove one of only two remaining sore spots between the neighboring countries.

The only serious problem that will be left, said López Mateos in his last state-of-the-union message, is that of the saline water from the Colorado River which enters northwestern Mexico and damages the crops there. That is in violation of a 1944 bilateral treaty.

But both nations have been working to resolve the problem amicably, and hope to do so before long. Would that other neighbors had equally serious problems.

#### USE OF AUTOMATIC DATA PROCESSING EQUIPMENT BY FEDERAL DEPARTMENTS AND AGENCIES

Mr. McCLELLAN. Mr. President, I ask unanimous consent to speak for 20 minutes.

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

Mr. McCLELLAN. Mr. President, I have today released a statement with reference to proposed legislation introduced in the present Congress directed toward the improvement of Federal policies governing the lease, purchase, and coordination of automatic data processing equipment and systems, and I ask unanimous consent to have it printed in the RECORD.

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

Senator JOHN L. McCLELLAN, chairman of the Senate Committee on Government Operations, today announced that the committee expects to take up bills relating to Federal procurement and use of electric computers when the new Congress convenes in January 1965. The principal bill is H.R. 5171, introduced by Representative JACK BROOKS, chairman of the House Subcommittee on Government Activities, which passed the House of Representatives on July 18, 1963. President Lyndon B. Johnson has indicated that he supports the enactment of legislation designed to bring about greater efficiency and economy in the policies and practices of Federal agencies which employ electronic computers in their operations.

Senator McCLELLAN said that the committee would go into the problems of electronic computer procurement and utilization thoroughly before reporting out a bill. He noted that President Kennedy, at the suggestion of the House Post Office and Civil Service Committee, has directed the Bureau of the Budget to make a comprehensive study of automatic data processing in Government operations, and that the Bureau is expected to present its findings and recommendations to the President and the Congress within a few weeks. Senator McCLELLAN also indicated that the committee will consider the recommendations contained in various reports of the Comptroller General of the United States for strengthening electronic computer management and reducing costs.

The chairman stated that the committee will seek the views of Members and committees of the Senate and the House of Representatives, the executive branch, and representatives of private industry on these matters.

Senator McCLELLAN noted that the number and variety of electronic computers leased or purchased by Federal agencies has increased very rapidly in recent years and that about 1,800 computers are presently in use while plans are underway to obtain hundreds more. The annual operating costs of ADP equipment in place have risen from \$251 million in 1959 to an estimated \$1,053 million in the 1965 budget. The equipment is

used in a great variety of operations ranging from complex scientific calculations to the maintenance of insurance and payroll records. While computers have contributed significantly to the efficiency and productivity of many Government operations, they present novel and difficult management problems. The equipment is expensive, it is subject to obsolescence due to rapid improvements in technology, it requires highly trained technicians, and its introduction has raised new problems of manpower utilization in the Government.

Senator McCLELLAN said that the committee is aware that constructive steps have been taken to deal with these problems by such agencies as the Bureau of the Budget, the General Services Administration, the Civil Service Commission, and the operating agencies. He noted that the committee has assurances of full cooperation from the executive branch in the forthcoming hearings.

The committee staff, headed by Walter Reynolds, has been instructed by the chairman to begin a review of the Bureau of the Budget's study as soon as it is available.

**Mr. McCLELLAN.** Mr. President, the bill, H.R. 5171, to authorize the Administrator of General Services to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies, was approved by the House of Representatives on July 18, 1963, and referred to the Senate Committee on Government Operations for consideration. This bill was based upon recommendations of the Comptroller General, that a Government policy should be established providing for the purchase of automatic data processing equipment, rather than the prevalent program of leasing such equipment primarily designed to meet the individual requirements of each of the Federal agencies.

I wish to submit the following general background data of prior congressional studies and actions which relate to this proposal, for the information of the Senate. This history of congressional consideration given to the problems involved in this most important area, and the further facts developed by the Committee on Government Operations and its staff, sets forth full details as to why the committee was unable to recommend action on H.R. 5171 or similar legislation in the 88th Congress.

Prior to the introduction of this proposed legislation, various committees of the Congress held hearings and devoted studies of considerable length into the problems relating to the development of automatic data processing systems, directed primarily to research and development programs and to the retrieval of scientific and technological information.

The Senate Committee on Government Operations has been interested in automatic data processing, particularly as it relates to assembling, translating, analyzing, abstracting, and disseminating scientific and technical information, as far back as the 80th Congress. At that time, the committee considered a bill, S. 493, to provide for the coordination and dissemination of technical and scientific information in the Office of Technical Services, through the use of auto-

mated retrieval systems. After hearings, which continued for 10 days during May 1947, the committee reported an abbreviated bill which was approved by the Senate but no action was taken in the House of Representatives. In the 81st Congress, a substitute version of S. 493, as originally introduced, was approved as the Technological and Scientific Act of 1950, on September 9, 1950.

In the 85th Congress, following extensive staff studies initiated in August 1957—before sputnik was launched—a committee bill, S. 3126, the Science and Technology Act of 1958, was introduced on January 27, 1958. Along with provisions for the establishment of a Department of Science and Technology, and standing major Committees on Science and Technology in the House and Senate, the bill proposed the expansion and coordination of existing science information processing programs, utilizing all facilities of the Federal Government then vested in agencies which performed related functions. It also provided for the undertaking of the establishment of facilities to further scientific, engineering and technological research as well as aiding in the development of inventions, discoveries, products, processes, and techniques.

The committee staff was specifically directed to conduct a broad study of the problems then existing in the operation of Federal programs in the field of science and technology, including the utilization of ADP equipment. The committee approved staff studies which recommended, among other essential steps that would be required to perfect the science and technological activities of the Government, that it would be necessary to coordinate and improve the then existing facilities for automatic retrieval of scientific and technological information in connection with our defense effort.

In May and June of 1958, the Subcommittee on Reorganization, of which the Senator from Minnesota [Mr. HUMPHREY] was chairman, held hearings in order to evaluate the six basic proposals contained in S. 3126 and another bill, S. 4039, which authorized the expenditure of funds through grants for the support of scientific research. These hearings were directed primarily at compiling information relative to existing facilities available for assembling, coordinating, retrieving, and distributing scientific information. All witnesses stressed the importance of improving these facilities through the utilization of the latest technical equipment and coordinated systems as developed by the industry. Although this bill was never considered by the Senate in its entirety, a number of its objectives were adopted by separate actions in the 85th and subsequent Congresses, some of which were set forth in Senate Report No. 2498 of the 85th Congress, entitled "Progress Report on Science Programs of the Federal Government," and Senate Report No. 120 of the 86th Congress on "Science Program, 86th Congress," approved by the committee.

The Subcommittee on Reorganization also held further hearings on other legis-

lation during the 86th Congress, in April and May 1959—S. 676, S. 586, and S. 1851—relating to the proposed establishment of a Department or a Commission on Science and Technology. These hearings again placed special emphasis on the need for improving science information processing procedures, particularly as they related to the retrieval of information and data which had been developed either by Federal and non-Federal agencies or through contractors performing services for the Government in the field of science and technology.

In June 1960, the committee approved a staff study on Federal and non-Federal science processing and retrieval programs, entitled "Documentation, Indexing and Retrieval of Scientific Information," which was printed as Senate Document No. 113 of the 86th Congress. The objective of this report was directed toward improving the existing systems and reducing the excessive expenditures that were then being made by certain Federal agencies in the purchase of ADP equipment which was found to be inadequate to meet the requirements of these agencies even before it was fully installed and in operation. To meet the demands of this document, the Senate approved a resolution authorizing reprinting of Senate Document No. 113, and a supplement to the report which was approved by the committee and printed as Senate Document No. 15 in the 87th Congress.

The Subcommittee on Reorganization issued reports in the 87th Congress on "Coordination of Information on Current Scientific Research and Development Supported by the U.S. Government," which was printed as Senate Report No. 263 on May 18, 1961, and a committee print of a report on "Coordination of Information on Current Federal Research and Development Projects in the Field of Electronics," containing an analysis of agency systems for storage and retrieval of data on on-going work and of views of private companies on indexing and communication problems.

The committee also reported to the Senate a bill, S. 2771, in the 87th Congress, to provide for the establishment of a Commission on Science and Technology, after holding further hearings on this proposal during May and July of 1962. This bill was passed by the Senate without opposition, but the Committee on Science and Astronautics of the House of Representatives, to which it was referred, failed to act before the 87th Congress adjourned. The committee also recommended the printing of a "Report to the President on Government Contracting for Research and Development," submitted by the President of the United States to the Congress on April 30, 1962, which had been referred to the committee for study and appropriate action, as a Senate document—Senate Document No. 94, 87th Congress.

In the present Congress, the committee reported a bill, S. 816—Senate Report No. 16—similar to S. 2771 approved in the 87th Congress. S. 816 was unanimously approved by the Senate on March 8, 1963, and was referred to the

Committee on Science and Astronautics of the House, where no action resulted. This bill specifically requires that the proposed Commission submit recommendations to the President and the Congress with the objective of insuring the maximum utilization of all available scientific know-how and technological information by coordinating the research and development programs of the Federal departments and agencies.

It also stresses the need for the elimination of undesirable duplication and overlapping between Government departments and agencies engaged in scientific and technological research, information storage, processing and distribution services, and contained broad declarations of congressional policy and objectives toward the improvement and advancement of Federal programs in this area. These measures also placed special emphasis on the need to solve existing problems relating to the improvement of Federal programs for processing and retrieval of scientific information. Specifically, the bills stressed the need for "insuring the maximum utilization of all available scientific know-how and information by coordinating the research and development programs of the Federal departments and agencies with those of American business and industry and with non-profit organizations," and called for "the elimination of undesirable duplication and overlapping between Government departments and agencies engaged in scientific and technological research, and in information storage, processing and distribution services, activities, and functions, with particular emphasis upon effecting the maximum utilization of the resources of private industry and nonprofit research organizations, including universities and other educational or technological institutions."

The Subcommittee on Census and Government Statistics of the House Committee on Post Office and Civil Service held general hearings on this subject in 1959, following which the committee suggested that the Bureau of the Budget and the General Accounting Office should conduct a special study of the cost and use of ADP equipment throughout the Government. In August 1960, the subcommittee issued a report entitled "Use of Electronic Data Processing Equipment in the Federal Government." This report included 21 recommendations to Federal agencies relative to the general management and planning of ADP systems. The subcommittee also held further hearings and issued a report—House Report No. 627—on August 1, 1963, entitled "Interim Report on the Use of Electronic Data Processing Equipment in the Federal Agencies."

Since 1960, the Comptroller General has submitted numerous reports to the Congress relating to alleged excessive expenditures by the various Federal agencies and Government contractors on defense and other technological projects which involve leasing rather than the purchasing of automatic data processing equipment.

In line with the Comptroller General's recommendations, the Department of Defense and several other major users of ADP equipment changed their internal procedures so that high-level or executive review is attained and approved before leasing or purchasing additional ADP equipment systems. Improvement in this field was also reported in the establishment of equipment sharing centers at the National Bureau of Standards, the Internal Revenue Service at Philadelphia, and that another center was being established at the Federal Center in Denver, Colo.

Pursuant to the recommendations of the Comptroller General, the House Subcommittee on Government Activities of the House Committee on Government Operations held hearings on May 28, 1963, on the bill, H.R. 5171, with the objective of implementing the recommendations of the Comptroller General, at which representatives of the General Accounting Office and the General Services Administration appeared in support of the bill. None of the executive departments and agencies operating major research and development programs were afforded an opportunity to testify as to the effect this legislation might have on their programs.

After the House Committee on Government Operations reported the bill favorably and it was approved by the House, Representative TOM MURRAY, chairman of the House Committee on Post Office and Civil Service, upon the recommendation of the Subcommittee on Census and Government Statistics, suggested to President Kennedy, immediately after House passage of H.R. 5171, that a special committee composed of experts conversant with the problems involved should be appointed to evaluate ADP procedures and systems and to develop guidelines for future Federal policy before final action was taken on the proposed legislation. The President wrote the chairman that—

I agree that the report (of the subcommittee) and the bill (H.R. 5171) dealt with many of the problems involved in the use of automatic data processing equipment for which there is no easy solution. I agree with your recommendation and I have requested the Director of the Bureau of the Budget to initiate a study of the administration of automatic data processing in the executive branch of the Government along the lines you have suggested. The Director will submit appropriate recommendations to me and to the Congress by June 30, 1964.

The Director of the Bureau of the Budget, in response to the directive of the President, issued an order on December 26, 1963, to the heads of the executive departments and agencies, announcing the initiation of a study of the management of ADP activities throughout the Government, and requested that all of the departments and agencies cooperate with the Bureau. At the same time, the Director announced the formation of an Advisory Committee on the Coordination, Purchase, Lease, and Operation of ADP Equipment, with former Representative Robert Ramspeck, as Chairman. Ten other top-level individuals from business, labor, commerce, education and the Government were ap-

pointed to the committee for the purpose of advising the Director and the Congress on policy, manpower, and procedures now being followed in connection with the procurement, lease, and utilization of ADP equipment in the Federal Government. Mr. Carl W. Clellow, former Deputy Administrative Assistant Secretary of the Treasury, was appointed Staff Director of the task force of specialists assigned to make the survey. The report of this special study committee, with appropriate recommendations for the improvement of these operations, was scheduled to be submitted to the President and to the Congress on or before June 30, 1964, but due to the delay incurred as a result of the assassination of President Kennedy, and the inability of the members of the committee to agree as to the recommendations that should be made to the Congress relative to the need for legislation along the lines proposed in H.R. 5171, that report has not yet been made available to the committee.

A companion bill to H.R. 5171 (S. 1577), was introduced in the Senate on May 21, 1963, and referred to the Committee on Government Operations. Copies of this bill were forwarded to all the major agencies in the executive branch which were utilizing ADP equipment, for their comments and recommendations. All responses to this request, except from the General Accounting Office and the General Services Administration, were in opposition to the proposed legislation as passed by the House and as introduced in the Senate. The Bureau of the Budget stated:

The bill poses serious questions regarding the nature and degree of centralized control that should be exercised over equipment that is so vitally linked to program performance for which department heads are held responsible. These questions deserve to be fully explored, and the views of those affected by the legislation should be obtained before acting upon it.

The then Director of the Office of Science and Technology, Executive Office of the President, Dr. Jerome B. Wiesner, also advised the committee:

My interest in computers lies in their use for unique scientific and technical applications where they have revolutionized procedures and brought about large savings of time and money. In these areas, I believe that the form of centralization envisioned by this measure would sacrifice much of the usefulness of computer technology to the Government and might even lead to increased costs. A system with predominant control lying outside of the user groups would markedly lessen the responsibilities of operating agencies for setting computer requirements and modes of operation, and could hamper the Government's ability to take full advantage of ADP in support of agency missions. Timely development of useful applications of computers depends so intimately on the interests of the user that it is essential for the achievement of agency missions that the integrity and flexibility of this relationship be maintained.

It is also my view that our experience with the management of these expensive tools for scientific research indicates that computers and their ancillary equipment should be considered as part of a scientific program, and budgeted as such, rather than as a category separate from their research applications. While in some aspects of Fed-

eral facility management the establishment of a centralized equipment pool may have been proven justifiable, I believe that such experience is not at all comparable where the needs of scientific research for computing equipment are involved.

My opposition to the particular approach and mechanisms of this bill does not suggest that I believe improvements in our ability to manage automatic data-processing activities may not be desirable. To this end, I endorse the efforts to improve and strengthen Federal management of ADP equipment currently underway by both the Bureau of the Budget and, under existing statutory authority, the General Services Administration.

In view of the opposition to H.R. 5171, which developed throughout the Government and from contractors performing services for the Federal Government, the Bureau of the Budget conducted its own study of these problems and submitted to the committee a suggested revision of the language contained in H.R. 5171 as approved by the House of Representatives. A committee print of the proposed revised bill was again submitted to the executive agencies engaged in major scientific research and development programs for their further comments. None of these agencies responded to the committee's request for their views on the proposed revision, except the Tennessee Valley Authority which opposed the bill both in its original form and as proposed to be revised, unless further amended to exempt TVA from provisions of the proposed legislation.

The chairman also requested the Honorable Robert Ramspeck, Chairman of the special committee appointed by the Director of the Bureau of the Budget at the direction of the President to study the "Management of Automatic Data Processing in the Federal Government," to submit his views and recommendations on the bill as proposed to be amended. Mr. Ramspeck's reply, dated July 27, 1964, follows:

As you know I am Chairman of a Committee, appointed by the Director of the Budget, by direction of the President, which is studying the "Management of Automatic Data Processing in the Federal Government." This Committee has not completed the study. In fact the staff just made its first draft of a proposed report about 2 weeks ago. The Committee, after an all-day discussion of the draft, asked the staff to revise the proposed report. This revision will be considered during the latter part of August.

In view of this situation I would not like to comment on the proposed substitute for H.R. 5171. Speaking for myself only, I would hope that your committee would not hold hearings until our committee has reported to the Director of the Budget and he has had time to report to the President.

Since this Congress is close to the end of its sessions, I think you will agree that no action could be had at this session, especially as your committee staff anticipates extensive hearings. I would agree with the committee staff report that extensive hearings should be held. Proper management of automatic data processing equipment in the Federal Government poses some very tough problems. Large sums of public money are involved. The right answers will not be easy to find in this comparatively new field where new machines are constantly being offered.

The Committee received a letter dated August 3, 1964, from Dr. Donald F.

Hornig, Director of the Office of Science and Technology, Executive Office of the President, who succeeded Dr. Wiesner, stating:

Before commenting in detail on this important bill I would like to assess the view of the major agencies engaged in research and development as to the impact on their scientific efforts of this measure as recently revised. My office is now canvassing these views, and we will be in a better position to respond to your request for comment when our assessment is complete.

In addition to requesting the views of Federal departments and agencies utilizing ADP equipment, copies of H.R. 5171 as revised were forwarded to some of the major industries which operate ADP equipment under Federal contracts, with a suggestion that they might wish to submit their comments as to the possible impact the proposed legislation would have upon their operations. The following are extracts from replies forwarded to the chairman in response to this request:

J. L. Atwood, president, North American Aviation, Inc.:

Our basic concern with H.R. 5171 stems from the inclusion of the words "or at the expense of," in section 111(a). These words, together with the explanation of the committed amendments, set forth on page 12 of House Report No. 428, indicate that it is intended that the provisions of the bill apply to ADP equipment acquired by contractors where all or a substantial part of the cost would become a part of Government contract prices.

Many Government contractors and subcontractors have developed and programmed systems for business applications and scientific computing based upon the use of certain types of ADP equipment. If the Government could not furnish to contractors, in a timely manner, equipment which was compatible, the costs of reprogramming and the related operational problems would involve amounts of money which could be very substantial. In this context, it should be borne in mind that the cost of using ADP equipment, when compared to the total cost of a contract under which it is being used, is relatively minor in most cases. Any delay, therefore, in the work under a contract resulting from failure of a contractor to acquire or to be able to use ADP equipment resulting for any reason from centralized Government control would undoubtedly more than offset any possible anticipated savings. When it is considered that a large number of organizations will be affected, the magnitude of this problem becomes apparent.

Aside from the problem of costs, we would be very concerned with the effect of this bill on contract schedules and particularly high priority national programs which by their advanced technological nature are the largest users of ADP equipment. Our experience indicates that it will be unrealistic not to expect delays and difficulties in the acquisition by contractors of ADP equipment if it is to be centrally controlled by the Government. We are fearful that the ultimate detriment to the Government of performance delays may well far exceed any possible savings which could be realized by such centralized controls of contractor ADP equipment.

In summary, while we wholeheartedly support the goal of overall economy in the use of ADP equipment by Government contractors, we doubt that this goal can best be achieved by an inflexible requirement for centralized control and management of ADP equipment.

W. E. Zisch, President, Aerojet-General Corp.:

In your letter of July 2, 1964, you requested my comments on the amended version of H.R. 5171 which would authorize the Administrator of the General Services " \* \* \* to coordinate and provide for the economic and efficient purchase, lease, and maintenance of automatic data processing equipment by, or 'at the expense of,' Federal agencies."

We have quoted the phase "at the expense of" to indicate our concern with the implication of this provision of the bill. From the recommendations of the General Accounting Office it is clear that this phrase was intended to include automatic data processing (ADP) equipment in the possession of contractors doing a large part of their business with the Federal Government. Should this interpretation not be correct, the balance of this letter does not apply; we are not in a position to comment on how ADP equipment should be provided and administered for use within Federal departments and agencies. We are, however, vigorously opposed to any planned legislation which would assign to a Government agency the responsibility for purchase, lease, and maintenance of ADP used by industry. These responsibilities are management functions which can be exercised most effectively and economically by management itself operating in a free competitive environment.

Specifically, we foresee that in the administration of this provision of the bill, the following objectionable situations could arise:

(a) The contractor would be placed in the wholly untenable position of having to justify its requirements to the GSA while defending its performance to the DOD, NASA, and other Federal agencies.

(b) Vital ADP requirements could remain unsatisfied while an administrative team was getting around to investigating and approving the requirements.

(c) The Government's management agency is likely to judge requirements on the basis of minimum obvious needs directly connected with a specific defense contract. The contractor on the other hand must judge his requirements on the basis of overall efficiency, maintenance of competitive position, and anticipated future needs.

(d) When units of equipment become unfit for service (as occasionally happens), a whole system could remain out of service until the central agency could purchase a replacement. Such delay or other inflexibility could be critical since ADP is a key factor in business efficiency. With the Government's increased desire for fixed-price and incentive type contracts, contractors should not be obligated to relinquish this fundamental management responsibility to the Government.

Aerojet feels so strongly about the importance of the ADP function and the need of top level company management participation in it, that the highly competent technical and financial personnel who direct its operations report to a vice president, who in turn reports directly to the president of the company.

Aerojet is convinced that ownership and management by the Government of ADP equipment used in the defense industry is neither practical nor economical. ADP systems are not only important in the solution of scientific and engineering problems relating to defense R. & D., but are becoming increasingly important in the efficient management of modern business enterprises being used for accounting, payroll, inventory control, production control, and many other management functions. It is our belief that the optimum use of such equipment including determination of the kind and amount needed and how it is to be provided can best be made by the contractor

working in a competitive environment and with incentives for overall cost reduction.

If the bill, as amended, is ultimately approved and signed into law, the basic philosophy inherent therein may then be equally applied to all types of items commonly used "at the expense of Federal agencies," e.g., (a) furniture and fixtures, (b) automotive equipment, (c) stationery and supplies, (d) warehousing facilities, etc. Where would it end?

I appreciate this opportunity to express my views and hope they are not considered to be just emotional ones, but the convictions of one who really believes that defense contractors and the Government can work together in the true atmosphere of free enterprise. I also wish to advise you that in the event your committee holds hearings on H.R. 5171, Aerojet-General Corp. would be pleased to accept your invitation to have a representative of our company testify.

Erwin H. Graham, vice president and comptroller, Chrysler Corp.:

In our opinion, the amended H.R. 5171 does not provide any substantive change to the original bill and we therefore, are unable to favorably endorse its passage.

Although the General Accounting Office report (B-146732) and H.R. 5171 are primarily directed toward Government users, we feel the end result will be unnecessary costs to the Government.

The GAO assumptions on the "life of equipment" are not necessarily valid in a field in which technological advancements (and attendant cost reductions) appear to obsolete existing systems on an approximate 2½-year cycle.

The nature of Government business is such that increasing complexity of computer operation requires the ability to quickly respond without being tied to an "outdated" system.

Chrysler's non-Government experience in computer systems is such that, out of an existing complement of approximately 30 stored program computers, none were produced prior to 1960. In the past 12 months, Chrysler Corp. has installed or replaced eight separate computer installations due to increasing job load and technical obsolescence of the replaced equipment.

The fact that Government programs and requirements for data are continually changing militates against purchase of equipment with anything but maximum capacity and throughput.

As an example, programs of PERT, PERT cost, line of balance and other sophisticated analytic techniques could not be economically processed on the majority of equipment purchased (or leased) 2 years ago.

It is our thought that the proposed significant savings to the Government accrued by adoption of the GAO recommendations and the attendant H.R. 5171 exists only because many of the important factors of cost do not appear to have been given appropriate consideration (e.g., scheduling delivery of equipment in optimum time for the contractor, handling, shipping and installation costs, physical facility availability, increased costs of maintenance due to multiple moves, technical obsolescence, insurance, freight and storage, compatibility with contractors commercial equipment, and of extreme importance, reprogramming costs).

Roger Lewis, president, General Dynamics Corp.:

In our business, automatic data processing equipment has in the last decade become an essential, almost indispensable, management, research, and engineering tool. While these machines are used to perform routine clerical tasks, their most important application is in the performance of critical calculations in design, engineering, and produc-

tion. With them we are able to make tests, simulate actions, and investigate alternate possibilities which would require thousands of man-years to accomplish manually. We can fairly state that without the advanced computers now available, the United States would not be in the excellent technological position it occupies today.

Because ADP know-how has become an important industrial major resource, we favor new section 111(f), which provides that the Administrator shall not interfere with or control the use made of automatic data processing equipment. We raise the question, however, whether that section can be reconciled, particularly insofar as Government contractors are concerned, with preceding portion of the bill which vest, in very general terms, control of ADP equipment in the GSA.

While the bill provides for relationships within and between Government agencies, it is not clear in this respect as to contractors. This is of concern to us. For instance, if it is intended that joint use of computers be made by two or more contractors or by contractors and Government agencies, problems of priority, confidentiality of private developments and information, and competitive advantage will arise. The treatment of contractors whose business is both military and commercial is also not clear. The bill establishes machinery to resolve differences between Government agencies, but it is not apparent what procedures will apply when there is lack of agreement between the Administrator and a non-Government user.

We note that under the bill the Administrator is not to interfere with or control the determination of automatic data processing requirements. The interpretation of "requirements," however, could vary. We would hope that "requirements" would include not only the number of machine hours needed but also the type of equipment, time of usage, and response, or turn-around, requirements. All of these are factors which could affect a contractor's capability.

We do not presume to comment on the need for this legislation in respect to Government agencies. We are concerned, however, with the application of the bill to the very different problems which must be faced by non-Government ADP users under diverse contractual situations, varying from fixed-price to cost reimbursement types, and from wholly company-sponsored projects to those completely supported by the Government.

For the foregoing reasons, we recommend that organizations other than Government agencies be specifically excluded from the bill. We believe that effective utilization of ADP equipment by contractors can be achieved through good contract administration rather than through legislation of this nature.

We are gratified by the interest your committee has shown in this important area and hope that our comments will be helpful. We had not planned for a representative of General Dynamics to testify at any hearing on this matter that might be scheduled.

Howard W. Merrill, vice president, Martin Co.:

Our concern with the original bill centered largely around the intent of this legislation and the mechanics by which it might be implemented. The proposed amendment limiting the authority of the Administrator of the General Services Administration in the areas of determination of requirements for and the use of automatic data processing equipment is helpful, but the intent and mechanics are still not clear to us.

We believe that it is in the best interest of the Federal Government to encourage contractors to provide their own facilities, insofar as is practical, and let the forces of

competition control costs. Over the past several years, the Department of Defense has energetically pursued a program to divest itself of Government-owned and contractor-used facilities, recognizing the economics of contractor-provided facilities.

Where computers are used most effectively, they have become an integral part of management and operating systems and have become a tool of management which has the same sensitivity and proprietary value as organization, policy, operating instructions, and the like. The computers a company uses may have considerable impact on its competitive position. Control of computers by a Federal agency, unlike other GFE, represents a serious penetration into the control of private enterprise. Would it be possible, under such legislation, for a Federal agency to show favoritism by allocating more advanced equipment to one company than another thereby influencing the competitive position of the companies involved?

It is Martin practice to use compatible equipment at all three locations (Baltimore, Denver, and Orlando) so that: (1) data processing associated with interdivision work may be handled more expeditiously; (2) maximum utilization of the equipment can be attained by having one plant with unused machine time perform work for another plant that temporarily has more work than its equipment can handle; (3) programing of similar type jobs at two or more locations does not have to be duplicated; and (4) operating and programing personnel training and experience may be shared. This practice, which has resulted in significant cost savings, requires that upgrading of outdated equipment must be continually studied and accomplished on an overall company basis. The success of this practice has been realized through the freedom to take advantage of advanced techniques such as high speed teleprocessing.

While computer rentals constitute a considerable expenditure, the costs of installation, operations and programing are usually much greater. Today, Martin Co. has a considerable investment in scientific and data processing programs. This investment must be measured in both time and dollars since we do not have "instant programing" and good programmers are in short supply. Our objective is to protect this investment so that efficiencies may be realized. This protection is assured by careful planning in both programing directions and equipment selection to minimize reprograming and to spread what has to be done over as long a period as possible to minimize the impact on programing resources.

Prior to giving our views at the proposed hearings, it would be helpful to have answers to the following questions by proponents of the bill. Their answers could have a significant influence on our position.

1. Would the General Services Administration or the agency concerned (DOD for instance) provide ADP equipment for use by Martin Co. and other contractors?

2. Would Martin Co. have complete freedom of choice as to type, schedule and conditions under which we could replace ADP equipment?

3. Would Martin Co. be forced or pressured into the use of equipment pools or data processing centers operated by a Federal agency or other contractor?

4. How would our relationship with the various ADP equipment vendors be affected particularly with respect to systems services as opposed to equipment maintenance?

5. Is there assurance in the bill that the power and authority of the General Services Administration "to provide for \* \* \* and utilization of automatic data processing equipment by Federal departments and agencies" would not be used to influence the competitive position of contractors?

George J. Fleming, Planning Administrator, Data Processing, Boeing Co.:

Our main concern is the vagueness of the phrase "at the expense of the Government." Freely interpreted, this could include all computing or data processing equipment which is charged to overhead when any part of the overhead is negotiated into a Government contract. It could also be applied to the lowest level of subcontractors if they use computing equipment. Such an interpretation would be costly and in all probability an interference with the company's ability to determine its method of operation. It is our suggestion that the phrase "at the expense of the Government," be deleted.

Section F (p. 8, line 21) of the proposed amendment, deals with authority conferred upon the administrator. This new section serves to allay some of our concern; however, the word "requirements" (p. 9, line 3) is also subject to interpretation. For example, the administrator might take the position that the equipment he selected is satisfactory to fulfill the requirements determined by the agencies and other uses. In this event, the user (Boeing) might be subject to the delays and uncertainties involved in asking the Bureau of the Budget to review and decide the controversy.

John B. Olverson, general counsel, Electronic Industries Association, Washington:

In behalf of the Electronic Industries Association, I wish to acknowledge your letter of June 29, 1964, requesting our views on a proposed amendment to H.R. 5171 which has passed the House and is now pending before the Senate Government Operations Committee.

As stated in its title, H.R. 5171 would "authorize the administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies." Section III(a) of the proposed amendment still contains language at variance with the title which, as the debate on the floor of the House indicated, could be interpreted as extending GSA control and authority over all such equipment acquired by, or furnished to, contractors "at the expense of" the Federal Government. As stated our October 18, 1963, letter to you, the retention of this language in the bill would, in our opinion, create serious problems in the administration of defense and space procurement programs.

It is our view that if Congress desires to enact legislation to coordinate the "purchase, lease, and maintenance of automatic data processing equipment" used internally by the Government, we have no objections. On the other hand, if the words "at the expense of" remain in the bill, we still believe very strongly that the consequences set forth in our October 18 letter would occur. Thus, the retention of this language would (1) increase the costs of administering defense and space procurement programs out of proportion to any savings to the Government; (2) create troublesome administrative and funding problems in the negotiation of defense and space contracts; (3) adversely affect the orderly administration of contracts by dividing authority and responsibility between GSA on the one hand, and the procuring agencies on the other, in the procurement of weapons and space systems involving utilization by contractors of data processing equipment, which, under H.R. 5171, would be acquired by, or funded to them at Government expense; (4) impede the development and advancement of computer technology; and (5) establish GSA as a third party to all contracts on which data processing equipment is used at Govern-

ment expense, thereby causing possible delays in the procurement and delivery of defense and space weapons.

We also hold to the view that the questionable language in this bill would create problems of interpretation as to when data processing equipment is procured by the contractor "at the expense of" the Government under the terms of the contract. This particularly would be a problem in connection with fixed price contracts under which the contract price may or may not reflect all or part of the costs of such equipment.

Moreover, we find nothing in the amended bill which alleviates our concern over the language which would give GSA authority over automatic data processing equipment used under Government contracts and financed directly or indirectly by the Government. Subsection (f) would limit the authority of GSA in some respects, but it would not, in our opinion, preclude GSA from exercising management control of such equipment being used by defense and space contractors in the performance of contracts with the Defense Department and the National Aeronautical and Space Administration.

Also, vesting authority in the Budget Bureau to settle disputes as contemplated by subsection (f) would, in our view, further create problems of administration. We do not believe that either GSA or the Budget Bureau has the technical competence to determine the type of data processing equipment which contractors may need for the performance of Government contracts, particularly those involving complex weapons and space systems. This is a decision which should be left with the contractor as part of his legal responsibilities in performing under his contract.

Your letter also inquires whether a representative of EIA would desire to testify in the event of hearings. If action is not taken to eliminate the language we have referred to, we would like to reserve the right to submit oral testimony or a more extensive statement for the record.

We appreciate the opportunity extended to us of expressing further our views on this proposed legislation.

The PRESIDING OFFICER (Mr. SALINGER in the chair). The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for an additional 10 minutes.

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

Mr. McCLELLAN. Mr. President, the following reports were submitted to the committee by the Comptroller General of the United States and the Tennessee Valley Authority, the only two agencies which commented in detail relative to the proposed Bureau of the Budget substitute for H.R. 5171:

Joseph Campbell, Comptroller General of the United States:

In our letter to you of June 10, 1963, B-151204, we submitted our views regarding S. 1577, a similar bill to H.R. 5171. Also, by letter of May 15, 1963, B-151204, we made a report to the chairman of the Committee on Government Operations, House of Representatives, on H.R. 5171. In our comments on each of these bills we expressed the belief that enactment of the bills would be in the interest of the Government and would result in considerably more economical procurement and utilization of automatic data processing equipment.

In commenting on H.R. 5171 we included the following statement:

"In our report to the Congress dated March 6, 1963 (B-115369), on the 'Financial

Advantages of Purchasing Over Leasing of Electronic Data Processing Equipment in the Federal Government', we pointed out that there is need in the Federal Government for an effective mechanism to coordinate and control the purchase, lease, maintenance, and utilization of EDP equipment. Accordingly, we recommended to the President of the United States that he establish such an office in his organization. We are of the opinion that overall policy guidance and direction of the Government's data processing programs can be most effectively accomplished through the efforts of a small, highly placed central management office in the executive branch of the Government. However, we recognize that there are various ways in which central control can be exercised over the procurement and utilization of this type of equipment. H.R. 5171 provides such an alternate method. We are not opposed to the method set forth in H.R. 5171; however, we feel that the mechanism proposed in H.R. 5171 for carrying out the detailed operations of coordination and control needs to be subject to the policy guidance and overall direction of the Office of the President."

More recently, in our report to the Congress dated April 30, 1964 (B-115369), on the "Review of Problems Relating to Management and Administration of Electronic Data Processing Systems in the Federal Government," we reviewed several problems pertaining to the management of EDP systems in the Federal Government. We commented that these problems have arisen largely because of the decentralized system of management used whereby each using agency makes its own decisions on the procurement and utilization of EDP equipment without regard to the economies available from considering overall Government needs. We further commented that our review of these problems and the manner in which they can be resolved to the maximum financial advantage of the Federal Government has reinforced our earlier conclusion that an effective central management organization with appropriate authority and responsibility is needed to exercise control over the procurement and use of data processing facilities and related costs being incurred by the Government.

As you know, the Director of the Bureau of the Budget, in response to a directive from the President, is conducting a study of the management of automatic data processing activities throughout the Government. The report of the study group could have a considerable bearing on executive branch action with regard to the organization and management of ADP in the Government. However, as of this time, the report has not been issued and, in the absence of a positive executive branch program which would provide for the central management organization, it is our conviction that the Federal Government will continue to spend unnecessarily substantial sums each year to obtain and use needed data processing facilities in its operations.

With reference to the policies and procedures set forth in the bill, we offer the following comments for consideration:

1. We suggest that the following sentences in subsection 111(f), pages 8 and 9, be deleted:

"Authority so conferred upon the Administrator shall not be so construed as to impair or interfere with the determination by agencies and other users of their individual automatic data processing equipment requirements. The Administrator shall not interfere with, or attempt to control in any way, the use made of automatic data processing equipment or components thereof by any agency or user."

We feel that these provisions would place undue restrictions on the Administrator of General Services Administration which would

preclude the attainment of the most effective and economical procurement and use of automatic data processing equipment. Also, with respect to the provision in subsection 111(c) for the establishment and use of an indeterminate number of automatic data processing funds, we suggest that this provision be revised to provide for a single automatic data processing fund to be administered by the Administrator of General Services Administration. The establishment of multiple funds in the individual agencies would in our opinion result in the establishment of a number of separate management entities which would mitigate against central coordination and procurement and use of these facilities from the standpoint of the coordinated overall interests of the Federal Government.

2. The bill proposes to establish electronic data processing funds for carrying out the functions enumerated therein to be "available without fiscal year limitations." This method of financing, not requiring annual congressional authorization—as compared with budgetary and appropriation processes followed in financing activities through annual appropriations—would materially diminish congressional control over such activities and should not be permitted in the absence of justifiable need therefor. It is our opinion that an annual congressional review of operations under the funds and affirmative annual congressional authority in respect of the availability of the funds are necessary to place the activities of the funds under complete congressional control. We therefore suggest that the activities under any fund established under this proposed legislation be restricted to such amounts as may be provided annually in appropriation acts.

3. We suggest that, after a date determined upon, existing appropriations and, unless specifically so provided, future appropriations of the agencies concerned, other than appropriations to the fund, shall not be available for the purchase, lease, or installation of automatic data processing equipment of the types taken over by the Administrator.

4. We note the term "organization" appearing on page 7, line 22, of the bill. If by use of this term it be intended to authorize the Administrator to make equipment available for, or otherwise supply services to, private organizations, which would constitute an exception to section 3678, Revised Statutes, 31 U.S.C. 628, requiring the application of appropriations solely to the objects for which made and no other, in the absence of specific authority to the contrary, then adding the word "private" before the word "organization" would obviate any doubt in the matter.

We believe the enactment of the bill would be in the interest of the Government and will result in considerably more economical procurement and utilization of electronic data processing equipment. Therefore, and subject to the changes suggested above, we favor enactment of the proposed legislation.

We will be available to testify at the proposed hearings and we will be pleased to assist the committee in any respect with regard to this matter.

Aubrey J. Wagner, Chairman, Tennessee Valley Authority:

This is in response to your request of June 29 for our views concerning the June 25 committee print on H.R. 5171, amending the Federal Property and Administrative Services Act "To authorize the Administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies." The purpose of the bill, according to its proponents, is to save

money for the Government and the taxpayer. It is based largely on a study report made by the Comptroller General in March 1963, in which he found that substantial savings could be achieved through (1) the purchase of such equipment in lieu of leasing over extended periods, and (2) improved coordination among Federal agencies in its utilization.

While the provisions of the committee print are somewhat less drastic than those of H.R. 5171 as passed by the House, even with the proposed revisions the bill would vest in the General Services Administration substantial control over the acquisition, assignment, and use of automatic data processing equipment throughout the executive branch of the Government, including TVA. Although subsection (f) of the bill states that the authority conferred upon GSA shall not be construed so as to interfere with the determination by agencies of their individual automatic data processing equipment requirements or with their use of the equipment, it is difficult to reconcile this provision with the broad authority given GSA in subsection (b) as regards the acquisition, transfer, and joint utilization of such equipment. Indeed, subsection (f) appears to anticipate controversy in these matters inasmuch as it provides for review and decision by the Bureau of the Budget in cases of dispute. In either event, whether the decision were made by GSA or by the Bureau of the Budget, the effect would be to impair the ability of TVA to carry out its operations in what it finds to be the most efficient and economical manner.

This is of special concern to TVA in the operation of its power system. As you know, TVA is required by the TVA Act to operate its power system as efficiently and economically as possible so as to provide power to the consumers in the area at the lowest possible rates. Moreover, the TVA Board has entered into a contractual obligation with the holders of its power revenue bonds to see that the power system is operated in a sound and economical manner. Since the use of automatic data processing equipment is vital to the efficient and economical operation of large steam electric generating plants as well as the power system as a whole, the ability of the Board to make good on these obligations will obviously be impaired if the acquisition and utilization of such equipment is subject to the control of another agency.

We have an IBM 704 ADP system at Chattanooga, Tenn., which is the headquarters and dispatching center for the TVA power system. Originally installed on a lease basis, TVA purchased the system as soon as its usefulness had been demonstrated. This equipment is used during part of every hour of every day to check the loading of the power system. Between these calculations it is used for a number of other purposes, such as determining the most desirable schedule for water releases in the Tennessee River water control system, preparing payrolls, and performing various other types of accounting work and engineering calculations. It is operated on the average of 85 hours per week, and new applications are added constantly, increasing the value and the economy of the system operation. In fact, because the rapidly expanding opportunities for effective use of ADP equipment in TVA's operations will soon exceed the capacity of the 704, we have arranged to replace it by 1966 with a much improved and more versatile system, the IBM 360.

From time to time TVA has made its equipment available to other Government agencies and will continue to do so as feasible, but because it must be constantly available for power system purposes, TVA must retain custody of the equipment and control of its use. Here, it seems to us, the objectives of H.R. 5171 are being achieved by TVA, and we

do not see how the intervention of the General Services Administration would better serve those purposes.

A further and important application by TVA of ADP equipment is in the control of the operations of individual generating plants. Because of the pressure to obtain higher plant efficiency and to hold down costs, the trend in power system operations is increasingly toward automation, and the steam electric generating plants now being designed and constructed by TVA include provision for automatic control through the use of special ADP equipment. At TVA's Paradise Steam Plant, for example, an electronic control controls the moment-to-moment functioning of the steampant—24 hours a day, 7 days a week. To the extent this electronic unit is subject to manual control, it is operated by steampant operating personnel, not computer operators.

Such equipment is activated by thermocouple voltages, pressure sensor signals, and switch contact closures rather than by data from punched cards or magnetic tape as is the case with computers used by other Federal agencies for the usual Government functions. The ADP installations must be specially designed to meet the requirements of each particular plant. The equipment is not leased but is purchased by TVA through competitive bidding procedures and is paid for out of power system proceeds, not appropriated funds. Since this equipment is used continuously in the operation of the plants, there is no opportunity to share it with other agencies. Consequently, there is no basis on which the General Services Administration could accomplish a reduction in cost or promote more efficient use.

Within the next few years it is expected that about \$3½ million will be expended for additional specialized equipment of this kind for installation at TVA's steam powerplants. This amount is relatively small when compared with TVA's total expenditures for turbines and generators, transformers, steel, coal, and heavy construction machinery, but the installation of ADP equipment is as important in TVA's efficient operation of the power system. Consequently, it is just as important that TVA retain full control over the acquisition and use of the ADP equipment as it is with respect to the other types of equipment and materials required in operating the power system.

It was in recognition of TVA's need for continuing authority to acquire and utilize without control by another agency the equipment and materials required in TVA's force account construction and chemical and power operations, and also in recognition of TVA's record of responsible exercise of such authority, that the Federal Property and Administrative Services Act has included in section 602(d)(12) an exemption for TVA in those respects. Since the reasons for such exemption apply equally to ADP equipment required in those programs, we urge that TVA's existing exemption under the act be left unchanged so that it will continue to apply to ADP equipment acquired for use in those programs. This could be accomplished by inserting on page 8, line 17, of the Committee Print of H.R. 5171 the words ", except as to paragraph (12) thereof," between "Act" and "shall."

Mr. DOUGLAS. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. DOUGLAS. Do I understand correctly that the committee has decided not to recommend the bill in this session?

Mr. McCLELLAN. Does the Senator mean in this session of Congress?

Mr. DOUGLAS. In this session.

Mr. McCLELLAN. Yes. The committee feels that there is need for study.

We conferred with the Bureau of the Budget and others interested, and it is the hope and expectation of the committee, that early in the next session of Congress, the bill will be reintroduced just as it passed the House, or as proposed to be amended by the Bureau of the Budget, and obtain as speedy action as possible on it.

This gets into an area where there are many problems which need to be resolved. It is not a case of the committee being against the measure, or trying to delay or obstruct it. It is the case of a genuine desire to determine whether legislation is needed and, if so, to recommend legislative action which will be beneficial in this field.

Mr. DOUGLAS. I appreciate that note of reassurance on the part of the Senator from Arkansas. It so happens that this is a question in which I have been very much interested, as chairman of the Joint Economic Committee, and we have made studies on this question also. We came to the conclusion that perhaps hundreds of millions of dollars could be saved by purchase rather than by rental, because the IBM charges a very high rental during the life of the automatic data processing machinery. By purchasing them outright, we could pay for the rentals over the course of a few years, and have permanent use of the machines without rent for many years.

I introduced a companion bill to the House bill. I believe it really has great possibilities. I am very glad the Senator from Arkansas has now reassured us that it does not mean defeat for the measure, but merely postponement.

Mr. McCLELLAN. I know of no desire on the part of anyone on the committee to obstruct or defeat the measure. It is a difficult problem and, since there are many who wish to be heard, extensive hearings may be necessary. No one knows when the session will adjourn, but anticipating adjournment in due time, we thought we would not have time to process the bill during the present session. For that reason, and that reason only, the matter is being deferred. I wished to make this announcement, however, to try to reassure Senators who are interested in this question that the purpose is to perfect this proposed legislation and to expedite it when we can.

Mr. DOUGLAS. At an early time in the next session?

Mr. McCLELLAN. The Senator is correct.

Mr. DOUGLAS. That is most reassuring. I hope that Senators and readers of the CONGRESSIONAL RECORD will study the report which the Committee on Government Operations is making, together with certain other material which our Committee on Defense Expenditures has prepared, because I believe that it will convince people that there are great savings to be effected by purchase rather than by lease.

#### COMMITTEE ASSIGNMENTS OF SENATOR THURMOND

Mr. MANSFIELD. Mr. President, in view of the fact that the distinguished Senator from South Carolina [Mr. THUR-

MOND] has, on his own volition, changed his allegiance from the Democratic to the Republican Party, I feel that I should make a statement relative to his committee assignments.

The present Senate ratio is 66 Democrats to 34 Republicans—that is, with the Senator from South Carolina [Mr. THURMOND] going over to the Republican side of the aisle.

This means that the Democrats would be entitled to 66 percent of the membership on the two committees. The present overall membership on both committees is 17.

Prior to Senator THURMOND's change of party, the Democrats had 12 seats on each and the Republicans had 5.

When I refer to these two committees, I refer of course to the Committee on Commerce and the Committee on Armed Services.

If the party ratio of the present membership of the Senate as a whole is applied to the 17-man membership of each committee, it yields 11.2 Democrats and 5.8 Republicans. In the circumstances, unless it is intended to change the old ratio in some other committee or committees, it would appear that the Republicans would be entitled to an additional seat on each of the two committees and the Democrats would lose them. In short, the ratio would become 11 to 6 instead of 12 to 5. Following precedent, each party determines its choice of members for each committee. In the present circumstances, it would be, therefore, the decision of the Republican caucus as to whether or not Senator THURMOND retains his present membership on the two committees or some other Republican is substituted for him and he is otherwise assigned. If he remains on the Armed Services and Commerce by choice of the Republican caucus, no Senate action is necessary. If the Republicans decide to shift him, a pro forma resolution of the Senate would be necessary to reflect the shift.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I am delighted that the majority leader has clarified this question concerning the party ratio on the two committees in question. We shall have a policy meeting tomorrow. And it is entirely correct that this matter should be discussed. I am delighted, indeed, that the majority leader has clarified the situation at this time.

Mr. MANSFIELD. I thank the minority leader.

#### WATER RESOURCES PLANNING

Mr. HARTKE. Mr. President, the water resources planning bill was passed by the Senate last November, and is now on the Union Calendar in the House of Representatives, having been reported on September 2. I know many Members of the Senate are interested in its passage, and supported its enactment, as I did.

Indiana, like many other States, has a stake in such legislation. Because of that concern, before the more comprehensive Senate bill 1111 was reported,

I introduced a somewhat similar bill, S. 2280. It would set up a Wabash Basin Interagency Water Resources Commission. If the more general bill is enacted into law, I hope to see the Wabash included as one of the regions for which a planning commission will be established. Its inclusion is needed for flood control and other purposes, and there are now indications that in the foreseeable future the need will include that of water supply.

Water supply and planning for its improvement, Mr. President, constitute a growing problem in many areas of the Nation. Despite relatively abundant water supplies in Indiana, the district chief of the Army Corps of Engineers recently declared that the State is on its way to becoming one of those which face a shortage in the not-too-distant future. I hope the water resources planning bill will become law before the end of this Congress, and that it may be possible to set up a Wabash Basin commission such as my separate bill calls for.

An editorial recently published in the Pharos-Tribune and Logansport Press, of Logansport, Ind., pointed up the imminence of water-supply problems in Indiana.

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

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

#### WATER SHORTAGE GRADUALLY DEVELOPING

Logan-land residents who have shown little concern while other States have been reporting water shortages had better believe that it can happen here too.

No less an authority than the district chief of the Army Corps of Engineers in a talk in a neighboring city last week declared that Indiana is on its way to becoming a water-short State in the not too distant future.

Cass, Miami, and Carroll County residents have been interested in the Mississinewa, Salamonie, and Huntington reservoirs purely from a flood-control standpoint. The ravages of high waters in the flood seasons have been their primary concern. However, the time may come when we will be much more thankful for the water storage they provide than for the floods they prevent.

We have long taken our water resource for granted. This is especially true here in Logansport because we are fortunate enough to have two rivers from which we can draw our water supply. However, it is becoming more and more a premium commodity as our population grows and the amount of available water remains the same. The conservation of our water supply thus grows in importance each year.

#### BANK CONTROL LEGISLATION

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Fast Passage of a Moderate Law," published in the American Banker for September 16, 1964, dealing with bank control legislation.

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

#### FAST PASSAGE OF A MODERATE LAW

The rapid passage of the bank control law, signed by the President last weekend, brings up a number of points.

One of the most important is the fact that when there is a clear need for banking legislation, it can be accomplished with considerable speed. There has been much concern expressed over the glacial progress of much legislation which many bankers want; but the lesson taught by this recent rapid run through the Congress is that the degree of urgency, and particularly public awareness of it, is crucial.

The recent outbreak of bank failures had galvanized the Federal Deposit Insurance Corporation into vigorous action to get a law to help it prevent more collapses in the same pattern. Congress clearly agreed with the FDIC's concern, and with those who supported the FDIC in this effort, and answered its request with fast affirmative action.

Most banking legislation, however, is not so obviously in the public interest, or so urgent. Quite simply, most of it does not have the same kind of steam behind it as did the ownership notification law. Most banking legislation presently being worked on or contemplated has to do with adjustments in existing procedures, rather than with response to a need urgently and clearly defined. For the more modest goal of adjustment, pending legislation calls for more deliberate evaluation, and particularly for the reconciliation of conflicting objectives. And so it properly should take longer to percolate.

Another interesting aspect of the new law is that it does not seek to prevent shifts in ownership control of banks, but only to have the regulatory authorities be given notice when such a change takes place. In this respect it is somewhat milder than what many had considered desirable; but it was the judgment of those responsible for getting it enacted that their purpose would be served just as well by the milder version—and that the milder version had a far better chance of passage.

Just after the law was passed by the Senate, and before it was signed by the President, however, came a brusque reminder that mere legislation cannot prevent bank failures. Crown Savings Bank of Newport News, Va., had to be closed, and for the second time in a year, the FDIC had to take the rare step of opening an interim bank on the site, to handle its obligations.

Although there had been no recent change in ownership, the failure followed part of the same pattern of previous failures this year—the bank had overcommitted itself to bad loans outside its own area. And there is nothing that legislation can do about that problem—nor, in fact, would anyone maintain that in a free enterprise economy, any legislation should try.

The responsibility of the Government should properly extend to protection of the rights of depositors. But the bank as a business institution should be free to compete—with the risks that that implies—without special propping.

It still requires good banking practice to maintain sound, efficient banks. Laws cannot prevent poor performance.

And so, while the FDIC was right in asking to be notified when changes in ownership take place, it used good judgment and restraint in not asking for too much power over bank operations. For it would be impossible for any agency to exercise such power so that it would at all times be effective, or wise, or in keeping with the free-enterprise philosophy.

#### INTEMPERATE OUTBURST BY SATURDAY EVENING POST

Mr. MUNDT. Mr. President, as one who recalls with nostalgia his boyhood days when, as his first business venture, he used to sell issues of the Saturday

Evening Post in his hometown, it has been a cause of real regret to me to observe the slow but steady deterioration of a once great and sturdy American journal of information and inspiration. By slow but observable degrees, the Post has shifted from the firm ground of conservatism and constitutional concepts to the alluring, but deceptive, sands of "the new liberalism," which dedicates itself to the creation of the superstate and to an American version of political paternalism.

In its September 19 issue, the Saturday Evening Post finally has taken the last, sad step toward the full endorsement of the collectivistic state. Whether motivated by cupidity, by conscience, or by coercion growing out of its sad financial decline, this once proud and able defender of our private ownership economy and our society of free choice has dipped its flag in surrender to the political forces today dominant in America as they combine the strength of Walter Reuther's Committee on Political Education, the big city political machine bosses, the self-seeking pressure groups, and the great political power of the White House and its associated agencies. Thus another once great and honored defender of freedom now lifts its voice, instead, to hurry the day when one-party, top-heavy Government will rule America.

Mr. President, it was not until I began to receive from South Dakota letters about this curious switch in the editorial policy of the Post that I found occasion to read its anti-Goldwater editorial of September 19. After all, in the final analysis, the editorial pronouncements of a great magazine or newspaper actually represent only the attitudes and opinions of a single citizen who is utilizing the pages of a large publication to pass along the viewpoints of an individual American. In a nation of over 175 million people, such editorial observations are not, therefore, exactly earth-shaking in importance or consequence. Thus, I was surprised not so much by the fact that the Post had joined the ranks of the New Frontiersmen, the political manipulators of the CIO, and of Americans for Democratic Action, as by the shockingly intemperate and undignified words in which the political blurb was expressed.

Typical of some of the letters I have received from disappointed and disenchanted readers and subscribers of the Saturday Evening Post is one just in from J. F. Stahl, of South Dakota. It expresses the tenor and thought of so many letters I have read, that I ask unanimous consent that it be printed at this point in the body of the RECORD. At this important juncture of our national history, many Americans will reflect seriously and long upon this letter's contents and its cause.

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

SEPTEMBER 16, 1964.

Mr. CLAY BLAIR, Jr.,  
Editor, the Saturday Evening Post,  
New York, N.Y.

DEAR SIR: I have just read with shock and amazement the dirty, unprofessional editorial

on the forthcoming election in your September 19 issue entitled "Why Lyndon Johnson Must Be Elected."

Out of the full-page editorial you substantiate the headline with a mere six lines extolling the virtues of Candidate Johnson; the balance is devoted to one of the most repulsive diatribes which has appeared against the leader of a major political party in what is purported to be a respected American journal in many a year.

Judging by the degrading epithets and adjectives applied to BARRY GOLDWATER and the Republican Party, this editorial obviously was written in the heat of impassioned personal prejudice—yes, even with deranged fanaticism. It is shallow, superficial, amateurish and in extremely bad taste.

Nobody disputes your prerogative of free editorial expression, but let's keep the language clean and in keeping with the intellectual level of the clientele the Post supposedly cherishes as its readership. Shades of George Horace Lorimer.

Utterly failing to get its point across, the language of this editorial is repulsive and disgusting to any reader, regardless of political beliefs. Its unwarranted slurring and degrading of millions of Republicans and other untold millions who espouse the conservative cause is bound to backfire. If your intent, by this editorial as written, is to dissuade support from BARRY GOLDWATER, it is highly probable it will have a reverse effect.

Also, I do not hesitate, as a Post subscriber of over 40 years, to tell you that in recent years I have become increasingly disenchanted with the magazine. I was a grade school Post salesman in the early years of this century when the great editor, George Lorimer, was at the helm, and the Post enjoyed widespread national respect and prestige. But in recent year, particularly since retirement of Ben Hibbs, to me the Post has deteriorated considerably in quality of content and editorial influence.

This September 19 pronouncement caps the climax, so you may discontinue my subscription forthwith. I don't expect any refund of the unused subscription. With the dearth of advertising lineage, the money may come in handy.

Yours truly,

J. F. STAHL.

#### SOUTH DAKOTA'S FAMED MOUNT RUSHMORE

Mr. MUNDT. Mr. President, on September 11, significant ceremonies were held at Georgetown University, here in Washington, on the occasion of the placing on the university campus of a large replica of Mount Rushmore. After being exhibited in various sections of the country, the replica will be permanently installed at the Garden of the Patriots, in Cape Coral, Fla.

In connection with the ceremonies at Georgetown University, Gen. Bruce Easley made a most inspiring and informative address in which he described the significance of the shrine of freedom on Mount Rushmore. I ask unanimous consent that the brief address by Gen. Bruce Easley be printed in the RECORD.

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

REMARKS BY GEN. BRUCE EASLEY AT GEORGETOWN UNIVERSITY, WASHINGTON, D.C., SEPTEMBER 11, 1964

Senator and Mrs. Mundt, Father Power and honored guests, friends, we of Gulf American Land Corp. feel deeply honored to participate in this ceremony marking the

175th anniversary of your great university. It will be a privilege to exhibit this Mount Rushmore replica at the Garden of the Patriots in Cape Coral, Fla.

The Mount Rushmore sculpture is a classically American achievement in many ways.

It is big. Probably the largest sculpture ever carved by man during the ages of recorded history.

It is lofty in concept—testimony that in America a man can dream large dreams and make them come to pass.

It signals the victory of man over nature. For who would dream of taking a mountain as a matrix? The sculptors of renaissance Florence scoffed at Michelangelo when he took an irregular 18-foot block of marble and started to shape his immortal David. Borglum took a mountain as his block—and he made it an imperishable monument.

It is the creation of a son of immigrants—an offspring of hardworking Danish pioneers. Thus, his special skills and special vision were not an isolated product of the new world, but firmly rooted in the soul of the old.

It is a tribute to the principle of continuity. For when Gutzon Borglum died in 1941, his work unfinished, his son and coworker, Lincoln, carried it forward to triumphant completion.

And finally, it is dedicated to the spirit of four great American heroes—men who were shapers and movers in creating and preserving the democratic tradition.

We of Gulf American Land Corp. are very happy to loan this replica of the Mount Rushmore sculpture to your great university in order that it might serve as an inspiration to your students and faculty. It will, of course, eventually find a resting place in the first of a series of gardens, the Garden of the Patriots, which pays tribute to the great men of our country and the artists who portrayed them.

#### OFFICE OF TUTORING SERVICES

Mr. BREWSTER. Mr. President, these days the newspapers are forever filled with items showing the contrast between our severe national urban and educational problems and the willingness of many of our citizens to sit by without taking responsibility, or to criticize without providing viable solutions. The success of the Peace Corps, which surprised many of our citizens who doubted that volunteers would be forthcoming, and the emergence throughout the Nation of scattered civic action programs have been welcome spots of brightness in this picture. We are aware that with the passage of the Economic Opportunities Act, our work to lift poverty from the shoulders of our Nation has been given but a hand tool, which will not work without much effort by all of us. But many doubt that this small tool will make a truly great impact and will stem in time that rising tide of unrest.

It is with this problem in mind that I call attention to a citizens' movement which is spreading throughout the National Capital area: a movement of individuals who give freely of their time to aid the education of their young neighbors whose opportunities are limited. This is a quiet movement, without publicity or attention; but in the depth of its personal commitment, it is shouldering some of our greatest responsibilities, and it may be a beacon to other cities.

The efforts of this tutorial movement for the whole National Capital area are now focused in the Office of Tutoring Services, a central service bureau at the Health and Welfare Council of the National Capital area. This was done at the decision of the more than 50 groups which, during the past academic year, sponsored tutoring programs. While tutoring itself takes place in many other cities of our Nation, this spontaneous cooperation between widely divergent groups—churches, community centers, school systems, political action organizations, and others—is truly remarkable. Indeed, I believe the Washington area thus becomes the first in the Nation specifically to support volunteer tutoring at an areawide level, truly a fitting first for our Nation's Capital. The volunteers are young and old—Government workers, industry workers, housewives, and college students, from the city and from the Maryland and Virginia suburbs. They are sometimes highly organized, sometimes autonomous; but they have a common aim, and they work together. Their numbers are increasing daily through their independent efforts and that of their new office.

We may feel proud both of our citizens and of the way in which our schools have with open arms greeted their help. I commend to my colleagues the example of the tutoring movement of the National Capital area and the Office of Tutoring Services, and urge them to read the articles on their development.

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

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

[From the Washington (D.C.) Star, May 12, 1964]

#### TUTOR SERVICE UNIT BACKED BY COUNCIL

The Health and Welfare Council yesterday approved the establishment of the Office of Tutoring Services to act as a nerve center for tutoring activities in the District.

At present, there are 2,178 volunteer tutors in 51 groups helping 4,246 underprivileged youth, who could not financially afford such aid, in afterschool and inschool tutoring programs. However, there has been no central office to coordinate or serve the needs of these separate groups.

In recognizing the Tutoring Services Office as a central bureau, the council has authorized the Services' Advisory Board to seek grants and foundation funds from sources other than the United Givers Fund.

The Tutoring Services Office is seeking a grant of \$67,500 for 2 years.

Among its functions, the office would undertake the recruitment of more tutoring volunteers and the formation of new tutoring groups. Both are sorely needed. It has been estimated that in the District there are over 60,000 youths in need of remedial teaching to reach their grade level.

As an added inducement to tutors, the office hopes to have funds to provide transportation which was cited as a real problem by many groups relying on college students as tutors.

In addition, the Tutoring Office would sponsor symposia and lectures helpful to tutoring programs, offer consultation and advice to tutoring groups, and provide a library of tutoring literature.

[From the Washington (D.C.) Afro-American, May 16, 1964]

#### VOLUNTEER TUTORS GET A BIG PUSH

Volunteer tutoring groups in the District got a big boast this week.

They received approval for what they have always needed—a central office.

This became reality Monday when the board of directors of the health and welfare council gave the advisory board of the groups the green light to establish an office for tutoring services.

The office will be designed to coordinate and fill the needs of 51 groups which include 2,178 volunteer tutors who are currently giving inschool and afterschool assistance to some 4,246 pupils, most of whom live in low-income areas and would not receive such aid if it were not for these groups.

The board of directors also gave the tutoring advisory board the authority to solicit funds for the program.

It is now seeking \$67,500 from several foundations to cover operations for a 2-year period.

Both James Hostetler, an attorney and chairman of the advisory board, and John H. Brown, Jr., of the Urban League and vice chairman of the board, expressed optimism concerning funds.

Mr. Brown said he had just returned from a trip to New York and foundations had expressed delight at the program and indicated that they would support it.

The central office will use the funds to provide comprehensive information on student needs and the personnel available to meet these needs.

In addition to this, it will create a library of tutoring literature, arrange training opportunities for tutors, recruit additional volunteers, facilitate transportation for tutors, and provide evaluation designs to measure the quality of the work being done.

Dr. David Iwanmoto, of the research division of the National Education Association, has estimated that there are over 60,000 pupils in the District who need remedial teaching to achieve their grade level.

He and his wife are members of a volunteer group seeking to give these youths an educational push.

In addition to Mr. Hostetler and Mr. Brown, other members of the tutoring advisory board are Father John Haughey, S.J., faculty member of Georgetown University; and Madeline Dowling, teacher and board member of the Christ Child Settlement House.

[From the Washington (D.C.) Post, July 21, 1964]

#### TUTORING OFFICIAL NAMED TO DIRECT AREA SERVICE

John H. Brown, Jr., for the past 2 years a director of vocational services with the Washington Urban League, has been appointed director of the new office of tutoring services of the area's Health and Welfare Council.

His appointment was announced yesterday by Council President Alvin J. Steinberg. The tutoring office was developed by groups working with slum children and will be a clearinghouse for more than 60 volunteer tutoring groups in the metropolitan area.

As an official of the Urban League, Brown headed the school phase of the "Future for Jimmy" program and cooperated with school administrators to set up tutoring centers throughout the city. The "Future for Jimmy" program seeks to raise the aspirations of impoverished children.

About 6,500 children are being taught by 3,500 volunteers in tutoring programs throughout the area. It is estimated that 60,000 children need such help.

James S. Hostetler, chairman of the advisory board to the new tutoring services office, said he hopes it will expand tutoring efforts in the area.

It will be a center of information for tutoring groups and will have a library, arrange for training of tutors, recruit more tutors, help them find transportation, and provide ways to evaluate their work.

The office is now being financed by the Eugene and Agnes E. Meyer Foundation, the New World Foundation of New York, and the Eliot Pratt Foundation, also of New York. Steinberg said more funds are needed.

Brown, a native of Raleigh, N.C., was graduated from St. Augustine College and received a master's degree from Columbia University. Before coming to Washington in 1958, he was dean of men at Shaw University in North Carolina.

[From the Raleigh (N.C.) Times, Aug. 3, 1964]

**RALEIGH MAN NOW HEADING TUTOR SERVICE**

John H. Brown, Jr. has been named director of the newly established Office of Tutoring Services.

The service was developed by groups tutoring disadvantaged children.

A Raleigh native, Brown was graduated from St. Augustine's College. He received a master's degree from Columbia University and has been the principal of two high schools.

Brown came to Washington in 1958 from his post as dean of men at Shaw University and was appointed associate executive director of the junior police and citizens corps.

For the past 2 years, he has been director of vocational services with the Washington Urban League.

[From the Washington (D.C.) Afro-American, July 25, 1964]

**JOHN BROWN NAMED TO TUTORING POSITION**

John H. Brown, Jr., has been appointed director of the newly established Office of Tutoring Services. Alvin J. Steinberg, president of the Health and Welfare Council, has announced today.

The Office of Tutoring Services was developed by groups tutoring disadvantaged children and is under the auspices of the Health and Welfare Council of the National Capital Area, a UGF supported agency, and will be the nerve center for the more than 60 volunteer tutoring groups operating in the metropolitan area.

Mr. Brown for the past 2 years has been director of vocational services with the Washington Urban League. As director he led the school phase of "future for Jimmy" program and organized tutorial centers throughout the community in cooperation with the schools.

He was born in Raleigh, received his master's from Columbia University, and has been the principal of two high schools.

Mr. Brown came to Washington in 1958 from his post as dean of men at Shaw University in North Carolina and was appointed associate executive director of the Junior Police and Citizens Corps.

He is active in civic affairs being a member of the guidance association, Boy Scouts of America, youth council, and Rock Creek East Neighborhood League. He was a participant in the White House Conference on Children and Youth and has served as area chairman of the United Givers Fund.

It is estimated that there are 60,000 disadvantaged youths in the National Capital area in need of tutoring, and at present 6,500 children are being taught by 3,500 volunteers in tutorial programs throughout the area.

The office will be a center of information for all groups, provide a library of tutoring literature, arrange training opportunities for tutors, facilitate transportation for tutors, recruit additional tutors, and provide evaluation designs to measure the quality of the work being done.

At present the office is being financed by the Eugene and Agnes E. Meyer Foundation,

the New World Foundation of New York City and the Eliot Pratt Foundation of New York, but additional funds are still needed and are being sought from foundations and other sources.

Mr. Brown will be assisted in his work by the Tutoring Services Advisory Board which consists of representatives from a wide variety of tutoring groups. Mr. Hostetler, advisory board chairman, is with the Richardson program of the YWCA; Father John C. Haughery, S.J., of Georgetown University, is first vice chairman; second vice chairman is Dr. Herman A. Meyersburg of the Kengar program in Maryland; and Madeline G. Dowling, of Christ Child Settlement House is secretary.

**RELIEF OF NORA ISABELLA SAMUELLI**

**Mr. COOPER.** Mr. President, on Wednesday of last week, while I was attending a meeting of the President's Commission, Senator PROXMIRE very kindly made reference at my request, to two private bills, S. 2413 and S. 2414, for the relief of Nora Isabella Samuelli, that were favorably reported to the Senate by the Committee on the Judiciary on September 16, 1964.

I asked the Senator from Wisconsin to express the gratitude of myself, and Senators KEATING and JAVITS, who joined me in introducing this legislation on December 20, 1963, and I wanted to pay particular tribute to the senior Senator from Connecticut [Mr. Dodd] who cosponsored this legislation and who gave unceasingly of his time and efforts to this bill, as chairman of the subcommittee which conducted hearings and took action on the bill.

In addition to Senator Dodd and Senator KEATING, the distinguished Senator from Massachusetts [Mr. KENNEDY] was also a member of the special subcommittee, and I very much appreciated the attention and the support which he gave to this bill and to the work of the subcommittee as it sought out the facts of this case. Senator KENNEDY has expressed his particular interest that both of these bills be considered by the Senate at the earliest possible time, and I wanted to note his work and his concern over granting the deserved relief which these bills provide.

**The PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

During the delivery of Mr. RANDOLPH's speech,

**Mr. RANDOLPH.** Mr. President, I ask unanimous consent that I may yield to the senior Senator from Oregon [Mr. MORSE] and that the remarks that he shall make and the action which shall be taken be printed at the appropriate place in the RECORD and not as an interruption of these remarks.

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

**Mr. MORSE.** Mr. President, I thank the Senator from West Virginia very much. He is very courteous in yielding to me. He and I both share the same point of view concerning the sad announcement that I am about to make, which calls for my taking the floor at the present time.

**DEATH OF REPRESENTATIVE WALTER NORBLAD, OF OREGON**

**The PRESIDING OFFICER.** The Chair lays before the Senate a message from the House of Representatives, which will be read.

The legislative clerk read as follows:

**HOUSE RESOLUTION 885**

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable WALTER NORBLAD, a Representative from the State of Oregon.

*Resolved*, That a committee of eleven Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect the House do now adjourn.

Attest:

RALPH R. ROBERTS,  
Clerk.

By JOHN A. ROBERTS.

**Mr. MORSE.** Mr. President, early this morning Mrs. Morse and I heard for the first time the sad news of the death of Representative WALTER NORBLAD, of Oregon. He died yesterday morning at Bethesda Naval Hospital. We were away from all communications yesterday and did not return to Washington until very late last night.

The news this morning of WALTER NORBLAD's death came as a great shock to both of us. As I said this morning in a note to his wife, Elizabeth, I had no idea that Walter's previous illness of a few weeks ago carried with it such serious implications. In fact, just before he left the hospital a short time ago, I talked to him. He seemed to be in the best of spirits and told me that he was sure he would be in good condition to make his campaign for reelection this fall.

WALTER NORBLAD has been a good friend of ours since I started teaching law at the University of Oregon in 1929. He graduated under me in 1932. After graduation, he expressed an interest in doing a year's graduate work at Harvard Law School, and I was pleased to recommend him to the dean of the Harvard Law School for a special scholarship which would enable him to take the special graduate courses at Harvard for a year in which he was particularly interested.

His father, A. W. Norblad, had been Governor of Oregon and unquestionably exercised a great influence on his son. I am sure that it was through his father, WALTER developed a keen interest in politics. Even while he was student at the University of Oregon School of Law, he demonstrated a great interest in government and political affairs.

From 1935-39, he was a member of the House of Representatives of the Oregon State Legislature where he became recognized as one of the most able of the young politicians of Oregon.

During World War II, he was a combat intelligence officer with the 8th Air Force

and served with such distinction and valor that he was awarded the Air Medal.

In a special election in January 1946, he was elected to the 79th Congress and continued to represent the First Congressional District of Oregon from that time until his death.

Although WALTER NORBLAD and I were not close politically, we always were good personal friends. He was a very sincere conservative in the Republican Party in Oregon, but his differences with my liberal political philosophy never prevented him as a personal friend on a goodly number of occasions from defending me against what he considered to be unfair personal attacks on the part of some individual critic or newspaper. He never allowed partisan politics to interfere with a friendship or mar his sense of fairness.

Mrs. Morse and I have lost not only a good friend, but the Republican Party of Oregon and the State of Oregon have lost a dedicated public servant.

Mrs. Morse joins me in expressing to his wife, Elizabeth, and their son, Walter, and the Congressman's mother, Mrs. A. W. Norblad, Sr., and his sister, Mrs. Eleanor Sorrells, our deepest sympathy. We pray that they will be comforted and strengthened in these sad hours of loss and bereavement.

Mr. President, I submit a resolution which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. WALTER NORBLAD, late a Representative from the State of Oregon.

*Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Mr. JORDAN of Idaho. Mr. President, will the Senator from West Virginia yield to me for the purpose of making a brief statement?

Mr. RANDOLPH. I understand that our colleague desires to join in the present discussion. For that reason, I am delighted to yield.

Mr. JORDAN of Idaho. Mr. President, the passing of WALTER NORBLAD, Representative from the State of Oregon, is a great loss to the State of Oregon and to the Nation. I have known WALTER NORBLAD for many years. I am a former resident of the State of Oregon. I knew WALTER's father before him. I knew WALTER as he attended the University of Oregon, as he rose in politics in the legislature of Oregon, and finally in the Congress of the United States.

I join my colleague, the distinguished Senator from Oregon, in expressing our deep sympathy to his wife, Elizabeth, to his son, and to the members of his family and the many friends he had throughout the State. Mrs. Jordan joins me in expressing our deepest sympathy and condolences in this tragic hour.

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

Mr. RANDOLPH. I yield.

Mr. MANSFIELD. Mr. President, I wish to join the senior Senator from Oregon and the Senator from Idaho in sending condolences to Mrs. Norblad and her family upon the passing of her late beloved husband, WALTER NORBLAD, a Representative from Oregon. I had the pleasure of serving with WALTER NORBLAD in the House for a number of years. He was a highly thought of and well-respected Representative of the people. It was with deep sorrow that I heard on the radio yesterday morning that this outstanding legislator had died of a heart attack at the Bethesda Naval Hospital.

On behalf of Mrs. Mansfield and myself, I extend our condolences to his family.

Mr. MAGNUSON. Mr. President, let me add my sympathy to the family of Representative NORBLAD. I have known him for many years. He is one of the fine Representatives of our area, one who was responsible among others for the signing of the treaty which we commemorated in that area.

His passing leaves us sad. The country has suffered a great loss. The northwest area of the country in particular has suffered a great loss.

The PRESIDING OFFICER. Without objection, the resolution is unanimously agreed to. The Chair appoints the senior Senator from Oregon [Mr. MORSE] and the junior Senator from Oregon [Mrs. NEUBERGER] as a committee of the Senate to attend the funeral of Representative NORBLAD.

#### AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. Without objection, 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.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 1215) offered by the Senator from Illinois [Mr. DIRKSEN] for himself and the Senator from Montana [Mr. MANSFIELD].

Mr. PROXMIRE. Mr. President, on Wednesday I spoke on this issue for some time. At the termination of the day, I had not finished my speech. The distinguished Senator from Illinois [Mr. DOUGLAS] obtained unanimous consent for me to be recognized on Thursday. On Thursday, I wanted to continue my speech after the morning hour. However, after the morning hour, it was impossible to obtain a quorum. Again on Friday, I wanted to continue my speech. It was again impossible to develop a quorum. The same thing was true on Saturday.

I should like very much to continue my speech at this time. However, the distinguished Senator from West Virginia [Mr. RANDOLPH] has a very excellent speech to deliver.

I ask unanimous consent that I may yield to the Senator from West Virginia without losing my right to the floor.

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

Mr. RANDOLPH. Mr. President, I am grateful that the able senior Senator from Wisconsin [Mr. PROXMIRE] affords me the opportunity at this time to join in the discussion of the reapportionment proposal which is pending and which has been under much pertinent discussion in the Senate. I do not believe it has been pending too long in view of the many interruptions and the transaction of other business.

I have listened with interest and have been enlightened by the speeches which have been presented in this forum by several Senators. I make special mention of the remarks of the Senator from Illinois [Mr. DOUGLAS], who sits at my right, and the Senator from Wisconsin [Mr. PROXMIRE] who yields to me at this time.

I voted for the Javits-McCarthy-Humphrey compromise resolution, for more than one reason. At least one compelling reason is that I believe it is time to complete the business of the current session of the 88th Congress. I reiterate, however, that I do not want Congress to conclude its work without having taken affirmative action on the passage of the Appalachian Regional Development Act.

I know that there is certain other business that needs to be completed by Congress. I am still hopeful that the conferees may find an area of agreement so that aid to the aged through a health care program within the social security system may become law.

Mr. President, I believe that the language of the Javits-Humphrey-McCarthy substitute, which was defeated 42 to 40, was adequate to explain the sense of Congress without encroaching on the integrity of the judicial branch of the U.S. Government.

The reapportionment issue has gone to the very bedrock of our assumptions regarding the nature of the American system of government under which I hope we shall move forward. I want to have the RECORD reveal my reasons for voting as I did.

I realize that not all Senators rise in this Chamber to give their reasons. That is understandable. But this is an issue which is fundamental. For that reason, I have given study, and a very sincere measure of preparation, to the remarks that I am making. I had several reasons for voting for the Javits-McCarthy-Humphrey substitute to the Dirksen amendment. I believe it is important for me to indicate why I shall vote for an amendment which may come before this body, which amendment has a similar purpose. I am adamant in my opposition to the Dirksen-Mansfield so-called compromise amendment which is pending in this body.

Seldom within the history of the Senate, and certainly not in recent years, have Senators been called on to deliberate the fundamental issue of civil rights, as Senators have done during this session—first with regard to the Civil

Rights Act of 1964, and now with regard to the Dirksen-Mansfield amendment on reapportionment. Let us make no mistake about it. A fundamental civil right is very much the issue in this amendment, as is the Constitution itself. As two eminent professors of law, referring to the Dirksen-Mansfield proposal, stated in an article in the Washington Post of August 31, 1964:

If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

Not within my tenure in the Senate have we been exposed to such a wide array of views on the Constitution and such learned references to the opinions of the founders of the Constitution of the United States. Yet, there is one highly relevant comment by one of the principal authors of that instrument which has not received sufficient emphasis during the debate on this issue. Perhaps it entered the debate and I missed it. But at the risk of repeating the observation of another Senator, I draw attention to the opinion of James Madison, as expressed in the *Federalist*, No. X, when he stated that—

No man is allowed to be a judge in his own cause; because his interest would certainly bias his judgment and, not improbably, corrupt his integrity. With equal, nay, with greater reason, a body of men are unfit to be both judges and parties at the same time.

Yet, this is precisely the situation in which the pending Dirksen-Mansfield amendment would place the legislatures of many of the 50 States, and indirectly the Senate of the United States as well. With the proposed constitutional amendment which it anticipated, the Dirksen proposal would place the State legislatures in the morally and politically indefensible position of voting on, and thus perpetuating, the very condition of malapportionment which the Supreme Court has declared unconstitutional. As the able junior Senator from Connecticut [Mr. RIBICOFF] noted, it is hardly just or equitable "to have the rotten boroughs decide whether they should continue to be rotten." And there are few if any Members of this body who, by political associations and personal friendships, are not to some degree also involved with the apportionment problems of their respective States.

This is, in my opinion, one of the elements of greatest mischief in the proposed Dirksen-Mansfield amendment.

If enacted, it would in the most literal sense corrupt the democratic process in the States. It would, in addition, be one of the most retrograde steps that the Congress of the United States could take.

The proponents of the Dirksen-Mansfield compromise to the original Dirksen amendment—which was thrust on the Senate without even the benefit of committee hearings—are Senators for whom I have the highest regard. They are Senators who have, on other issues, maintained the utmost concern for orderly legislative procedure, a careful regard for the rights of the States, and a sincere commitment to harmonious and

effective Federal-State relationships. It is for this reason that I am at a loss to understand their support for a measure which would violate each of these principles in such fundamental ways.

I need not belabor the fact that the originally proposed amendment was offered with a rather cavalier disregard for legislative procedure. In the closing days of the session, without benefit of hearings or committee action, it was presented for attachment as a totally inappropriate rider to the foreign aid bill. Such actions, although rare, are not without precedent.

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

Mr. RANDOLPH. I yield to the very capable Senator from Wisconsin.

Mr. PROXMIRE. I compliment the Senator from West Virginia on his excellent speech. I particularly think the last point he has made should be stressed and underlined. As he says, this is an important proposal. As I understand, he considers this a civil right, an individual right. He has pointed out how the Dirksen amendment brings the Supreme Court into serious jeopardy. The point he makes is that, in the closing days of the session, without benefit of hearings or committee action, the proposal is presented on a bill which is not germane in any way.

In the judgment of the Senator from West Virginia, who has had many years of experience in the House of Representatives and has had substantial experience in the Senate, is it not extraordinary to propose in this manner a matter of this particular importance, which goes to the very root and heart of the relationship between the Congress and the courts? Does not the Senator consider that the procedure followed with regard to this proposal prevents the Senate and the House from exercising the full deliberation which this kind of very serious proposal merits and requires?

Mr. RANDOLPH. I concur completely with the judgment of the Senator from Wisconsin. I have so stated. I appreciate the emphasis which he has placed on this aspect of the issue. The Senate of the United States is often referred to as the greatest deliberative body in the world. Yet the Dirksen-Mansfield proposal would short circuit the processes of deliberation—on a most fundamental issue—which this body has established to guard against popular panic and hasty legislation.

But what disturbs me even more is that the proponents of the Dirksen-Mansfield amendment, most of whom are among the most staunch defenders of the rights of the individual States, would advocate a bill which would allow "any party or intervenor—or any member of the legislature" to block a reapportionment plan which may have a wide consensus of support throughout a particular State and which may have been developed at great expense and effort by the State. Thus, if that amendment to H.R. 11380 were enacted, the Congress of the United States would, in effect, be giving the green light to any malcontent or lame duck legislator to obstruct any reapportionment

plan emanating from a court decision—regardless of the expense to the State or the popular support for such a plan.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. RANDOLPH. I yield.

Mr. PROXMIRE. This is a most significant point. Is it not true that whenever there is legislative reapportionment—it is unfortunate but true—at least one and usually several members of the legislature are apportioned out of their seats and their careers ended?

Mr. RANDOLPH. That is true.

Mr. PROXMIRE. Is it not true that in State after State, which has been proceeding very well, in terms of public interest, in providing equitable apportionment, all the painful, tough, gradual adjustment to the situation would be stopped, and stopped cold, and would be stopped cold for a long time, if the Dirksen amendment were adopted?

Mr. RANDOLPH. Yes. I think it would be proper to say that the States would be stultified. I think that situation would result not only in one but in several cases.

There is another and perhaps even more fundamental manner in which the Dirksen amendment would be prejudicial to sovereignty and to a healthy Federal-State relationship. It has become a virtual truism among students and practitioners of government to declare that the States have abdicated many of their powers, rather than having had them seized by the Federal Government. The Federal Government has, in fact, filled the vacuum created, in many instances, by the States inability to meet the needs of a modern industrial society. This failure on the part of many of our States has been due to malapportionment of the State legislatures more than to any other single factor.

Consider but a few of the major problems of so-called Federal intervention today—in the fields of public assistance, slum clearance, urban renewal, urban transit, air and water pollution, and aid to education, for example. These are problems largely associated with our metropolitan areas. And the Federal Government, in fulfilling its responsibilities to the American citizen, has been forced to move into these fields because the rurally dominated State legislatures have too frequently been unresponsive to urban and suburban needs.

It is my firm conviction, therefore, that the reapportionment decisions of the Supreme Court in the Alabama cases and those which preceded during the recent term of the Court will prove to be among the most significant contributions in recent decades to the strengthening of State governments.

In this respect, in particular, I would disagree with the closing argument in the dissent of Justice Harlan, wherein he declared that—

No thinking person can fail to recognize that the aftermath of these cases, however desirable it may be thought in itself, will have been achieved at the cost of a radical alteration in the relationship between the States and the Federal Government, more particularly the Federal judiciary.

Justice Harlan then concludes that—

Only one who has an overbearing impatience with the Federal system and its political processes will believe that that cost was not too high or was inevitable. (*Reynolds, et al. v. M. O. Sims, et al.*)

What are the major problems of so-called Federal intervention today?

We find them in the field of public assistance, in slum clearance, in urban renewal, in urban transit, in air and water pollution, and in aid for education, to give some examples which are clearly set forth. These are problems largely associated with the metropolitan areas of the country. The Federal Government, in fulfilling its responsibilities to the American citizen, has been forced to move into these fields because the rural dominated State legislatures have too frequently been unresponsive to the needs of the urban and suburban sections of our country.

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

Mr. RANDOLPH. I yield again to the diligent senior Senator from Wisconsin.

Mr. PROXMIRE. This is a very important and very much overlooked argument. I do not see how it can be answered at all. The "States righters" should be in the front ranks in opposition to the amendment. The argument being made by the Senator from West Virginia makes good sense. If we want the States to assume responsibilities, we should give the people the right to equal representation in both houses of their legislature so that there can be agreement between the two houses and the legislature can act, without one body blocking the other. The Senator from Michigan [Mr. McNAMARA] pointed to a series of instances in a recent year when the Governor of the State of Michigan, the lower house of the State of Michigan, and the people of the State of Michigan were in favor of measures which a majority of State senators, representing a minority of the people of the State, had persistently blocked. There were not only one or two such measures, but a series of concrete, specific actions.

If we hear anything at all from the proponents of the Dirkson amendment, it is that the Federal Government has become too big and too domineering. This may be true. But if the States are to solve their own problems should we hamstring them by providing that one house should be apportioned on a basis other than population.

I am glad the Senator from West Virginia has so ably stressed this point and has done so not in generalities, but by pointing to specific areas, such as slum clearance, urban renewal, air and water pollution, and education, in which States should assume those responsibilities, but where they have not done so because they have been paralyzed.

Mr. RANDOLPH. I am grateful for the cogent comment of the senior Senator from Wisconsin [Mr. PROXMIRE].

It is my firm conviction, I repeat, that the reapportionment decisions of the Supreme Court in the Alabama cases and the cases which were presented during the recent term of court, will prove to be

among the most significant contributions in recent decades to the strengthening of State governments.

I agree thoroughly with the proposition which has been set forth, that those who should be in the forefront of vocal opposition to the pending Dirkson-Mansfield amendment should be Senators who have spoken, and I believe will speak again, about States rights on other subjects.

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

Mr. RANDOLPH. I yield.

Mr. PROXMIRE. This is a happy thought and a very true and accurate reflection. The Supreme Court has been attacked again and again as an instrument of the Federal Government moving against the States. As the Senator has said, the Supreme Court's decisions would strengthen State governments and would strengthen the Federal system. This is a very important observation. I believe it is the first time in this debate that it has been made; and it has been made in a very constructive and positive way.

Mr. RANDOLPH. I thank the Senator. In this connection, I believe I would have to disagree with the closing argument of Justice Harlan in this case.

I say this particularly to the Senator from Wisconsin and the Senator from Illinois [Mr. DOUGLAS]. The declaration was made that "no thinking person can fail to recognize that the aftermath of these cases, however desirable it may be thought in itself, will have been achieved at the cost of a radical alteration in the relationship between the States and the Federal Government, more particularly the Federal judiciary."

Senators will recall that Justice Harlan concluded:

Only one who has an overbearing impatience at the Federal system and its political processes will believe that that cost was not too high or was inevitable.

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

Mr. RANDOLPH. I yield.

Mr. DOUGLAS. Justice Harlan, in effect, is saying, is it not that the overwhelming majority of the Supreme Court had an overbearing impatience with the way in which the legislatures were operating? Is it not correct to say that for 60 years virtually no State legislature would reapportion itself? This was not a hasty decision by the Supreme Court. The Supreme Court withheld its hand for decade after decade, and finally, when the evidence was clear that the legislatures would not reform themselves, they moved in under the 14th amendment and the requirement for equal protection of the laws. Did not the majority of the Supreme Court show great restraint and patience with the operations of the State legislatures rather than overbearing impatience?

Mr. RANDOLPH. The Senator from Illinois is very convincing on this point. He made it before during this debate. The time not only has arrived, but it has been long overdue.

Rather than having rushed in with excessive haste, the Court showed justifiable restraint. In my view, Justice

Harlan, in his dissenting opinion, stepped from the field of law into the field of political prophecy. His prophecy is misconceived, I believe, because his own attention seems directed more to the form than to the substance of Federal-State relations.

The implementation of the recent apportionment decisions will, at first, be a somewhat painful remedy for many of the States. But in the long-term view, reapportionment will infuse a new vitality in State governments, enabling the States, once again, to assume the role of full partnership.

This becomes readily apparent when one reflects on the current tendency of municipal officials to bypass State governments and to appeal directly to the Federal Government for solutions to many of their urban and suburban problems. This tendency is the result of the inability of State governments to cope with these problems under their present systems of apportionment.

When I was a Member of the House of Representatives, I joined in the original sponsoring of the Federal Aid to Airports Act. In the drafting of that legislation, in which I had a part, we were careful that there should be a relationship directly between the Federal Government and the municipalities. We recognized that the need for approval of the local project for an airport could not rest upon the State government, because year after year the States could do little to help support an airport within a particular city, within a metropolitan area, or within a center of population. So the Federal funds went to the cities on a matching basis. Many States fought vigorously in Congress against that provision in the Federal Aid to Airports Act. We in Congress knew that the time had arrived for the development of transportation by air in the United States, with no reflection on the States themselves. Frankly, the States were not realistic and could not grapple with the problems of this new form of transport, which was the operation of scheduled airlines serving thousands of persons daily between specific metropolitan areas. I had not anticipated bringing this example to the attention of the Senate, but it is certainly a valid point. In supporting the authority of cities to issue airport bonds, Justice Cardozo reminded us in 1928 that "Chalcedon was called the city of the blind because its founders rejected the nobler site of Byzantium lying at their feet." To paraphrase Justice Cardozo in this issue, one might say that the State legislatures have been blind to ways of increasing the authority and effectiveness of State government, and the Supreme Court has been called upon to open their eyes and give them sight.

Mr. DOUGLAS. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I yield.

Mr. DOUGLAS. I have flown into Charleston, W. Va., many times. The airport there was built, as I remember, by leveling off the top of a hill. Does the Senator from West Virginia believe that that would have been done at great expense if the Legislature of West Virginia had had the power to determine

whether it should be done and had been compelled to appropriate money for it?

Mr. RANDOLPH. I believe the State of West Virginia would not have moved forward with the construction of the Kanawha County Airport. It lacked the financial capacity to assist materially. The cost of constructing an airport in our capital area is high. It has been said that more earth was moved in the construction of that airport, where mountains were leveled, than was moved in the construction of the Panama Canal. It is expensive to build an airport in mountainous terrain. So, as I have done on prior occasions, I compliment the citizenry of Kanawha County for having voted several million dollars of bonded indebtedness and for having accepted the responsibility to participate with the Federal Government in such a meritorious project. The State itself would never have been able to move forward.

Mr. DOUGLAS. Yet that airport has opened up the State of West Virginia to air travel and has been of great assistance in enabling the chemical and other industries to locate in the Kanawha Valley. Is not that true?

Mr. RANDOLPH. The Senator from Illinois is correct. The chemical industry in the Kanawha Valley is likened to that of the world famous Ruhr Valley. A huge complex of the chemical industry has been located in the Kanawha Valley for some 25 or 30 years. I estimate that it directly employs some 25,000 men and women and creates many, many indirect jobs. It is an important industry.

More than 100,000 passengers a year have been boarding planes at the Kanawha County Airport to travel to other sections of the country, and a comparable number of passengers have been arriving. I refer to the scheduled airline service, the carriers serving the city of Charleston, W. Va.

In my opinion, reapportionment would give the metropolitan regions a stronger voice in the councils of their States, and thus would strengthen the States in their relationship with the Federal Government. To illustrate this in a more specific way, I refer to the kind of problem which arises in framing much of the legislation which is reported by the Committee on Public Works, of which I am a member. With respect to air and water pollution measures especially, we have had to exercise great care in writing provisions which would prevent local and municipal officials from bypassing State agencies when seeking Federal allotments or assistance. In such instances, we find the seeming paradox of the Federal Government protecting the interests of the State government in its relationship with its own political subdivisions. I feel certain that other Senators would recount similar instances with regard to the work within the jurisdictions of their own committees.

I believe such a precaution on the part of the Federal Legislature would not be necessary if State legislatures and the other agencies of State governments more accurately reflected the needs and interests of their metropolitan populations. I believe also that Justice Harlan

would have less anxiety about the future impact of the Court's apportionment decisions if he had contended with the problems of Federal, State, and local relationships that come before Congress for continuing attention and, we hope, for affirmative solutions.

At the outset of my remarks, I stated that a fundamental civil right was at issue in the proposed Dirksen-Mansfield amendment. I would not do justice to my own convictions on this issue if I failed to recognize the question of the right of "one-person, one-vote," and the authority of the Supreme Court to adjudicate this issue. Although I would enter the field of constitutional law with much trepidation, it does not seem necessary to me that a person be a constitutional lawyer to recognize the authority of the Supreme Court in this issue.

It is specifically set forth in article III, section 2 of the Constitution which provides:

In all cases \*\*\* in which a State shall be party, the Supreme Court shall have original jurisdiction.

We understand the English language. This section clearly accords to the Supreme Court and not to the Congress original jurisdiction over apportionment cases in which a citizen files suit against the State in which he is a resident.

Furthermore, we have listened to and have read the comments of Professors Rostow and Emerson. I read from the article in the Washington Post in which they said:

The exception clause, and the power to establish lower Federal courts, cannot be used to abrogate all judicial power to protect any one basic constitutional right.

Mr. President, the Supreme Court has construed that apportionment cases originate from the equal protection clause of the 14th amendment. The logic of the decision in *Reynolds versus Sims*, et al., is clear and unassailable when the Court declared:

Diluting the weight of votes because of place of residence impairs basic constitutional rights under the 14th amendment just as much as invidious discriminations based upon factors such as race, *Brown v. Board of Education*, 347 U.S. 483, or economic status, *Griffin v. Illinois*, 351 U.S. 12, *Douglas v. California*, 372 U.S. 353. Our constitutional system amply provides for the protection of minorities by means other than giving them majority control of State legislatures. And the democratic ideals of equality and majority rule, which have served this Nation so well in the past, are hardly of any less significance for the present and the future.

I am not dissuaded from my support of the decision of the Court in this instance by the references which have been made to the views of the founders of the Constitution and especially to Madison's doctrine that the "public views" should be "refined and enlarged by passing them through the medium of a chosen body of citizens."

This is, of course, the essence of a republican form of government; but it offers no justification, I say—nor did Madison intend it as such—for malapportionment of our State legislatures in the America of today.

It should be no revelation to any student of American history that our founders—including even such optimistic founders as Jefferson and Madison—harbored a certain skepticism regarding popular government. Nor is it surprising—in view of the many qualifications of property, sex, and condition of servitude—that only 12 or 15 percent of the adult citizens of the United States voted in the early elections in this Republic. But the history of this Nation has been, in large part, the history of the extension of the right—and I call it also the responsibility of suffrage—the ballot, a franchise of freedom. I believe, in this instance, that the Supreme Court has done something which should have been done long ago. But it has done it now. To attempt to divert, to sidetrack, or to stultify it, reflects no credit on the Senate, especially considering the manner in which this question is brought before us.

Mr. PROXMIRE. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Does the Senator from West Virginia yield to the Senator from Wisconsin?

Mr. RANDOLPH. I yield.

Mr. PROXMIRE. This is a great statement being made by the Senator from West Virginia, especially when he states that the history of the Republic has been to some extent the extension of the franchise, the history of progress, the history of justice and equity. This is true. This has been a tough, long, and hard struggle. Is it not true that the amendment to the Constitution that gave women the right to vote was a highly significant milestone along that path?

Mr. RANDOLPH. The Senator is correct, it certainly was a milestone. That battle was not an easy one to win.

Mr. PROXMIRE. Certainly the Civil War amendments which extended the franchise to those who had been slaves, and the benefits which came through the 1957 and 1964 Civil Rights Acts were the implementation of the right to vote. Many of us who were for the 1964 civil rights bill made the argument that one of the most important provisions in the bill was that it gave the minorities—which had been deprived of the right to vote—the right to vote, which is essential to their economic and social progress, as well as to their political progress.

Mr. RANDOLPH. The Senator is correct.

Mr. PROXMIRE. I believe that the Senator from West Virginia is making his point so well that this great Supreme Court decision is in the mainstream of that same struggle, the struggle for political justice, and the struggle for political equality. I am glad that the Senator from West Virginia has hit this point so hard and so eloquently.

Mr. RANDOLPH. I thank the Senator from Wisconsin.

I should like to go further and say that with the establishment of property qualifications, the extension of suffrage during what we know as the Jacksonian period, the adoption of the 14th, 15th, and 19th amendments, and the progressive

elimination of the poll tax and the abolishment of the so-called white primaries, we have witnessed the steady extension of the right to vote and the progressive enlightenment of the American people.

The Supreme Court decisions on reapportionment are but the most recent wave of this tide in the advancement of this Republic.

Finally, Mr. President, we come to the question of the checks and balances within our system and the division of authority between the legislative and the judicial branches. Supporters of the Dirksen-Mansfield amendment have proclaimed that the Court has usurped the authority of the legislative branch and that the Justices are legislating and not interpreting the law.

This argument is hardly a new one. It was exploded more than 40 years ago by the scholarly Justice Benjamin N. Cardozo in the lectures which he gave in 1921 at Yale University.

Mr. DOUGLAS. Were not those lectures called "The Nature of the Judicial Process"?

Mr. RANDOLPH. These were the Storrs Lectures published under the title of "The Nature of the Judicial Process." The Senator from Illinois is, as usual, correct in his citation.

Speaking of the "open spaces in the law" and the function of the courts in these areas, Justice Cardozo stated that:

Within the confines of these open spaces and those of precedent and tradition, choice moves with a freedom which stamps its action as creative. The law which is the resulting product is not found, but made. The process, being legislative, demands the legislator's wisdom.

There is in truth nothing revolutionary or even novel in this view of the judicial function. It is the way that courts have gone about their business for centuries in the development of the common law. The difference from age to age is not so much in the recognition of the need that law shall conform itself to an end. It is rather in the nature of the end to which there has been need to conform.

Mr. President, the recent Supreme Court decision, the development of American democracy, and the popular will of American citizens today declare that the end to which Justice Cardozo referred shall be equal representation. The issue is solely and ultimately whether or not we accept equal representation as one of the fundamental goals of American democracy.

This Senator subscribes to the view expressed by Thomas Jefferson when he stated that—

Equal representation is so fundamental a principle in a true republic that no prejudice can justify its violation because the prejudices themselves cannot be justified.

I shall not break faith with that principle, which has been so eloquently and accurately set forth.

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

Mr. RANDOLPH. I yield.

Mr. DOUGLAS. I congratulate the Senator from West Virginia for his very scholarly and thoughtful address which has discussed this issue in the large. It shows how the Supreme Court dealt with a long-standing abuse which the State

legislatures themselves stubbornly refused to correct. His address demonstrates how the Court finally came back to the fundamental principle that the people were entitled to the equal protection of the laws and could not be assured of the equal protection of the laws if the legislatures which made the laws were ones in which the people were grossly unrepresented.

The whole argument of the Senator has been on an extremely high level. I know it will have a great deal of influence not only in West Virginia, but also all over the country.

Would the Senator permit me to give some testimony with reference to my own State?

Mr. RANDOLPH. Yes. I want to hear the testimony.

Mr. DOUGLAS. Illinois contained 10,100,000 people according to the census of population in 1960. Illinois has a State senate consisting of 58 senators. The average allotment of inhabitants per senator would therefore be approximately 173,000.

A number of districts have a much greater population than this. A number of districts have a much smaller population than this.

Let me take the smaller ones first. There is one district with 54,000 people, another with 57,000, another with 59,000, another with 67,000. On the other hand, there is one district with 570,000 people, another with 505,000, and another with over 400,000.

Let us compare the smallest district and the largest district. Fifty-four thousand people elect one State senator. Five hundred and seventy thousand people also elect only one senator. One person in the smallest district therefore has over 10 times the effective voice of a person in the largest district. The people in the smallest district are very nice people. But should they be given 10 times the weight of those in another district?

Mr. RANDOLPH. They should not, if I may interrupt.

Mr. DOUGLAS. Another district has a population of 505,000. That district consists of Du Page and Will Counties. That is a congressional district. There are 24 congressmen and 55 State senators. But, the State senatorial district is identical with the Federal congressional district. Therefore, one man in the smallest district would have approximately 9 times the voice of an inhabitant in the senatorial district with 505,000.

Another congressional district consists of Lake, McHenry, and Boone Counties. It contained 398,000 people in 1960. It has a congressional representative and only one State senatorial representative. It now has well over 400,000 population. It has the same representation as other districts which contain populations of 54,000, 57,000, and 59,000.

So, while we do not have in Illinois the ludicrous example that exists in Vermont where a hamlet with 36 people elects a member of the State legislature, and the largest city with a population of 38,000 also elects only one member of the State legislature, it is bad enough. Illinois does not have the absurd condi-

tion which exists in California, where 14,500 people elect a State senator, and the over 6 million people in Los Angeles County also only elect one State senator. Still there are improvements that can be made. But 29 percent of the people are in districts which elect a majority of the State senate.

There is one other conclusion which I should like to introduce in the RECORD before I stop. That is that the three worst underrepresented districts are not inside the city of Chicago. They are in suburban districts.

For example, a district with 570,000 people, the first Illinois senatorial district, consisting of the cities of Cicero, Berwin, and Oak Park and Leyden, and Proviso Townships, is the most underrepresented group. Du Page and Will Counties have a population of 505,000, or approximately 3 times the size of what should be the average district. Those are suburban counties directly to the west and south of Cook County. Lake, McHenry, and Boone Counties, which constitute the precise area included in the 12th Congressional District, now have over 400,000 people. This is  $2\frac{1}{2}$  times the size of the average district. That is a suburban district. All of these are within the metropolitan area. All of these districts are at the moment strongly Republican. We hope that can be changed. But, at the moment, they are strongly Republican. What strikes me is the fact that so many of our Republican friends—I do not say all of them—are saying this is a struggle between the cities and rural areas. It is not so much that, as a struggle between the suburban areas and the underpopulated rural areas. And we, who are contending for more equal representation, are fighting the battles of the suburban areas even more than we are fighting the battle of the urban areas. I hope very much that these issues can become known and properly emphasized.

I regret that I have intruded upon the philosophic tenor of the speech of the Senator from West Virginia, which was couched in admirable general terms. But, sometimes the meaty specific reinforces the general philosophy and logic.

I again congratulate the Senator from West Virginia. He has made an excellent contribution to the discussion.

Mr. RANDOLPH. Mr. President, I thank the scholarly senior Senator from Illinois. If this were a problem for West Virginia alone, it would not be my purpose to stand here in the Chamber and object. The imbalance in the legislative bodies of the Senate and House of Delegates in West Virginia is not appreciable. Our legislature has acted resolutely to meet its responsibilities in this vital area of representation.

Apportionment is not the most pressing problem in West Virginia. But a very real principle is involved. That principle is whether we actually believe in equal representation as not only a sought for goal but now—at least in the Supreme Court's action—a realizable goal. I do not wish to see it thwarted.

Mr. DOUGLAS. Of course, the Supreme Court has never said that there

must be precise arithmetical equality. The Court specified substantial equality, which would allow a certain percentage of tolerance on either side of the average.

Mr. RANDOLPH. Yes, flexibility is built into the Court's decisions.

Mr. DOUGLAS. That is expressly stated in the decisions of the Court.

Mr. RANDOLPH. My colleague is correct.

Mr. PROXMIRE. Mr. President, will the Senator yield briefly before he leaves?

Mr. RANDOLPH. I yield.

Mr. PROXMIRE. I know that the Senator has an urgent appointment which he must keep. I, too, wish to commend the distinguished Senator from West Virginia on a brilliant speech—a speech that was not only long and hard on the philosophy and principle involved, but also excellent in terms of specifics. I thought the example which the Senator gave us from his own experience in the Public Works Committee was particularly helpful and useful. It showed clearly how the failure of the States to apportion properly and be representative in their legislatures interferes with their relationships with their own cities and their own localities, necessitating adjustments to be made at the Federal level which are often awkward and prevent full justice being done to the people within the State.

Also, as the Senator from West Virginia made emphatically clear, inequality in apportionment makes it necessary for the Federal Government to move into situations that otherwise the States might be able to handle for themselves.

Mr. RANDOLPH. I again thank the Senator from Wisconsin and the Senator from Illinois, who have been gracious and generous in their references to my effort here today. I say to both of them that there are times when we feel an urge—and I have felt it—to stand, to speak, and to serve in support of a principle which needs to be emphasized. So to the extent that I have reinforced and supplemented that which the Senators from Wisconsin and Illinois have so well said, I know that my contribution at least is a sincere one. I hope it will add something to an affirmative determination on the part of the Senate to approve, rather than to tear apart, a historic decision, in the onward sweep of American democracy, enunciated by the Supreme Court.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from West Virginia for his fine speech.

Now, Mr. President, for what purpose is the Senate now tied up with the Dirksen amendment to the foreign aid bill? Why? Strictly from the standpoint of those who want the Dirksen amendment. What difference will it make whether we act on it this year or whether we have action pro or con next year? The fact is that there is not one single State legislature which will meet before January 1965. If we should fail to act now, our failure could have no effect that I can understand on actions by State legislatures next year. Therefore, I hope that the leadership on both sides of the aisle will give very real consideration to the possibility of ending this unfortunate

stalemate by withdrawing the Dirksen amendment and pressing in 1965, when the decks will be clear for action and it will be possible to stay with the subject, and when it will be possible to have Senators attend these debates and it will be possible to have more than one quorum call a day.

It is no legislative secret that it is the duty of Senators who favor a proposal to obtain a quorum. It is their responsibility, not ours. It is not the responsibility of those who are opposing a measure.

During the civil rights debate those of us who were for the civil rights bill worked hard and long, and made great sacrifices in terms of not being able to get out to our States and make speeches around the country, canceling commitments in order to be present in the Senate for quorum calls.

I understand that the distinguished Senator from Illinois [Mr. DOUGLAS] was present for more quorum calls than any other Senator at that time. Perhaps there were two or three others who did as well as he did. We were then able to get a quorum in less than 20 minutes; usually, 15 minutes. We were unable to get a single quorum on Thursday; we were not able to get a quorum on Friday. Today we have been in session since 12 o'clock and nearly an hour was required—50 minutes—to get a quorum, although Senators were urged to return to Washington, D.C. As time goes on it is obvious that it will be harder and harder to maintain a quorum. In the absence of a quorum it is difficult for the Senator from Wisconsin to see how we can be criticized by our opposition and taunted about not speaking to a full Chamber. After all, if the proponents of the measure cannot deliver Senators to the Chamber so that the Senate might be held in session, it is not our responsibility—at least those of us who oppose the amendment—to continue talking. If we do talk, we are hopeful that our opposition will see that Senators are present.

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

The PRESIDING OFFICER (Mr. PELL in the chair). Does the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. Is it not true that during the debate on the civil rights bill well over 100 quorum calls were called by the opponents of the civil rights measure, and they were live quorum calls which were demanded?

Mr. PROXMIRE. The Senator is correct. Live quorums were demanded.

Mr. DOUGLAS. We have asked for only one live quorum. Still the advocates of the Dirksen amendment have not taken the hint, and have not appeared on the floor to defend their position. Is that not true?

Mr. PROXMIRE. That is absolutely true. It seems to me that the proponents of the measure have given only a very brief time in support of their position, although the debate relates to a most important constitutional issue. No hearings have been held on the question. No record is before the Senate. We have no record from the House, though the

measure would have most serious consequences on all 50 of our State legislatures.

Mr. DOUGLAS. I believe the RECORD will show that my colleague, the junior Senator from Illinois [Mr. DIRKSEN], who is chief sponsor of the amendment, spoke for less than 1 hour. He did not speak again. Later, on the Democratic side, the Senator from Montana [Mr. MANSFIELD], who is a cosponsor of the amendment, spoke for 10 minutes. Neither one of them has spoken since. There may have been one brief speech in support of the proposal, but there has been virtually no discussion.

During the debate on the civil rights issue, those of us who were in favor of civil rights felt an obligation to present our side of the case. We felt that we should not depend upon pure muscle, but that we should try to argue the points involved.

The RECORD will show that for 3 weeks we conducted a debate with Senators going into every phase of the civil rights bill in great detail so that a case might be laid before the Senate and the country.

Now the supporters of the Dirksen-Mansfield amendment in effect refuse to do that. They have refused to state their case. They will not come to the floor of the Senate. In many cases they have helped to prevent a live quorum from being obtained. They are depending on the strength of the groups behind them, and possibly of the organizations of the two parties.

Mr. PROXMIRE. The situation is most peculiar, particularly in view of what has happened in the course of the debate. One might think that time was working on their side. What has happened? On the move for cloture, I presume the minority leader, the distinguished junior Senator from Illinois [Mr. DIRKSEN], would not have filed a cloture motion if he did not believe that he had a good prospect of getting a two-thirds vote in favor of that motion. I am sure that he was confident that he could get it. Not only did he feel that he could get the necessary two-thirds vote, but also after the debate had gone on, after the situation had been explained and our arguments had been made, the cloture motion was defeated by a vote of more than two to one.

Furthermore, even more convincing was what happened to the Tuck bill. The Tuck bill passed the House by 40 votes. But what a spectacular change transpired in congressional attitude after that House action. The bill came over to the Senate. It was offered as an amendment, and was defeated, as I recall, by a vote of 56 to 21—a resounding and overwhelming defeat.

The Tuck bill embraced the same principle as the Dirksen amendment. In view of the circumstances, in view of the fact that the opposition seems to be losing ground, in view of the fact that the Senate came close to passing a proposal that would have in essence approved what the Supreme Court did, one would think that Senators who desire to have the Dirksen amendment passed would at

least come to the floor and make their arguments in favor of it.

The speech just made by the distinguished Senator from West Virginia [Mr. RANDOLPH] pointed out that the Founding Fathers had some question and some reservation about universal suffrage. He pointed out a statistic that I had always been curious about. Something like 10 or 12, or perhaps 15, percent of the adults, in the early years of our Republic, actually voted. Of course, all women were excluded from voting. Slaves were excluded from voting. There were property qualifications in many States. Presumably, there was greater difficulty in voting. In spite of all this, as I have been trying to show, and as I tried to demonstrate on Wednesday last, our Founding Fathers came out overwhelmingly and unanimously on the side of proportional representation, on the side of population representation in the State legislatures.

The only reason why the Congress of the United States has been organized on a different basis, the only reason why the Constitution provides for a Senate of the United States that is not based on population representation, is that it was the only way we could have had a Union. Many of us have argued that this was a wise decision. I feel that it was, but it was not on the basis of any principle. It was arrived at because it was the only way that the States could combine to form a Union.

Elbridge Gerry supported the compromise in these words:

We were, however, in a peculiar situation. We were neither the same nation nor different nations. We ought not, therefore, to pursue the one or the other of these ideas too closely. If no compromise should take place what will be the consequence? A secession he foresaw would take place; for some gentlemen seem decided on it; two different plans will be proposed, and the result no man could foresee. If we do not come to some agreement among ourselves some foreign sword will probably do the work for us.

It was clear, in the words of Elbridge Gerry, that it was not a matter of accepting a great principle in having the Senate represent States, instead of people. It was a matter of getting the kind of unity necessary to preserve the independence of the United States of America.

George Mason agreed with him in these words:

There must be some accommodation on this point, or we shall make little further progress in the work. Accommodation was the object of the House in the appointment of the committee; and of the committee in the report they had made. And however liable the report might be to objections, he thought it preferable to an appeal to the world by the different sides, as had been talked of by some gentlemen.

No one could contend that the counties or the cities within States have the sovereign power which the States had, and which they were willing to cede to a Federal system at the Constitutional Convention. Those who argue that since the Congress is composed of one House based on something other than population, and therefore the States should be, constantly overlook the fact that the

States had the sovereignty, the power, the taxing power, virtually all the attributes of individual nations, when they came together. In the history of the United States there has never been a time when counties or cities came together to cede powers to a State.

First the States are created, and it is the States which create the cities, counties, or other administrative conveniences through which the States operate; but there is no basis for saying that there should be an individual identity in a county which warrants its representation in a State legislature.

James Madison, father of the Constitution, and others were unwilling, even in the face of a need to compromise State sovereignty with national unity, to promote the principle of equal State representation. James Madison fought hard for equal popular representation in the U.S. Congress, even in the Senate.

[Madison] expressed his apprehensions that if the proper foundation of Government was destroyed, by substituting an equality in place of a proportional representation, no proper superstructure would be raised.

What Madison meant was that there should not be equal representation for each State because we would destroy the principle that one man had one vote so far as the Federal Government is concerned. Madison was strongly for the principle and believed deeply in it.

[Madison] reminded [the small States] of the consequences of laying the existing confederation on improper principles. \* \* \* It had been very properly observed by Mr. Patterson [sic] that representation was an expedient by which the meeting of the people themselves was rendered unnecessary; and that the representatives ought therefore to bear a proportion to the votes which their constituents if convened, would respectively have. Was not this remark as applicable to one branch of the representation as to the other? But it had been said that the Government would in its operation be partly Federal, partly National; that although in the latter respect the representatives of the people ought to be in proportion to the people; yet in the former it ought to be according to the number of States. If there was any solidity in this distinction he was ready to abide by it, if there was none it ought to be abandoned.

This was Madison's clear principle that he said in the 1787 constitutional debates must be accepted.

In all cases where the General Government is to act on the people, let the people be represented and the votes be proportional. In all cases where the Government is to act on the States as such, in like manner as Congress now acts on them, let the States be represented and the votes be equal. This was the true ground of compromise if there was any ground at all. But he denied that there was any ground. He called for a single instance in which the General Government was not to operate on the people individually.

This particular point is philosophical but it is vital. Madison saw the Federal Government as acting directly on individuals, that therefore that they ought to have equal representation; to him it was only with the greatest reluctance that there should be a compromise essential to get a union. He agreed with Jefferson, Hamilton, and others that the

States should have equal popular representation in their own State legislatures.

Madison pointed out that:

The practicability of making laws, with coercive sanctions, for the States as political bodies, had been exploded on all hands. \* \* \* He enumerated the objections against an equality of votes in the second branch.

This was Madison's argument against the kind of decision to which the Constitutional Convention finally came with respect to equal representation in the Senate for large and small States.

Madison listed his objections, as follows:

1. The minority could negative the will of the majority of the people.
2. They could extort measures by making them a condition of their assent to other necessary measures.
3. They could obstruct measure on the majority by virtue of the peculiar powers which would be vested in the Senate.
4. The evil instead of being cured by time, would increase with every new State that should be admitted, as they must all be admitted on the principle of equality.

5. The perpetuity it would give to the preponderance of the northern against the southern scale was a serious consideration.

James Wilson agreed with Madison (*id. at 10*): "A vice in the representation, like an error in the first concoction, must be followed by disease, convulsions, and finally death itself. The justice of the general principle of proportional representation has not in argument at least been yet contradicted."

What Wilson could point out is that despite the fact that there had been serious and extended debate by our Founding Fathers, there was no contradiction of the fundamental principle that each man should have an equal vote. To this principle all of our Founding Fathers agreed.

James Madison implied clearly his view that apportionment of State legislatures on some basis other than population was unfair and that a provision was necessary in the new Constitution to prevent the persons who as a result of malapportionment controlled State government from running congressional elections to serve their own interests (*id. at 241*): "Besides the inequality of the representation in the legislatures of particular States would produce a like inequality in their representation in the National Legislature as it was presumable that the counties having the power in the former case would secure it to themselves in the latter.

Objections to the Senate's consideration of treaties was based on the fact that Senators represented States rather than an equal number of people.

George Mason supported the proposal that revenue bills must originate in House of Representatives and cannot be modified in Senate on the ground that (*II Farrand 273-274*): "1. The Senate did not represent the people but the States in their political character. It was improper therefore that it should tax the people. \* \* \* The House of Lords does not represent nor tax the people because not elected by the people. \* \* \* the pursestrings should be in the hands of the representatives of the people."

Much of the opposition on September 8 to the proposal that treaties must be ratified by two thirds of the Senate arose from the fact that a minority of the people will elect a majority of the Senators. Hugh Williamson of North Carolina (*II Farrand 548*): "remarked that treaties are to be made in the

branch of the Government where there may be a majority of the States without a majority of the people. Eight men may be a majority of a quorum, and should not have the power to decide the conditions of peace."

Elbridge Gerry similarly stressed (*ibid.*): " \* \* \* the danger of putting the essential rights of the Union in the hands of so small a number as a majority of the Senate, representing perhaps, not one-fifth of the people."

I wish to continue this speech, because I think it is very important to document the attitude of our Founding Fathers in establishing our Constitution.

I wish to yield to the Senator from Oregon, but first I wish to make it clear that my experience has no doubt been the experience of other Senators also; namely, that the main objection, the prime question asked by those who oppose the Supreme Court's decision in *Reynolds* against *Sims* and to the course the Supreme Court has taken is, Why cannot States have the same kind of representation in their legislatures that the Federal Government has provided for in its two Houses of Congress?

I believe it is necessary to go back to these debates to document fully and accurately and exactly why we have a U.S. Senate and why the Founding Fathers felt very strongly about one fundamental principle of democracy: That each man should have one vote. Under no circumstances would the Founding Fathers compromise that principle, with the single exception that they felt they had to have a Federal Union, and that the only way they could get a union was to compromise and permit each State to have an equal number of Senators.

I shall come back to this point a little later, but at this time I ask unanimous consent that I may yield to the distinguished Senator from Oregon [Mr. MORSE] without losing my right to the floor.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### THE PRESIDENT'S TOUR OF PACIFIC NORTHWESTERN STATES

**MR. MORSE.** Mr. President, I thank the Senator very much for yielding to me. I doubt that it will be necessary for him to come back to his subject today. I have been advised that it is contemplated that the Senate will recess or adjourn at a reasonable hour this afternoon. I have asked the Senator from Wisconsin to yield to me at this time because for the next 2 days I shall be away from the Senate attending to a very sad mission, namely, the funeral of my late colleague in the House from Oregon, Representative WALTER NORBLAD. Before I leave Washington I wish to make a few comments in further opposition to the Dirksen amendment now pending before the Senate.

Before turning to that subject I wish to say that last week I had the honor and opportunity of being a member of the congressional party which traveled with the President of the United States to British Columbia, the State of Washington, the State of Oregon, the State of California, and the State of Utah, where

the President delivered a series of speeches, and in his trip to British Columbia joined with the Prime Minister of Canada in putting the final signatures to the great United States-Canadian Columbia River Treaty. That treaty will mean so much to the economic future of the two countries.

I am particularly pleased that the Senator from Idaho [Mr. JORDAN] should be in the Chamber at this time while I am commenting on that treaty. The Senator from Idaho, both as Governor of the State of Idaho and later as an active participant in the Commission which finally brought forth the treaty, did a great deal toward making it possible for the Prime Minister of Canada and the President of the United States to put their signatures on the necessary documents last week in British Columbia.

When the President of the United States came to my State last Thursday morning, he addressed one of the most remarkable audiences that had ever been assembled in my State during my many years in the Senate. He addressed them on a public question at a breakfast held at the Sheraton Hotel in Portland last Thursday morning. Present were representatives of public power groups and private power groups and representatives of all the other business, labor, professional, and economic groups that have a vested stake in the maximum development of the power potential of the great rivers of the Pacific Northwest.

At that breakfast he made a major speech on conservation. I ask unanimous consent that his speech, as read, be inserted in the CONGRESSIONAL RECORD at this point in my remarks.

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

#### REMARKS OF THE PRESIDENT AT A BREAKFAST AT THE SHERATON HOTEL, PORTLAND, OREG.

Senator MORSE—when you are traveling with WAYNE, you are always in for a surprise—I wish he had made speeches that short in the Senate—and I might say that good—thank you very much, Senator MORSE; Senator NEUBERGER, Congresswoman GREEN, distinguished Members of the Congress, mayor, Governor, friends in Portland; this is a very nice thing for you to do so early in the morning on a rainy morning. I know it took a lot of arranging and a great deal of trouble, and very fine hospitality. I realize that it is your way of showing your respect for the great office I hold, and for the President of this country. I would like for all the people in the Northwest Public Power Association and the Northwest Electric Light and Power Association to know that I feel a very special debt of gratitude to you for the time you spent, the money you invested, the wonderful public event that you have helped to bring about.

This is a rather discouraging occasion, however. I think of all the effort it took to turn off a few lights in the White House in Washington, and here you all finally settle your differences and you are turning on millions all over the country every day.

In 1844, a fiery young orator warned, "Make way for the young American buffalo. We will give him Oregon for his summer shade and the region of Texas for his winter pasture." Well, it is wonderful to be here in Oregon with you this morning. But I want it distinctly understood I am not ready for any Texas pasture.

Yesterday in a few hours, I swept across a continent that it took decades of daring to conquer. It took brave men and strong men to make that crossing. But, most of all, it took men of faith—men of great faith in themselves, in their country, in the future of this land. So today we inhabit a continent that is made fertile by that act of faith. Napoleon truly said when he sold Louisiana, "This accession of territory consolidates the power of the United States forever."

But it was not territory that made us great. It was men. Our West is not just a place. The West is an idea. The Bible says, "Speak to the earth and it shall teach thee." And here, in the West, we learned man's possibilities were as spacious as the sky that covered him. We learned that free men could build a civilization as majestic as the mountains and the rivers that nourished him. We learned that with our hands we could create a life that was worthy of the land that was ours. And that lesson has illuminated the life of all America—East, West, North, and South.

This gathering this morning I think is further proof of that. Your work is a more powerful instrument of freedom than a thousand shouted threats and warnings. In far-off countries, men will look here and learn again that the path of free men is the surest path to progress. Here, in the Northwest, America is moving again. And all the world knows it. This intertie which is the result of so many brains and so much work, and such great efforts, is the most exciting transmission system in history. It will make us world leaders in direct current transmission. It will carry from the Peace River to the Mexican border enough power for five San Franciscos. So I come here to tell you, and to tell each of you, that all America is proud of all of you.

I am glad to see this cooperation of private power with public power. The public power yardstick is essential. Private power will always play a substantial and vital role in the future of this great land. This system is also proof of the power of cooperation and unity. You have proved that if we turn away from division, if we just ignore dissension and distrust, there is no limit to our achievements. I am going to interpolate for a moment here to tell you of an experience I had as a young man trying to reconcile the views of the leaders of public and private power in my State.

We had the great man who happened to be a spokesman for Electric Bond and Share, who was president of one of our great power companies, and he looked just like a Methodist deacon. He sat back and was dignified, a very attractive man, a very pure individual, very cautious in what he said. I negotiated with him for 3 days and I never made a dent in his armor. He was looking after those stockholders and he almost looked at me with what I thought was contempt. Finally I got up in my youthful enthusiasm and some impulsiveness that I am very much against these days, and I said, "So far as I am concerned, you can take a running jump and go straight you know where." The old gent didn't get the slightest bit rattled. He just looked back and smiled and said, "I am sorry you feel that way, young man. We have to do these things as we see them. We are men of convictions and we have to carry out our views and the views of our stockholders as we think we ought to." All of my REA and public power people applauded me and said it was a great speech. I started out of the room and they all stood. As I walked out the door, I saw an old man there that was the general counsel for the water district. He was an ex-Senator. I said, "Senator, how did you like my speech?" He said, "Come by the office and I would like to talk to you about it." I said, "Oh, oh." So I went by and he said, "Your are in public life. You are a young man just starting out

and I want to see you move along and do well. But," he said, "the first thing you have to learn, son, is to tell a man to go to hell and to make him go are two different propositions."

I said, "Mr. Carpenter doesn't want to go. This is a free country and he is going to stay around here, and he thinks it is pretty hot down there, and he doesn't elect to take your choice." He said, "It took me 2 months to get this group together and you bust it up in 2 minutes. I will have to work now until we can get together again and follow the advice of the Prophet Isaiah, 'Come now, let us reason together'." Many, many times in the Senate and in the other places of responsibility where I have served I have harkened back to that day in that little courtroom when I expressed my views on the president of the power company. A lot of times I wanted to get up and tell Bob Taft what I thought about his viewpoint and where he ought to go, or Bill Knowland, or Everett Dirksen, or even some of my democratic friends, from time to time.

But I never could forget what that old, wise general counsel said to me, "Tell them to go and make them go are two different propositions."

I do want you to know, though, that by your reasoning together, your cooperating together for the benefit of all, I think that is true conservation. This is the kind of conservation action that your Government is going to continue to provide the leadership for. I grew up on the land. The life of my parents depended entirely upon the bounty of the soil. I devoted much of my public life to protecting for our children the great legacy of our national abundance. So I come to report to you that we have not just talked about progress in this field. We have made progress, and we are at the close of the greatest conservation Congress in the history of the United States of America.

The 88th Congress has passed more than 30 important conservation bills. A new land and water conservation fund will help the States and the cities set aside spots of beauty for recreation and pleasure. A Wilderness Act will guarantee all Americans the national magnificence which has been your heritage. Water research and water planning bills will speed the development for the soaring water needs of this great, growing Nation. We established continental America's first new national park in 17 years—23 new national park areas—four new national seashores—and a national riverway. We began a new Bureau of Outdoor Recreation so that our children will have a place to hunt and to fish, and to glory in nature. We began the construction of over 200 water resource projects with 70 more scheduled for 1965. We built or we began more than 5,500 miles of transmission lines in this great land. Flood control funds were increased by more than 50 percent.

All this we have done, and more. And I pledge you that my administration is going to continue with this progress. But we must do more than continue. Our problems are changing every day and we must change to meet them. Three changing forces are bringing a new era to conservation. The first is growing population. By the year 2000, more than 300 million Americans will need 10 times the power and  $2\frac{1}{2}$  times the water that we now consume. Increasing pressures will take our resources, and increasing leisure will tax our recreation.

The second is the triumph of technology. The bright success of science also has had a darker side. The waste products of our progress, from exhaust fumes to radiation, may be one of the deadliest threats to the destruction of nature that we have ever known.

The third force is urbanization. More of our people are crowding into cities and cut-

ting themselves off from nature. Access to beauty is denied and ancient values are destroyed. Conservation must move from nature's wilderness to the manmade wilderness of our cities. All of this requires a new conservation. We must not only protect from destruction, but we have the job of restoring what has already been destroyed—not only develop resources, but create new ones—not only save the countryside but, yes, finally, salvage the cities. It is not just the classic conservation of protection and development, but it is a creative conservation of restoration and innovation. Its concern is not with nature alone, but with the total relation between man and the world around him. Its object is not just man's welfare, but the dignity of his spirit.

Above all, we must maintain the chance for contact with beauty. When that chance dies, a light dies in all of us. Thoreau said, "A town is saved not more by the righteous men in it than by the woods—that surround it." And Emerson taught, "There is no police so effective as a good hill and wide pasture."

We are the creation of our environment. If it becomes filthy and sordid, then the dignity of the spirit and the deepest of our values immediately are in danger. In the development of a new conservation I intend to press ahead on five fronts:

First, we seek to guarantee our children a place to walk and play and commune with nature. The demand on our recreational facilities is doubling each decade. We must act boldly or our future will be barren. We will move vigorously under our recent laws to acquire and to develop new areas for recreation in this country—emphasizing areas of concentrated population. And we will be ready to expand our programs to meet the developing needs. A national program of scenic parkways and scenic riverways is on the horizon. I hope, for instance, to make the Potomac a conservation model for our metropolitan areas. In our cities, open spaces must be reserved where possible, and created where preservation comes to light.

Second, we must control the waste products of technology. The air we breathe, the water we drink, our soil, our wildlife, are all being blighted by the poisons and the chemicals, and all the inevitable waste products of modern life. The skeleton of discarded cars, old junk cars, litter our countryside—and are driving my wife mad. She thinks that one of the advantages of getting defeated is to give her some time to get out and do something about cleaning up the countryside and these old junk cars along our beautiful driveways. I intend to work with local government and industry to develop a national policy for the control and disposal of technological and industrial waste. I will work with them to carry out that kind of a policy. Only in this way, I think, can we rescue the oldest of our treasures from the newest of our enemies.

Third, we must increase mastery over our environment through the marvels of new technology. This means rapidly increasing emphasis on comprehensive river basin development. So we plan to cooperate at every level to develop the resources and to preserve the values of entire regions of this land. It means drawing fresh water from the oceans. Within a few years economic desalination will be a reality for a large number of Americans. It means learning to understand the weather and to do something about it. The advance notice that we got on Hurricane Carla saved us thousand of lives and millions of dollars. It means that use in every field of the newest knowledge to meet the oldest needs. It means encouraging the development of the genius of man in order to unlock the secrets of the earth.

Fourth, we must prevent urbanization and growth from ravaging the land. I will sug-

gest, in cooperation with local government and private industry, policies for such prevention. Their goal will be to insure that suburban building, highway construction, industrial spread, are conducted with reverence and with the proper regard for the values of nature.

Fifth, we must conduct conservation on a global scale. The Antarctic Treaty, weather, and fishery agreements, the treaty with Canada that we celebrated yesterday, are all examples of what can be done if Nations will devote common effort to common interest.

These are some of the fronts of the new conservation which I will work to carry forward. And I tell you now that this hope will always be among the closest to my heart.

From the beginning, we have been a people of open spaces. We have lifted our eyes to the deserts and to the mountains, and now we are lifting them to the stars. But on this earth the ring draws closer around us. So let us not leave our task with the reproach of our children already ringing in our ears. Far, far too much is at stake. There are the resources on which our future rests, but there is a good deal more than that. In a thousand unseen ways we have drawn shape and strength from the land.

Respect for man and reverence for God have taken root in our spacious soil. In isolation from nature lies the danger of man's isolation from his fellow and from his Creator. All my life I have drawn sustenance from the rivers and from the hills of my native State. I do not see them so often any more these days, and I am lonesome for them almost constantly. But their message of love and challenge is written in my spirit. I want no less for all the children of America than what I was privileged to have as a boy.

In the book of Matthew, it says "The floods came, and the winds blew, and beat upon the house, and it fell not, for it was founded upon a rock." The house of America is founded upon our land and if we keep that whole, then the storm can rage, but the house will stand forever.

This morning you have an unusual assemblage in this room. I was escorted to the dais by a progressive young Republican Governor. I was met by a cordial, hospitable mayor. I flew across the continent with a number of outstanding leaders of the Congress, of the House and of the Senate. You have an unusual quality of leadership in this great Northwest. We celebrated some of the fruits of that planning yesterday in Canada, fruits of the work of men like the two great Senators from Washington, and this wise, veteran legislator from Vermont, George Aiken, who sits on the front row and does me great honor by coming to this area of the Nation with me.

Oregon, Washington, California, and Montana, all the great West, is here this morning, not to just talk about the glories of the past, but to try to pull the talent of this great region together to undertake an adventure of tomorrow. I first came to Portland as a youngster fresh out of uniform in the early days of the war to scrap the battleship *Oregon*. I saw then all of the hope and the daring, and the idealism, and the spirit of conservation that I have observed reflected by your spokesmen in the Halls of the House of Representatives and in the Senate. We have come a long ways in those 20-odd years, but we have not gone nearly far enough. The eyes of the Nation are looking to you to provide the leadership that will not just make this the best conservation Congress we have ever had, but that will help us to bring our dreams of a more beautiful America, a safer America, a healthier America available to our children as it has been available to us.

Thank you very much for your wonderful hospitality.

Mr. MORSE. The speech was in keeping with the conservation philosophy of the great Pinchot and Teddy Roosevelt. It was in keeping with the great conservation philosophy of Woodrow Wilson and Franklin Roosevelt; of Charles McNary and Hiram Johnson; of Clarence Dill, George Norris, and Robert LaFollette. It was in keeping with those men in public life who through the years have stood up and opposed all the nefarious, selfish attempts that have been made by certain groups that put a dollar sign always above the public interest; that would have sought to turn the rivers of this country and their hydroelectric power potential over to their selfish interests, and thereby deny to the people the maximum development of their rivers for the benefit of the public interest.

As I said in Portland after the speech, I say on the floor of the Senate today, that, important as the speech is as of today, it will be a speech of greater importance 3 or 4 years from today, because by that time I am sure we will have accomplished an implementation of many of the challenges that President Johnson laid down in his Portland speech.

I am proud to be associated with a statesman who has the vision and the foresight President Johnson portrayed in his great speech on conservation last Thursday morning. He has given, irrespective of their partisan affiliations, a challenge to all Americans to carry forward with a basic tenet for which so many of us have fought so hard for so many years in the Senate. We have a common obligation to see to it that we perform our obligations as trustees of God's gift of the natural resources of this rich land to the people of the country, and that we have an obligation to see to it that we leave those natural resources in a better condition than that in which we found them. When all is said and done, that is the underlying principle of the philosophy of the great conservationists of all time. It certainly was demonstrated last Thursday to be the underlying philosophy of our great President.

#### AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

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

Mr. MORSE. Mr. President, I turn now to the pending business before the Senate.

Mr. PROXMIRE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. PROXMIRE. In the event the distinguished Senator from Oregon finishes his remarks and moves to adjourn the Senate in the absence of the Senator from Wisconsin, would the Senator from Oregon at that time ask that on Tuesday, after the morning hour, the Senator from Wisconsin shall have the right to complete the speech which he started today and would like to complete, but did not, because he wished to accommodate the Senator from Oregon and

yielded to him so that he might speak? It is my understanding that the Senator from Oregon has a substantial statement to make and will take some time today. Although, as the Senator from Oregon said, it is planned to have the Senate adjourn at a reasonable hour, it might not be possible for the Senator from Wisconsin to return to the Chamber.

Mr. MORSE. Mr. President, we ought to attend to that matter right now. I appreciate the special consideration that has been extended to me. I think we will all agree that, under the circumstances, the Senator from Wisconsin was most courteous in being willing to suspend his speech temporarily while I made mine, in view of the reason I have given for my absence from the Senate during the next 2 days. Therefore, it is only courteous that I should now ask unanimous consent that when the Senate reconvenes at its next session, after the transaction of routine morning business, the senior Senator from Wisconsin be recognized to complete the speech that I have interrupted.

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

Mr. MORSE. Mr. President, the "can of worms" that is before the Senate should be referred to the Committee on the Judiciary. The debate on the Javits amendment in the nature of a substitute established that there is no area of agreement on the authority of Congress in this field. The opponents of the Javits substitute insisted that because it had no force of law, it was useless; and the advocates of the Javits amendment claimed that Congress had no authority to enact binding legislation in this field and, hence, could do no more than express its opinion. The debate on the Javits substitute revealed all the weaknesses of a parliamentary body when it fails to use its committee system.

It has been charged that the courts have caused confusion, but we are only compounding it by our procedure in the Senate. Ask the Committee on the Judiciary for its printed hearings on bills or proposed constitutional amendments relating to reapportionment. The answer will be given that there are no hearings, printed or otherwise. The Committee on the Judiciary has not held public hearings on this subject at all.

That is a travesty on the legislative process. We are dealing with some of the basic, abstract principles of constitutional rights. We have no record or a single statement from a single constitutional law authority in this land. What are we thinking of? I say to the American people: You do not have any rights of freedom separate from the abstract principles of our constitutional government. Here is a flouting, a denial, a desecration of a basic principle of our American constitutional system; namely, that there shall be three coordinate, coequal branches of government, each branch having its supposedly protective rights within its own domain. We have a Congress in which many Members are engaged in a game of playing that they are Justices of the Supreme Court of the United States.

It is for the Supreme Court, not Congress, to decide the constitutional rights of the people. That is undeniable. It has been undeniable ever since 1803, when the great Marshall, of Virginia, in a landmark decision, handed down a ruling that the constitutional rights of the American people are determined by the Supreme Court of the United States. That is where the Congress vested the right giving the people the check, and that check, of course, is the check of the constitutional amending process.

I do not care what kind of semantics are used. As Senators know, I did not make myself too popular last week; but any time popularity and image cultivation becomes my motivating principle, I will get out of the Senate. I did not make myself too popular by being the one so-called liberal in the Senate who refused to go along with the Javits amendment. Of course, I did not go along with the Javits amendment. I did not teach constitutional law to walk out on my teaching merely because I walked into politics.

The Javits-McCarthy-Humphrey substitute for the Dirksen amendment that was voted on the other day was an affront to the Supreme Court of the United States. I do not care what language the liberals use to rationalize their position. They affronted the Supreme Court when they sought to advise it on the handling of apportionment cases. They affronted our system of government that is based upon three coordinate, coequal branches of Government. They tried for the moment—and I say this respectfully, but I believe it is true—for reasons of political expediency to put themselves above the Supreme Court.

How would these flaming liberals really feel, if some day the Supreme Court were to meet and hand down a "sense of the Court" opinion telling the Senate how it should transact its business? I can hear the speeches now.

Mr. President, if it becomes necessary between now and Christmas to tell the Senate what I believe those speeches will say, I shall be glad to do so. I am ready to stay until Christmas. I am willing to stay in this Chamber until I drop to prevent the Senate from affronting the Supreme Court.

There is a candidate for the Presidency making speech after speech undermining the prestige of the Supreme Court. I hope the American people will recognize those speeches for what they are—as I am sure they will—and will give him the treatment in November he has coming to him.

The system of three coordinate, coequal branches of Government must be preserved, if the American people are to remain free.

Congress has no constitutional right, legal or ethical—and I underline the word "ethical"—to sit in legislative assembly and affront a coequal branch of Government.

I have listened to many cheap arguments of political expediency during my 20 years in the Senate: "We must go home to campaign. I must get to campaigning."

My answer is, "So what?"

No Member of this body has any right to vote for a substitute to the Dirksen amendment that is itself a rebuke to the Supreme Court—as the Dirksen amendment is a rebuke to the Supreme Court—out of any motivation of political selfishness.

It is not important for any Senator to go home to campaign, so long as his primary trust is to keep faith with the oath he took when he was sworn in at the beginning of his tour of duty. He has a clear duty to stay and fight, so long as it may be necessary, to stop the passage of the Dirksen amendment until there have been committee hearings.

Let me make clear, as I have done so many times, that when I participate in a filibuster in the Senate, I never participate in one aimed at preventing a vote from ever occurring on a piece of legislation. I am participating in a filibuster now. I am the only liberal who admits to participating in a filibuster at this moment. Most of my liberal friends are great in the use of semantics. When they engage in educational debate, they say they are engaged in prolonged debate, when everyone knows what they are engaging in. They are engaging in a filibuster.

We need to ask ourselves the question: "What kind of filibuster?" Not a filibuster to prevent a vote from ever occurring, but a filibuster that assures the American people time will be made available to accomplish two things: First, committee hearings; and second, a committee report. Committee hearings are vital to the legislative process. Those hearings and the committee report can be used by the courts, and ultimately by the U.S. Supreme Court, to determine the meaning of the legislation from the standpoint of legislative intent at the time it was passed.

But they are much more important to us here in the Senate for our own guidance.

I participate in that kind of filibuster. That is why I am perfectly willing to participate in a filibuster on this question until Christmas or longer, if necessary, in order to prevent the many injustices of the Dirksen amendment, to be used as a shackle upon the freedom of free men in this country.

I participate in filibusters, and shall be glad to participate in a filibuster on this question, including a filibuster against any substitute.

I serve notice that I am fed up with substitutes such as the Javits-McCarthy-Humphrey substitute of the other day, which is only a little less objectionable than the Dirksen amendment.

Any substitute which affronts the Supreme Court, any substitute that seeks to win approval of Congress for what amounts to a reprimand of the Court, any gratuitous comment directed to the Federal judiciary about any class of cases, I shall filibuster.

It will be interesting to see how many liberals join me in that cause.

I am in good voice. I take it for granted that the Senate would not act while I was away attending the funeral of a colleague. I shall be back on Thursday.

(At this point Mr. PROXMIRE took the chair as Presiding Officer.)

Mr. MORSE. Mr. President, I am against substitutes. I have attended the meetings and they have yet to put together a chain of words which do not amount in meaning and in fact to a rebuke of the Supreme Court. They say it is justified because Senators wish to go home. It is justified because Senators wish to get out of Washington. It cannot be justified. The only issue we can justify is a vote to lay on the table until we can have hearings.

So, Mr. President, I am going to filibuster against the Dirksen amendment. I am going to filibuster against substitutes to the Dirksen amendment, until we can get some hearings on the Dirksen amendment and on the substitute.

I have listened to the liberals saying, "Oh, there have been no hearings on the Dirksen amendment." I did not hear them even whisper that there had been no hearings on their substitute.

Let me say to my liberal friends that it is just as wrong to go to a vote on a substitute as to go to a vote on the Dirksen amendment. It is bad, rotten, legislative policy. It does not protect the American people. So, let us stop all this shadowboxing, all this subterfuge, all this legislative hypocrisy. I am speaking only my opinion and charging no one with it; I merely give an interpretation. Let us be determined to protect this basic right of the American people to have hearings on the Dirksen amendment.

Then, Mr. President, I shall filibuster against it because it is a rider on the foreign aid bill. I have listened to these magnificent speeches about how bad that policy is. But a substitute is a rider, too. It is just as bad from the standpoint of the legislative process. We cannot justify legislation on a major subject matter by way of a rider on another major subject matter, when the two are nongermane to each other. That pollutes the legislative stream of the Senate. It makes it stink. It is a stinking process.

Mr. President, can we not as liberals stand together for once in support of purity in the legislative process? Do not tell me again, "Oh, but you must compromise, WAYNE." Of course, we must enter into many compromises. I enter into compromises, but never knowingly compromise what I consider to be a matter of principle. This is a basic principle in the legislative process. I shall not buy that expediency. On the contrary, I believe that we have a solemn trust and obligation to stand up against legislating by way of a rider on the foreign aid bill. And, I am against the foreign aid bill.

I have been asked, "What are you objecting so strenuously for? You are against the foreign aid bill. This will help you." I would not use those tactics to defeat a bill that I was against. If a bill cannot be defeated because of its innate badness, if the bill be one on which there have been hearings and a committee report, I shall be ready for a vote after I have said all I wish to say about the bill.

So I am not interested in seeing the Dirksen amendment used to defeat the foreign aid bill.

I shall filibuster in order to give the American people time to catch up with Congress. I have seen the importance of that procedure so many times in my years in the Senate. This will also give the Senate time to catch up with itself. Many a time I have seen a measure that the old "steamroller" in the Senate was ready to push through, with full steam ahead, when 25 percent of the Senate would be the most that really knew very much about the merits of the bill.

When we have a major bill such as this bill, full of all the abstracts that this bill contains, involving so much of the constitutional history of the Republic, related so directly to our basic freedoms, we must have time for the people to catch up.

We have been discussing this matter now for 30 days. Did anyone really think 30 days ago that there would be anywhere near the public interest in this subject matter from the standpoint of its substantive merit that there is today? Thirty days ago, the editorial writers were still uninformed.

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

Mr. MORSE. I yield.

Mr. DOUGLAS. Even the prescient Walter Lippmann misunderstood the issue and wrote an editorial implying that the Dirksen amendment was a forward step.

Mr. MORSE. He performed a great disservice to the American constitutional form of government in this country by that column.

Mr. DOUGLAS. But he has since turned at least halfway back.

Mr. MORSE. He has made some noise in that direction. But I am still waiting for the Lippmann article in which he recognizes his previous disservice and his new enlightenment on the subject—if he has been converted.

The American people are thinking about it now. The American people know the importance of the 14th amendment to the preservation of their freedoms. We have caused such disturbance in the thinking of so many people in regard to the issue we have brought to their attention, concerning their rights under the 14th amendment, that we have had rightist groups, ultra-reactionary extremist groups pour out propaganda that the 14th amendment really is not a legal part of the Constitution of the United States. Such nonsense. Where do those extremists propose to repeal it? See what will happen if they try. Tell the American people that we must get rid of the 14th amendment, and see what their reaction will be. Thank God, the overwhelming majority of the American people believe in the implementation and constitutional guarantee of equal protection of the law. We cannot have a free society without it.

The difficulty is that with problems as abstract as this, there is always a tendency for some people to take refuge in a rationalization shelter labeled "theory." They think it is too theoretical. How are we to make the American people

understand that these theoretical principles of government are the stuff out of which freedom is woven? They are the warp and the woof of our liberty. It takes time.

That is the reason why the senior Senator from Oregon is giving his third reason for opposing any quick vote on this question, except a vote to lay on the table. I believe we ought to keep this great seminar going. I look upon the Senate of the United States these days, as far as the Dirksen amendment is concerned, as a seminar in assembly.

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

Mr. MORSE. I yield.

Mr. DOUGLAS. Is it not lamentable that the supporters of the Dirksen amendment do not take the floor and justify their position?

Mr. MORSE. They cannot justify it. How can they justify an unconstitutional amendment? How can they justify attacking the U.S. Supreme Court in the carrying out of its duties within its constitutional prerogatives? They cannot justify it. So, they want to railroad it through. The head of steam has been on. A few of us, however, have been throwing a few barriers on the tracks. We are not through.

I announce that I am perfectly willing to stay here until Christmas. It will not have any effect on the elections if we stay here. The people in the States of Senators who oppose the Dirksen amendment will respect them for staying here and carrying out their trust. The President of the United States will be elected overwhelmingly throughout the country. The American people are becoming more frightened day by day by the irresponsibilities of the Republican candidate.

#### IRRESPONSIBLE CHARGES IN FOREIGN POLICY

I digress long enough to say that I was shocked, as chairman of the Subcommittee on Latin American Affairs of the Senate, to hear the Republican candidate attack the late beloved President of the United States, John F. Kennedy, a former Member of this body, with his inexcusable slander and libel that President Kennedy played politics with the security of this country in 1962 in connection with the Cuban crisis.

If Jack Kennedy were sitting in the seat in the rear of the Chamber which he occupied for many years, the Senator from Arizona would have his hand called in no uncertain terms and his libel answered. Jack Kennedy is dead. He cannot answer. But as chairman of the Senate Foreign Relations Subcommittee on Latin America, I propose to answer the Senator from Arizona and say that there is not a word of truth in his libel and slander against Jack Kennedy.

Mr. President, I know what happened in the hours of the early dawn of that historic morning. Jack Kennedy was not a warmonger. Jack Kennedy believed that he had a sacred trust as Commander in Chief and President of this country to win a peace with honor, but to proceed to meet the security needs of this country any time a crisis called upon him to do so.

I should like to say for the benefit of the Senator from Arizona that when the State Department and the Pentagon submitted to the President of the United States the incontrovertible truth, that Castro and Khrushchev had placed in position in Cuba land-to-land missiles—not land-to-air missiles, which under international law Castro had to put in place as a matter of national security of his own country—but land-to-land missiles, thereby jeopardizing the security of the United States and the Western Hemisphere, the President made his decision in those early hours of the dawn. He served notice that those missiles would be dismantled or we would dismantle them.

He did bring about their dismantling, and he did it without resort to war or armed attack of any kind. He did it with a loss of life limited to one or two observation pilots.

Yet the Senator from Arizona seeks to discredit one of the greatest achievements of the American Presidency in order to pick up a few votes. Ever since October of 1960, he has indicated that his policy toward Cuba would be one of war and near war. His formula is not the achievement of U.S. objectives through the channels of international law, as was Jack Kennedy's objective, but the prescription of violence and use of force to achieve those objectives. That is why Jack Kennedy is now under attack for one of his finest contributions to world history.

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

Mr. MORSE. I yield.

Mr. DOUGLAS. Did he not make a further statement that if any nuclear missiles fell upon the United States, they would be treated as missiles coming from the Communist bloc and we would retaliate with the full force of our nuclear power?

Mr. MORSE. He made that perfectly clear. Khrushchev understood it and Castro understood it.

Mr. President, for any candidate in the midst of an election campaign to try to deceive the American people into believing that their Commander in Chief at that critical hour was playing politics with the security of this country establishes irresponsibility—and that is the kindest word I can use within the rules of the Senate. That is my answer to the American people. There is no place in this campaign for the desecration of the grave out in Arlington Cemetery over which a perpetual torch burns, continuing to send out a light symbolic of the lamp of world statesmanship that Jack Kennedy kindled and kept burning. There is no place in the Senate for playing politics either in the preservation of our system of three coordinate and co-equal branches of government.

I am opposing the Dirksen amendment again today because the Dirksen amendment is so alarming from the standpoint of its repercussions and its future implications to our whole constitutional system of government. If in shortsightedness the Senate should surrender and go home after adopting either the Dirksen amendment or a substitute amend-

ment, that would have exactly the same effect so far as being a rebuff to the Supreme Court is concerned.

#### BAD LEGISLATIVE PROCEDURE

I have already pointed out that the Senate Judiciary Committee has not held public hearings on this subject.

The committee reported, without hearings, S. 3069, introduced by our colleague the Senator from Illinois [Mr. DIRKSEN]. But the language of that bill is quite different from the language now before us in the present Dirksen-Mansfield amendment. The fact is that there are no hearings and no committee report on the Dirksen amendment.

Moreover, there is no guidance to Senators who have been suggesting alternative language to the Dirksen amendment.

We are all sitting here spouting curbstone opinions about the manner in which the Federal courts have been handling reapportionment cases, and whether Congress should do anything about it, and if so, what. To do that without the help of so much as an hour of hearings, without the help of any opinion or position from the Justice Department, is an exercise in futility.

It is worse than that. It is an insult to the American people, for the American people have a right to expect us to do our legislative job thoroughly. They have a right to know that we shall at least have a basis for knowing all the implications of any major issue upon which we are called to vote. It would be a very interesting set of examination papers that we would get back from the Senate, may I say most respectfully, if we submitted to the Senate about 20 questions on constitutional law related to the Dirksen amendment, including constitutional history.

The suggestion that the courts should be supervised by Congress is bad enough without trying to accomplish the supervision by means of a Committee of the Whole.

No one who is seeking to give the American people an honest and unfettered opportunity to pass upon the merits of a constitutional amendment changing the court decisions should object to that. Of course, the backers of the Dirksen amendment have indicated that that is not what they want. Our friend from Illinois reminds us again and again that time, in his opinion, is of the essence and that reapportionment must be stopped, pending enactment of a constitutional amendment.

I ask: Why must it be stopped? Why is it not just as feasible to let the administration of justice proceed? Obviously, if that administration of justice is as heinous as the Senator from Illinois tells us it is, then the American people will change the Constitution quickly enough. They can always do that. They can do it with fairly represented legislatures, as well as with the present malapportioned ones, if that is what they really want.

There is nothing whatever in our constitutional system or in our 150 years of practice under it that sanctions the suspension of justice, the suspension of the

Constitution, until a constitutional amendment can be passed.

And however it may be phrased, that is what is sought to be done here with the Dirksen amendment and the various substitutes. The Senator from Illinois [Mr. DIRKSEN] thinks he is directing the courts to give the States time; the Javits proposal was designed to express the opinion of Congress that the courts should take into consideration any constitutional amendment that may be offered on the subject.

I am tired of hearing Senators say they are willing to vote for something if it is meaningless. There is no reason to vote for something meaningless; and nothing that is enacted on the subject will be meaningless because it will have great impact upon the American people even if it has no impact upon the courts.

It simply is not possible to intrude upon the function of the courts and still be meaningless. And if there is to be no intrusion upon the function of the courts, then there is no call to pass anything.

Both the Dirksen and Javits proposals have one thing in common; they are intended to slow down the courts in reapportionment orders. Why else are they offered? One is a directive, the other a request. But the Senator from New York would have no reason in the world to propose any language on the subject at all if he were not seeking to restrain, to slow down, to caution the courts on their application of the 14th amendment to State legislatures. He has advocated his "sense of the Congress" approach as being more effective with the Court than the Dirksen language. But at the same time, support for it was sought among liberals on the basis that it was meaningless and would have no effect.

That is the measure of how confused we are in our deliberation and in our understanding of the issue.

If one is really seeking to vote for something meaningless, one could probably vote for the Dirksen amendment, because, as the Senator from New York has said, it is undoubtedly unconstitutional and therefore null and void. Certainly it would be disregarded by the courts just as readily as a "sense of the Congress" resolution would be disregarded.

The debates and votes taken so far indicate to me that Senators do not really know whether they want to do something effective or not. A "sense of the Congress" resolution is ineffective because it is only advisory. But the Dirksen amendment is ineffective because it is unconstitutional. So what is the difference?

Both constitute an attack upon the Federal judiciary. They lend aid and comfort to those who seek high office on a platform of undermining the Federal courts. Moreover, that is the intent of most of them. It is their design to keep the State legislatures intact. We have no other reason to be considering any proposal on the subject at all.

The argument between Senators with that intention is how to do it effectively.

I regret that so many others who do not want to suspend the administration of justice have lent themselves to one or

the other of these devices as being the lesser of the evils. I think they are wrong in their choice, for one thing. A case can be made that the Dirksen amendment is less harmful than anything else because it is so patently unconstitutional.

For my part, I deny the validity of the objective of all these proposals. They are designed to perpetuate an unsound system of area representation of the State legislatures, in violation of the 14th amendment. They are designed to perpetuate an illegality until it can be made legal.

Why do not the advocates of malapportionment simply put their efforts behind a constitutional amendment to change the 14th amendment? Why do they not concentrate on educating the American people to get behind a change in the 14th amendment? Why is it that they are not willing to leave the issue to the wisdom of the people?

What they are really trying to do is to amend the Constitution by suspending its enforcement. I shall always be opposed to that approach. There is nothing the Federal courts are doing with respect to the State legislatures that cannot be overturned in the years ahead if the American people decide they do not like the application of the Constitution as it is now written.

The Senators who are ardently backing the Dirksen amendment have made repeated pleas to the effect that time is of the essence, that Congress must act now. But time for them is only of the essence because they know that once the people have tasted equal representation in their legislatures they will never go back to the old system. They know that Congress must act now, because if it does not, all is lost for malapportionment forever. They know that over the years, the American people will appreciate, and not oppose the Court decisions, just as they came to appreciate and not oppose the civil rights decisions.

If the Supreme Court has decided that the 14th amendment applies to a situation the people do not want it applied to, they will change their Constitution in time.

Why is that not good enough for the Senator from Illinois and his colleagues? If a constitutional amendment is ever passed, every single State reapportioned under Court order will be free to go back to the old system. Why is that not good enough for the backers of these "Court-busting" propositions?

It is not good enough because they know it would never happen that way.

I am a veteran here in the Senate in connection with Court-busting bills, time and time again in the Senate, in the dying days of a session, there have been attempts to steamroller through this body various attacks on the U.S. Supreme Court. I have called them Court-busting bills. I refer also to wiretapping bills.

I believe the record will show that three different times the senior Senator from Oregon has prevented the passing of wiretapping bills in the closing days of the session by engaging in a filibuster in the Senate. On a few occasions I had

some help. Each time I said I would be perfectly willing to enter into an agreement to fix a time to vote, or to limit debate on the wiretapping bills, after there had been committee hearings.

I knew what would be shown in those committee hearings. I knew what the overwhelming majority of the American people would say about them once they got the facts on the merits of the issue. I am satisfied that once the American people know of the attempts that proponents of wiretapping bills are engaged in to invade their privacy, and that a candidate for the Presidency of the United States is seeking to capitalize on them for political purposes, by giving the American people the false impression that the President of the United States is responsible for law enforcement—even in Phoenix, Ariz., which has one of the highest crime rates in the country, by the way—they are going to recognize that the problem of law enforcement is basically a State and local problem. The Federal Government must cooperate with the local law agencies, and does. They sit down with the FBI, with one of the most dedicated public officials in my time, J. Edgar Hoover.

Come forward with evidence that the Justice Department does not cooperate with the States when they ask for help in connection with criminal law enforcement. But it again is misleading and deceiving the American people to create in the midst of a political campaign the false impression that, because we have stopped the passage of Court-busting bills in the Congress of the United States, we have added to the crime rate. There is not a scintilla of evidence that supports that contention. Police state methods do not have to be adopted in order to have efficient criminal law enforcement.

#### SAME PROCEDURE USED IN OTHER COURT-BUSTING BILLS

I joined in preventing the passage of a Court-busting bill that sought to take away one of the precious guarantees of freedom in this country in the field of habeas corpus law. Let me say to the American people: "You would not be a free people if you did not have the protective rights under habeas corpus. Do not forget that your constitutional fathers carried on a successful revolt against the British Crown in part because of the tyranny of the British Crown in the field of habeas corpus."

How short are our memories?

I am ready to do it again this year, because it is in the incubator; it is in the hopper. I have given clear notice that I shall fight it as hard this year as in past years.

There is another Court-busting bill, or a bill that has some Court-busting features in it, which would repeal the Mallory rule. The Mallory rule was incorporated in the unanimous decision of the Supreme Court which declared that when a Federal arresting officer puts his hand on the shoulders of free men and women, he has the legal obligation to take the arrested man or woman without delay before a committing magistrate for commitment or release.

Yet in this political campaign we find the deceptive tactic being used by the Republican candidate for President which seeks to mislead the American people into the false belief that the preservation of that precious right of freedom and protection from false arrest under the Mallory rule shall be denied to the American people. The basis of the false argument is that the preservation of the rule has something to do with crime rates.

The rule exists in the District of Columbia. However, I ask Senators to go over to Baltimore, where it does not exist, and take a look at the crime rate; or to go to Phoenix, Ariz., or go to any city in this country where, under State administration, not bound by Federal rules, the Mallory rule does not exist. The crime rate is as high or higher than in the District of Columbia.

If the police have probable cause for the arrest, the arrested person is bound to be committed. If the police do not have probable cause for the arrest, the accused should be released forthwith.

That is all that the Supreme Court said. It is a simple, elementary principle in protecting the American people and the constitutional right to be free from false arrest.

Only a few years ago the great Senator Carroll, from Colorado, who is no longer with us, a member of the Judiciary Committee, a brilliant lawyer, and fine constitutionalist, stood with me on the floor around 2 a.m. on the last night of the session. We stood shoulder to shoulder as we assured the Senate we would be very happy to have their company for the next several weeks, if necessary, if that is what it took to prevent the invasion of what we considered to be a precious safeguard of liberty, the right to be free of a public third-degree invasion device.

The Senator from Colorado, as a part of our parliamentary strategy, decided that we ought to raise a point of order. We were sustained. I shall never forget the brilliant parliamentary argument the Senator from Colorado made on that occasion. I say good naturally that it was to the relief of many of our opponents when we were sustained. They knew that the resolution for sine die adjournment could then be adopted before morning.

Mr. President, one must expect to be misunderstood during these fights on the floor of the Senate. However, one must never let those misunderstandings and criticisms divert one for even a second. I believe, as an old teacher of criminal law and criminal procedure, that no sacrifice on our part in the Senate by way of whatever effort we find necessary to put out to stop that kind of invasion of freedom is too much for our people to ask.

I know what a police department can do. As a member of the Committee on the District of Columbia and as chairman of the subcommittee which has jurisdiction over law enforcement in this city, I shall continue to do everything that I can to strengthen our police, but within the limitations of the constitutional rights of the American people.

I shall never give to any police department the authority to arrest an American citizen, to take him down to the police department, and subject him to the inquisition of that department—and this was possible prior to the Mallory rule—for as many hours as they want to put the third degree on that person.

Those are police state tactics, not the tactics of a democracy.

As one who participated in many crime surveys before coming to this body, I say that it has taken the dedicated service of those many people in this country who have brought forth, in the last 30 years, a series of crime surveys, to put a check on the abusive, arbitrary, third degree practices of one police department after another in this country.

I shall never be a party to reviving those abuses. Therefore I have opposed that kind of Court-busting legislation.

#### PASSPORT REGULATIONS

Mr. President, a few years ago the U.S. Supreme Court handed down a landmark decision in the field of passport law. In the State Department we had a Passport Division which was prosecutor, jury, and judge, all in one, and which acted behind the black curtains of concealment. Those curtains hung as a symbol of the death of the rights of free men and women behind those curtains. The State Department had relegated unto itself the dictatorial function and authority to determine whether a free man or woman could travel abroad.

The Supreme Court in that great decision made it clear that that cannot be reconciled with freedom, either. How well I recall the speeches of abuse against the Supreme Court made on the floor of the Senate. How well I recall the wild charges about aiding Communists and playing into the hands of Moscow. I have always taken the point of view that the best way to whip a Communist in his vicious lying propaganda is to get him out in the open. So there were attempts in the Senate to pass a Court-busting bill with respect to passport legislation. I did my best to forestall it in the closing hours of that Congress, and it was not passed.

Thus, far, such bills have been beaten. But the attempt will be revived. Extreme rightists in this country will attempt again, from time to time, periodically, to make political capital out of their super-patriotism. But if they are allowed to get by with it, they will extinguish one great constitutional guarantee after another, and set up their own police state.

I could continue indefinitely. I was counting up the cases the other night. I think there have been some 10 or more Court-busting bills in recent years that I have fought to block in the dying days of a session. I have always appreciated the help I received from a few colleagues each time. There were never very many; there were never enough, judged from the standpoint of support those of us who fought those bills should have received.

I find myself today in disagreement with some of my beloved liberal colleagues in the Senate in regard to the parliamentary course of action that

should be followed in connection with the Dirksen amendment. Some of them have convinced themselves that they ought to compromise the issue. This great constitutional issue cannot be compromised without doing irreparable damage to the precious rights of the American people. I will not be a party to the compromise proposals of the liberals in the Senate. I consider them to be dead wrong in their approach, and equally guilty with the proponents of the Dirksen amendment. For every procedural argument they use against the proponents of the Dirksen amendment, they are equally guilty in their own procedure.

What they have offered as a substitute is no substitute. They, too, are guilty of affronting the Supreme Court of the United States. They think that if they put a little semantic sugar around the amendment, it will make it less poisonous. But, of course, it will not. They would do irreparable damage because they would mislead American public opinion. They would raise questions in the minds of the people in regard to the jurisdiction of the Supreme Court, and they would play into the hands of the Republican candidate for the Presidency, who is making false attacks and is going about the country seeking to undermine the confidence of the people in the Supreme Court.

I say to my liberal colleagues in the Senate: "You cannot justify your action. You ought to withdraw from your position quickly. Stop proposing substitutes for the Dirksen amendment, for the very nature of your substitutes is a reprimand to the Court. It is bound to be."

But they say: "We are going to use almost entirely the language of the Court." What in the world does that have to do with the purport of a resolution when the language of the Court is written into the framework of a resolution that seeks to give direction and advice to the Court? That does not happen to be the prerogative of our constitutional system.

It is no less gratuitous. It is no less outside the framework of the Constitution. A blow to the courts from their friends is no less damaging than a blow from its enemies.

Again I say, as I said earlier this afternoon that we can imagine the howling that would go up in this august body if the Supreme Court started to hand out sense-of-the-Court opinions in regard to how the Senate ought to do its work. What about the old saying that what is sauce for the goose is sauce for the gander? I say to my liberal friends that that saying is applicable to them.

What the proponents of the Dirksen amendment are asking Congress to do now is to suspend the Constitution.

#### DIRKSEN AMENDMENT WOULD SUSPEND CONSTITUTION

What the proponents of the Dirksen amendment are asking Congress to do now is to suspend the Constitution. What connotations that carries with it. What meager history one has to know to know the implications of that. How many nations have headed down the road to totalitarianism with that first

step of suspending the constitution and constitutional liberties, or any portion of them.

Usually it is done by a chief executive. Usually it is an announcement by a head of state that he is suspending the constitution until unrest or violence is curbed. Often that is the last that is heard of the constitution, until a revolution takes place and a new one is formed.

I wonder what Members of Congress would say if a President of the United States announced that he was suspending the Constitution, or some part of it, or some right that it guarantees. The Constitution permits the suspension only of the right of habeas corpus, and that only in time of rebellion or invasion. That is the only provision of the Constitution that the document itself admits of abeyance. It was suspended in the early days of the Civil War by President Lincoln; but a court test later established that the terms of the Constitution meant that only Congress could suspend it.

Yet it is common among strong men governments to see the blessings of the rule of the law taken from the people as a key step in their subjugation to the rule of tyrants.

What we have here before us is a suspension by Congress of a constitutional provision. That is what the Dirksen bill provides. The equal protection clause of the 14th amendment is to be suspended until January 1966, insofar as it applies to State legislatures.

That is what the Dirksen amendment provides. It is an incredible thought to many of us that such an action could so much as be contemplated by Members of Congress, much less supported.

The Senator from New York [Mr. JAVITS] argued quite rightly that Congress has no power to do such a thing, and so the Dirksen amendment would be found unconstitutional by the courts when it came time for them to pass upon it.

So instead, it was suggested that rather than try to suspend the Constitution ourselves, we simply ask the courts to do it. The Senator from New York argued on behalf of his substitute that that was a more effective approach. That is the argument that will continue to be made on behalf of most of the other substitutes for the Dirksen amendment.

All the various compromise proposals call for some language that would ask the Federal courts to suspend the equal protection clause in this field for some specific or indefinite time.

What a devotion to constitutionalism. With one breath, Members of Congress condemn the Supreme Court and the Federal judiciary for usurpation of powers or for a variety of alleged distortions of the Constitution. And in the next breath, those same Members call upon the courts to suspend this provision of the Constitution altogether for as long as it may please the Congress of the United States.

That is some lesson to give the Federal judiciary. That is some directive on how to conform to constitutionalism.

That is some example to set for the younger generation that has just gone

back to school, to learn about our constitutional system.

What are we thinking of, that we even entertain these measures and their various alternatives is simply beyond me.

Yet the Dirksen amendment to suspend a portion of the Constitution—to suspend the administration of justice—for 2 years has been before this body for some weeks. Opportunity to dispose of it has been presented, but not agreed to.

A substitute that asks the courts to suspend a portion of the Constitution instead of doing it ourselves has at least been rejected. That is some comfort. I believe that if mayhem is to be committed upon the Constitution, it should be done by the advocates and not by an agent directed by them. We should at least do our own dirty work, and not ask the courts to do it for us.

That is all these sense-of-the-Congress resolutions provide. They ask the courts to do only what we doubt we have the power to do ourselves. It remains my view that not only do we not have the power to hold up the application of the 14th amendment for any period of time whatsoever, but that we also have no power to ask the courts anything at all.

I will tell Senators the only way they can influence the Federal judiciary at all in this matter: it is to go home and express their individual views as citizens on reapportionment. The Federal judiciary is no more going to take notice of the sense of Congress acting as a unit than it would take note of an act of Congress suspending enforcement of the 14th amendment for 2 years, and for one simple reason: the first has no more constitutional sanction or authority than the other.

The unofficial, individual requests that Members of Congress may direct to the courts would have more standing with the courts than would any usurpation of power by Congress, whether it is worded as a directive or as a request.

Congress as an institution simply has no grant of power to interfere with the administration of justice, either by direction or by request. It has no grant of power to coach, advise, direct, beg, or plead with the judicial system in the disposition of constitutional cases.

#### EARLIER ATTEMPTS TO ALTER DECISIONS

The most powerful effort in this century to interfere was much more indirect—it was in 1937, with the attempt to add more judges to the Supreme Court. At least, that was within the power of Congress to do. Congress has to fix the number of judges on the Court because the Constitution does not. But what is being advanced now, either by way of statute or by way of an advisory opinion, is outside the power of Congress to do.

Since 1954, there have been many other efforts, usually directed to the jurisdiction of the Court or to specific decisions, rather than to its personnel.

Probably the most onerous of these were H.R. 3, relating to the construction to be given to Federal statutes by the judiciary, and what was known as the Jenner bill, revoking appellate jurisdic-

tion from the Court in cases involving congressional committees, executive security programs, State security programs, and admissions to the State bar.

I have already reminded Senators of the disposition that was made of H.R. 3. That bill was passed by the House July 17, 1958, by a substantial majority, 241 to 155.

A companion bill was reported from the Senate Judiciary Committee. It sought to direct the Federal courts that in construing Federal laws, none was to be regarded as having preempted State laws on the same subject unless the Federal statute specifically so provided.

That, too, was an effort by Congress to interfere in the administration of justice. It tried to preempt for Congress the authority not only to make its laws but also to interpret them as well.

When H.R. 3 was offered as a floor amendment to another bill, an effort to table it failed by a vote of 39 to 46.

But by the next day, wiser counsel had had the opportunity to make itself heard. The amendment was committed to the Senate Judiciary Committee.

That is where this amendment should go.

That bit of legislative history also took place late in a dying Congress. 1958 was an election year, too. There was pressure to adjourn. Members were anxious to get home to campaign. It was evident that there would be no calm deliberation but only rash haste in the consideration of the measure.

In those circumstances, the Senate returned the matter to committee.

In the same year, it declined to act hastily and under adjournment pressure on the Jenner-Butler bill, altering the jurisdiction of the Supreme Court by withdrawing from it jurisdiction over cases in four specified areas. That bill had been reported to the Senate from the Judiciary Committee. It was on the calendar.

Senator Jenner offered it as an amendment to a pending House bill that related to court appeals from orders of regulatory agencies.

This, too, came late in the session. On August 20, 1958, the Jenner amendment was tabled by a vote of 49 to 40. Once again, the Senate refused to deal with a matter basic to the separation of powers on a "hurry-up" basis.

There was every reason to doubt the constitutionality of much of the Jenner bill. That alone was sufficient reason to table it.

But all the same doubts adhere to the Dirksen rider and the substitutes proposed for it. The Senate is widely divided on what our constitutional authority is in this field, since it does not relate to any powers delegated to Congress. We are totally divided and uncertain over what the effect of any of these proposals would be.

We are also divided over whether the U.S. Supreme Court should be rebuked by Congress. That is what some of the substitute language does. Some Senators feel that merely rebuking the Court is better than doing anything of a statutory nature.

But a case can be made that since Congress can in fact do nothing of a statutory nature, the only effect of any measure at all on this subject is its effect upon public opinion.

There is no language so innocuous that it will not harm and weaken the Federal judiciary among the American people. In a year when a presidential election campaign is being fought as much on that issue as any other, I cannot understand how so many Members of the Senate can contemplate giving any support whatever to that campaign.

There is no doubt that the Republican candidate for the presidency is carrying on a campaign against the Supreme Court, a campaign which seeks to undermine the prestige and the confidence of that Court with the American people.

This is an irresponsible attack that the Republican candidate is making. I am at a loss to discover any good reason why any of my liberal colleagues on the Republican or Democratic side of the aisle would join in undermining the prestige of the Supreme Court.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. NELSON in the chair.) Does the Senator from Oregon yield to the Senator from Illinois?

Mr. MORSE. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. I am really pained that my good friend the Senator from Oregon is now indulging in the language that he is using. I believe that those of us who regard ourselves as liberals and who have borne a large share of the battle against the Dirksen amendment, have been doing so in order to defend the Supreme Court. I believe that we have shown proof of our feelings by the fight which we have been making on the floor. I yield to no one in the efforts I have made to defeat the Dirksen amendment.

We welcome the opposition of the Senator from Oregon against the Dirksen amendment. He has been a valiant ally in this respect; but I do say in all sweetness of spirit that he is no stronger an opponent of the Dirksen amendment, no stronger a defender of the Supreme Court than we are. It is not betraying any confidence to state that our group would reject any and all language which would in any event try to provide for a postponement of the decision of the Court from going into effect, or which would constitute a rebuke of past decisions of the Court, or which would suspend operations while a constitutional amendment was being offered. Moreover, so far as I personally am concerned, I would certainly oppose any amendment limiting the Court's powers in apportionment matters.

All that we have tried to do has concerned the possibility of drafting language which, in effect, would tell the lower Federal courts to do precisely what the Supreme Court has told them they could do; namely, take into consideration the proximity of elections, and the time in which they have to prepare an alternative plan, and to try to throw the responsibility upon the State legislatures

to as great a degree as possible, consistent with getting action.

Although I respect my friend, the senior Senator from Oregon, I do not like to be put in the pillory and told that we liberals are rebuking the Court and not being faithful to the decisions of the Supreme Court. That is not the case and I do not like to hear us charged with it.

What I would personally like to have happen is precisely what the Senator from Oregon would like to have happen; namely, for a tabling motion for the Dirksen-Mansfield amendment, to be proposed at an appropriate time. I would like to have it come at a time when we will have the maximum attendance and the support of the Senate democratic leadership and of the administration. For then we would have our best chance of success.

I hope that my good friend, the Senator from Oregon, will not proceed to divide our ranks. Although I respect his principles very much, I do not think there is any division, so far as purposes are concerned, between the principles of the Senator from Oregon and the rest of us.

We are probably not strong enough to carry a motion before the Senate. We are, however, strong enough by our persistence, probably, to defeat the Dirksen amendment. Whether we would be strong enough by ourselves to carry a tabling motion, however, which has parliamentary precedence, and which can be voted on without debate, is another matter.

We face a situation in which there are three or four groups, none of which is probably strong enough to impose its will affirmatively. In order to get an affirmative solution, we must get the support of an intermediate group, partly Republican, partly Democratic. We will accept somewhat meaningless language as relatively unobjectionable. But we would firmly object any proposal which rebuked the Supreme Court itself.

I hope the Senator from Oregon will take these points into consideration and withhold his answer. After all we have been comrades in arms and we do not ordinarily rebuke one's fellows in this fashion.

Mr. MORSE. Mr. President, I say to my friend the Senator from Illinois, that his professed love for me could not possibly be greater than my love for him. I repeat every criticism now by reference that I have made of the liberals on the floor of the Senate today. I am familiar with the rationalizations of my good friend the Senator from Illinois [MR. DIRKSEN]. We completely disagree with what he is attempting to do.

His substitute, no matter how much sugar he puts on the pill, is a rebuke of the Supreme Court. His substitute would undermine the confidence of the American people in the Supreme Court. His substitute plays into the campaign of the Republican candidate for President, who is trying to stir up a loss of confidence of the American people in the Supreme Court. I do not care what language is used, even though it be the language of the Supreme Court itself in writ-

ing it into the framework of the resolution. The fact is that they are giving advice to the Supreme Court. They are seeking to ask the Supreme Court to suspend the implication and the enforcement of the 14th amendment for the time being.

I am shocked by their course of action. I not only do not withdraw the statement that I made this afternoon in criticism of them, but I repeat it. I think they are performing a great disservice by the course of action they are following, on a so-called sense-of-Congress resolution. I tell them once more what I told them in private conference, that they ought to stay here as many weeks as necessary in order to fight this resolution, by way of a filibuster, if necessary, and let them try to pass a cloture motion. Then, let the American people pass judgment on every politician in this body who votes for a cloture motion without a resolution rebuking the Supreme Court going to committee hearings, without a single witness for it, without a single constitutional law authority appearing before the committee.

I am sorry that I have a great difference of opinion with my liberal friends on the Senate floor. I do not question their motivation, but I think their judgment is terrible in this instance. It is their judgment that I have been against. I am sorry, but so long as I feel that my trust calls upon me to do so, I shall do everything that I can to prevent even the liberals from passing what they say is a meaningless resolution. If it is such, it is an act in futility. It is bound to be a resolution that will be interpreted by the American people as a slap in the face of the Court.

There is nothing they draft that is not gratuitous advice or comment to the Federal judiciary. I am against the policy altogether, irrespective of the class of cases involved.

I say to my dear friend the Senator from Illinois that I appreciate his advice. But I reject his advice. It is bad advice, in my opinion. I stand, on the basis of my conviction, in opposition to their course of action, as far as their proposal for a resolution expressing the sense of Congress by way of a substitute for the Dirksen amendment is concerned.

It is an unfortunate development in the Senate. Do not talk to me about splitting the liberals. I did not split them. They split themselves when they proposed a resolution that, in my judgment, is unsound in constitutional history, unsound in constitutional law, and unsound in American public policy.

Mr. President, I am about through with my speech on this subject today, although I shall speak at great length if necessary later.

The white backlash is not to be cultivated openly in the months ahead, nor will civil rights get much attention in its own right. But the same cause will be served by partisan candidates by denouncing the Federal courts, especially the Supreme Court. Read the papers. Read the accounts of the election campaign. One will read that in many parts of the country we are having a contest

between one nominee and the Supreme Court.

That is the trend this campaign is taking, and the U.S. Senate will only expedite and promote it by adopting any measure of any kind that can be construed as advice or criticism of those courts.

Thus, in closing I say that what we ought to do is to stand firm, offer our vote for a motion to lay on the table, or offer to stay here and fight against this unconstitutional proposal for as many weeks as it may take, putting it up to the population in regard to the so-called cloture motion. I know it is said to me half a dozen times a day, "Do you want a cloture motion?" The answer is no. But if a cloture motion is desired, I am for holding responsible in American political life those who so vote. That is the answer. But the answer is not to compromise the Constitution. The answer is not for us to stoop at the altar of public expediency and convenience. On the contrary, the answer is that if we must go down in defeat, we should go down in defeat in defense of what we know is unanswerable, sound, constitutional theory. For, out of that theory will rise again the rights of the American people. The American people will lean forward and assert themselves in the reestablishment of their constitutional rights.

I close by asking unanimous consent that there be printed at this point in the RECORD an editorial from the St. Louis Post-Dispatch of September 17, 1964, entitled "The Goldwater Constitution," an editorial from the St. Louis Post-Dispatch of September 13, 1964, entitled "Attack on the Supreme Court," an editorial from the St. Louis Post-Dispatch for September 16, 1964, entitled "Where Is That Chaos?" and an editorial from the St. Louis Post-Dispatch entitled "Mississippi Bar Manifesto."

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

[From the St. Louis (Mo.) Post-Dispatch, Sept. 17, 1964]

#### THE GOLDWATER CONSTITUTION

Senator GOLDWATER's repeated attacks on the Supreme Court introduce a strange element in the presidential campaign. The Republican candidate is not running against the Supreme Court, and there would not be a great deal he could do about the Court if he were elected until vacancies occurred. Apart from that, he displays himself as something less than a constitutional expert.

On his southern tour, the GOP candidate asserted that the Court is taking away from State and local agencies "the traditional powers to apprehend and punish criminals." He mentioned three cases in which he said the Court had done this. But his interpretation was not the Court's, and his conclusion misreads what the Court did.

In one case the Supreme Court unanimously found unconstitutional a police search, without a warrant, of a suspect's hotel room in California. In another, it struck down use of evidence obtained from a warrantless search of an automobile after four suspects had been removed to jail. In a third case, the Justices held that a Chicago man's confession could not be used against him in court because it was obtained after police denied him the right to see his lawyer.

In these cases the Court took nothing away from law enforcement agencies that those agencies could properly claim. The Court did nothing in defense of criminality. The Constitution requires warrants for searches and provides for the right to counsel. In upholding the Constitution in such matters the Supreme Court was upholding the rights given to all the American people.

The same thing can be said of other decisions for which Senator GOLDWATER has criticized the Court. In demanding popular election of both houses of State legislatures, the Court was protecting the citizen's right to have his vote counted equally with all others. In rejecting State authority to order religious services in public schools, the Court was defending freedom of religion, not denying it.

Senator GOLDWATER is on risky political ground in attacking the Court for defending civil liberties. Why does he do so? Perhaps he is trying to capitalize on varying anti-court sentiments prompted by different decisions—the opposition to racial rulings in the South, to apportionment rulings among conservatives generally, to the school prayer rulings among some groups.

If the Goldwater forces could somehow amalgamate all the forces opposed to these decisions, they still would have mustered no more than a curious alliance of misunderstanding and disbelief in the essential principles of American Government. Against them should be arrayed every citizen who values his constitutional freedoms.

[From the St. Louis (Mo.) Post-Dispatch, Sept. 8 to 13, 1964]

#### ATTACK ON THE SUPREME COURT

Senator DIRKSEN's ride against the Supreme Court has been stalled. Only 30 Senators voted to shut off debate on his plan to restrict Court power over State legislature apportionment, while 63 (including Missouri Senators SYMINGTON and LONG) voted against cloture.

Unfortunately, the rider to the foreign aid bill is not dead. A motion to table it was defeated by 49 to 38. So the situation is as it was, with Senator DOUGLAS, of Illinois, and his band free to go on talking against the Dirksen plan. As the debate proceeds, the public should become fully aware of the grave issues involved.

Senator DIRKSEN insists he is not attacking the Supreme Court. He says the issue is whether the Constitution empowers the Court to say how State legislatures shall be composed. What he means is that Congress should decide the Court's power; but the Constitution has already decided that.

It is true, as critics of the Court have said, that the Constitution gives Congress some control of appellate jurisdiction and of lower courts. But the Constitution also creates the Supreme Court, and gives to that Court full jurisdiction in all cases arising from the Constitution.

The Court was enforcing the Constitution in holding that its "equal protection of the laws" clause requires both houses of State legislatures to be elected by popular vote. Senator DIRKSEN is ignoring the Constitution in proposing that Congress, by simple legislation, tell the courts they cannot enforce the equal voting rights principle for a year and more. In that time the Senator hopes for passage of a constitutional amendment to override the Court decision permanently.

This is not the first attack on the Supreme Court, but it is one of the more serious. Only once in history has Congress actually restricted the Court by legislation. In 1868, during a struggle over Reconstruction, Congress withdrew the Supreme Court's authority to hear habeas corpus appeals from lower Federal courts. Even so, Congress did not tell the High Court it could not hear direct appeals on this great writ, and soon a more thoughtful Legislature rescinded its ruling.

President Franklin D. Roosevelt tried to pack the Court in 1937, when he was dissatisfied with decisions adverse to the New Deal. He proposed that he be given power to name an additional Justice, up to a total of 15, for each one who failed to retire at the age of 70. The Senate of those days was properly outraged, and properly killed the plan.

As a result of the McCarthy period hysteria, former Senator Jenner, of Indiana, in 1957 tried to remove Supreme Court jurisdiction from cases involving contempt of Congress, Federal loyalty actions, and various subversive activities. The Jenner proposals were tabled and never even reached a vote.

Now, for the first time, Congress is asked to interpret the Constitution for itself, taking from the Court that responsibility which the Constitution gives it. Could there be any stronger attack on one branch of Government by another, or any heavier assault on judicial review and separation of powers?

The Dirksen forces have suffered a deserved defeat, with a stalemate as the result. Perhaps Senator HUMPHREY will succeed with his effort to turn the Dirksen command to the courts to advisory legislation only, though there is no great reason for Congress to advise the courts to give States time to comply with the Court decision. The States will have to have time in any case.

But when Senator DIRKSEN insists that he is willing to fight for his cause until Christmas or after, the champions of the High Court cannot depend on leaving their trenches by Christmas. However long it takes, however long the Senate must remain in session, the authority of the Supreme Court to uphold the Constitution must be maintained.

[From the St. Louis (Mo.) Post-Dispatch, Sept. 16, 1964]

#### WHERE IS THAT CHAOS?

In two votes the U.S. Senate managed to do nothing at all about the Supreme Court and the State reapportionment issue, and nothing is precisely what should be done.

First the Senators voted 42 to 40 against a compromise advising the Federal courts to give the States time to reapportion their legislatures. This was a substitute for Senator DIRKSEN's rider flatly ordering a court stay until 1966. Both the Senator and opponents of his rider agreed that the compromise was pointless.

Then the Senate defeated by 56 to 21 Senator THURMOND's motion withdrawing all Federal court jurisdiction in State apportionment cases. This was similar to the House-approved Tuck bill, but its affront to the Constitution was too much for the Senate to swallow.

So the Dirksen rider and the filibuster against it will proceed as before, with nothing accomplished. And why should anything be accomplished? The main argument of the Dirksen forces is that "chaos" will result if the States are forced to act swiftly.

Such arguments hide a remarkable lack of fact. One fact is that the Supreme Court, in ordering that both houses of State legislatures be apportioned by population, suggested no action until after the November election. A second fact is that States which have already carried out apportionments have experienced no chaos.

Senator DOUGLAS, in response to supporters of his Illinois colleague, has pointed out that the Colorado Legislature met in special session this year and apportioned the State senate on the basis of population, giving Denver its rightful number of members. There is no chaos there. Senator DOUGLAS said the Legislature of Connecticut, in which 12 percent of the people control one house, expects to reapportion in time for a primary in late September, and there is no chaos.

there. Michigan voters already have held a primary under a reapportionment plan, without chaos, and apportionment litigation is underway in Oklahoma, and there is no chaos.

By way of contrast, the Dirksen rider itself would create a strong element of uncertainty. Apportionment suits have been filed in most States, including Missouri, and 47 legislatures will meet in 1965, including Missouri's. Fair apportionment could thus proceed on a regular course in the courts and the legislatures next year. But if the Dirksen rider were passed, the courts could not act and many legislatures would not act, and possibly some apportionment decisions would be set aside.

Chaos is a dramatic word. What the Dirksen rider would accomplish might better be called confusion, and an already confused Senate would do far better to let the matter drop.

[From the St. Louis (Mo.) Post-Dispatch, Sept. 14, 1964]

#### MISSISSIPPI BAR MANIFESTO

The officers and commissioners of the Mississippi State Bar deserve commendation and encouragement for the resolutions they have adopted upholding the rights of accused to counsel in civil rights cases and for the machinery they have asked their president to set up to implement that stand.

It is another matter to agree with the assertion in the same resolution that the lawyers of Mississippi have never failed in their duty to represent all persons accused of crime "regardless of race, creed, color, or national origin" and whether their cause was "popular or unpopular, respected or despised." There have been lawyers in Mississippi who have taken civil rights cases which they knew would alienate them from what Prof. James W. Silver calls "the closed society." But have all of them carried their advocacy as strenuously as in cases involving less personal risk, and have there been enough of them willing to assume substantial risks?

They know, as does every other Mississippian, that in the words of Hazel Smith, the newspaper publisher, "Today we live in fear. \* \* \* It hangs like a dark cloud over us dominating every facet of public and private life. None speaks freely without being afraid of being misunderstood." Frank E. Smith, a former Mississippi Congressman now on the board of directors of the Tennessee Valley Authority, writes: "The Mississippi Advisory Committee to the U.S. Commission on Civil Rights has been composed of brave men and women. Only those willing to face physical threats and economic and social pressure could contemplate serving on it."

The record in civil rights cases of the Mississippi courts is a poor one. So little confidence did the Mississippi summer project have in the prospect of obtaining ready and forceful counsel from the Mississippi bar that it took along its own staff of lawyers.

We would honor the Mississippi State Bar resolution more unreservedly, and find greater promise of concrete improvement in it, if it boldly admitted the shortcomings of this record instead of taking the defensive attitude that there is no fire in the smoke.

But even with that defect it is a forward step. Particularly encouraging is the proposal for a liaison committee with the State and Federal courts, local bar associations, and accused persons. If it aggressively promotes a heightened sense of personal responsibility regardless of the risks involved it may stiffen a few spines, serve as a measure of organized counterpoise to the local prestige of segregationism, and enter some opening wedges into the closed society.

Mr. MORSE. Mr. President, in inserting those editorials from the St. Louis Post-Dispatch in the RECORD, I

wish to pay my high commendation to the journalistic statesmanship of that great newspaper. For some years the St. Louis Post-Dispatch, without exception, has led the newspapers of this country in its frequent editorials educating the American people in respect to their constitutional rights and guarantees. It is a wonderful thing to have a newspaper that recognizes its educational duties in the field of government. All one has to do is to read the editorials that I have just put into the RECORD to have a better understanding as to why the senior Senator from Oregon will reject any compromise of this issue and will insist that the Senate stand up and face directly the Dirksen amendment, either by a vote to lay it on the table, or by a vote against cloture, and then continued debate for as many weeks as it takes in order to defeat the amendment.

Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PROXMIRE. It is my understanding that I yielded the floor to the Senator from Oregon so that he could make a speech today, that I still retain my right to the floor.

The PRESIDING OFFICER. The unanimous-consent agreement was that the Senator from Wisconsin [Mr. PROXMIRE] would be recognized tomorrow after the close of morning business. As of now the Senator may be recognized in his own right.

Mr. PROXMIRE. I thank the Chair.

Mr. President, the speech that my good friend the Senator from Oregon [Mr. MORSE] made—I believe it was last Tuesday—at any rate, it was just before the vote on the so-called Javits-McCarthy-Humphrey compromise—was, I believe, the clearest and most concise speech made on the subject. I subscribe to 99 percent of it, but not 100 percent. I thought that the speech was logical. It was unanswerable. That is the word I used in discussion with others who had the same sentiment that I had in supporting the position of the Senator from Oregon in respect to any rebuke of the Supreme Court, direct or implied.

However, I feel that it is possible to draft a resolution which would not condemn the Supreme Court or rebuke the Supreme Court or imply any criticism whatever of the Supreme Court. Indeed, it would affirm the position of the Supreme Court, and at the same time it would make it possible for us to indicate that we feel that there might be some justice or some reason for persuading, or for giving the position of the Senate that the subordinate courts—inferior courts—might follow the dictation or the decision of the Supreme Court in providing more time for apportionment.

The Senator from Wisconsin feels very strongly that the Supreme Court was correct in its decision in the case of Reynolds against Sims. The Senator from Wisconsin feels very strongly that population apportionment—one man, one vote—is a vital and fundamental prin-

ciple, and one for which we should contend however long it might take.

However, it would seem to the Senator from Wisconsin that there may be a way of winning this fight—and we all want to win it—without compromising principle at all and without implying any criticism of the Supreme Court. If that opportunity were available, then this Senator would support our leader, the distinguished Senator from Illinois [Mr. DOUGLAS], who made a fine statement earlier today, in affirming that he believes, as I understand, that we should work in the direction of affirming the court, working for population apportionment, and at the same time, if it meets those requirements, of adjourning sine die as soon as convenient.

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

Mr. PROXMIRE. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. I should first like to have a motion offered to table the Dirksen-Mansfield amendment which would carry. And to do so we would need full leadership support.

Mr. PROXMIRE. Yes, indeed.

Mr. DOUGLAS. That is, Senator, a motion to table the Dirksen amendment. If that motion should fail, I would then personally be willing to accept an amendment which would merely tell the inferior courts that in the judgment of Congress they should do that which the Supreme Court has already told them they should do. I do not regard that as a rebuke of the Supreme Court. I believe it is merely an additional injunction to affirm the qualifying conditions which the Supreme Court itself threw around its instructions; namely, that the lower Federal courts should consider the proximity of elections and pay some slight attention perhaps to factors other than pure population, even though they should retain equality of representation as the substantial, overruling, and predominant criterion for decision.

Mr. PROXMIRE. I thank the distinguished Senator from Illinois. Once again—I feel it so strongly that I wish to say it again—the Senator from Oregon has made magnificent speeches, both last Tuesday and today. His speeches are unanswerable because we agree with them so wholeheartedly.

At the same time, I believe that there is one element upon which we obviously disagree because we voted differently. I believe it is consistent with a deep respect for the Supreme Court and with an absolute commitment to the principle of one man, one vote, which I have, to vote in favor of a compromise which in my judgment would in no way call that principle into question.

#### ADJOURNMENT

Mr. PROXMIRE. Mr. President, if there is no further business to come before the Senate, as a further mark of respect to the late Representative WALTER NORBLAD, of Oregon, I move that the Senate adjourn until noon tomorrow.

Mr. DOUGLAS. Mr. President, will the Senator withhold his motion?

Mr. PROXMIRE. I withhold the motion.

Mr. DOUGLAS. Mr. President, is it understood that at the conclusion of morning business tomorrow the senior Senator from Wisconsin [Mr. PROXMIRE] will be recognized and will have possession of the floor?

The PRESIDING OFFICER. That understanding is included in the unanimous-consent agreement.

Mr. DOUGLAS. I thank the Chair.

The PRESIDING OFFICER. Does the Senator from Wisconsin renew his motion?

Mr. PROXMIRE. Mr. President, I renew my motion.

The motion was unanimously agreed to; and (at 4 o'clock and 28 minutes p.m.), the Senate adjourned until tomorrow, Tuesday, September 22, 1964, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate September 21, 1964:

##### POSTMASTERS

The following-named persons to be postmasters:

##### ALABAMA

Emory C. Gibbs, Hanceville, Ala., in place of E. H. McNutt, deceased.

##### ARIZONA

Lawrence A. Lippert, Florence, Ariz., in place of L. M. Morrell, retired.

##### CALIFORNIA

John B. Shamlin, Ceres, Calif., in place of J. M. Gondring, Jr., retired.

Harold B. James, Guerneville, Calif., in place of G. L. Clare, retired.

Mary S. Black, La Honda, Calif., in place of V. M. Benedict, resigned.

Arlie D. McCoy, Lockeford, Calif., in place of F. J. Figge, retired.

##### FLORIDA

Rosa M. Priest, Morriston, Fla., in place of L. W. Mills, retired.

##### GEORGIA

Lucille E. McCurdy, Pine Lake, Ga., in place of W. I. Cushing, retired.

##### ILLINOIS

Kenneth M. Mosher, Dahinda, Ill., in place of A. R. Woolsey, retired.

Floyd E. Lacey, Milton, Ill., in place of R. H. Keys, deceased.

Glenard E. Miller, Willow Hill, Ill., in place of S. L. Keeler, retired.

##### INDIANA

Harold L. Shepard, La Porte, Ind., in place of R. W. Leets, retired.

Robert W. Rushton, Monrovia, Ind., in place of R. C. Bray, retired.

Chester A. Etchason, Jr., Plainfield, Ind., in place of A. C. Morphew, retired.

##### IOWA

Sidney J. Ness, Underwood, Iowa, in place of E. L. Klopping, retired.

##### KANSAS

Myron L. Van Gundy, Reading, Kans., in place of W. R. Jones, retired.

##### LOUISIANA

June C. Platt, Swartz, La., in place of F. O. Patterson, deceased.

##### MARYLAND

Hilda B. Free, New Market, Md., in place of F. W. Brashear, retired.

##### MICHIGAN

George L. Redding, Addison, Mich., in place of D. M. Brown, retired.

Robert J. Doud, Sr., Comstock, Mich., in place of H. H. Tuttle, retired.

Evelyn R. Boynton, Union City, Mich., in place of W. W. Baker, retired.

##### MINNESOTA

Thomas E. Torgeson, Kensington, Minn., in place of H. S. Roiland, transferred.

Edward C. Ricke, Morgan, Minn., in place of L. W. Kamholz, deceased.

##### MISSOURI

Joseph D. Swan, Fairfax, Mo., in place of Richard Pearce, retired.

##### NEBRASKA

Virgil C. Penny, Oxford, Nebr., in place of A. O. Wasenius, transferred.

##### NEW YORK

William J. Marsh, Cleveland, N.Y., in place of O. E. Westcott, deceased.

Jean N. Van Kleeck, Cragmoor, N.Y., in place of N. C. Garratt, resigned.

##### NORTH CAROLINA

Loenna M. Warren, Dana, N.C., in place of A. F. Hyder, retired.

##### OHIO

Allan E. Reynolds, Newtonsville, Ohio, in place of Sylvia Culbertson, retired.

George L. Cassels, Jr., Smithfield, Ohio, in place of Victor Ferrari, Sr., deceased.

##### OKLAHOMA

J. Patrick Moore, Bristow, Okla., in place of D. E. Senter, retired.

Grant E. Stout, Claremore, Okla., in place of B. H. Bayless, retired.

##### PENNSYLVANIA

Charles L. Gilmore, Lahaska, Pa., in place of E. M. Davis, retired.

William F. Farrell, Middleport, Pa., in place of Alexander Bubel, retired.

Althea M. Best, Neffs, Pa., in place of L. C. Best, retired.

Walter H. Hoffman, Strasburg, Pa., in place of C. W. Johnston, retired.

George P. Kraft, Washington Boro, Pa., in place of C. B. Strickler, resigned.

##### SOUTH DAKOTA

Gary E. Owen, Vienna, S. Dak., in place of W. F. Curren, retired.

##### TENNESSEE

Norman F. Hutchinson, Murfreesboro, Tenn., in place of C. R. Byrn, retired.

John M. Mitchell, Spencer, Tenn., in place of C. B. Shockley, retired.

##### TEXAS

Ramon G. Amaya, San Diego, Tex., in place of Trinidad Solis, removed.

##### VIRGINIA

Charles M. Thomas, Jr., Woodberry Forest, Va., in place of G. A. Carpenter, deceased.

##### WISCONSIN

Andrew G. Bernoski, Fifield, Wis., in place of R. W. LeTourneau, retired.

Donovan E. Ireland, Lodi, Wis., in place of H. L. Van Ness, retired.

##### ADDITIONAL POSTMASTERS

##### GEORGIA

Leon W. Mott, Albany, Ga., in place of R. L. Ray, removed.

##### MARYLAND

G. Mitchell Boulden, Elkton, Md., in place of J. M. Terrell, retired.

##### NEW YORK

William H. Roberts, Blossvale, N.Y., in place of B. D. Ritter, deceased.

##### NORTH CAROLINA

Allison O. Burns, Riegelwood, N.C., in place of R. R. Butler, retired.

##### SOUTH CAROLINA

Norman Assey, Georgetown, S.C., in place of L. C. Davis, retired.

#### TEXAS

Aubra C. Fuqua, Jr., La Porte, Tex., in place of R. F. Fuqua, retired.

#### IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

#### To be colonels

Abraham, Robert, XXXXX.  
Abrams, Bernard B., XXXXX.  
Addington, Jerry S., XXXXX.  
Ahmajan, Ashod M., XXXXX.  
Alexander, Urey W., XXXXX.  
Allen, Marshall B., XXXXX.  
Allen, Raymond W., Jr., XXXXX.  
Anderson, John C., XXXXX.  
Ansley, John M., XXXXX.  
Archer, Harry C., XXXXX.  
Armstrong, Armour S., XXXXX.  
Athan, Harold W., XXXXX.  
Aubrey, George A., XXXXX.  
Aux, George W., XXXXX.  
Avery, James T., Jr., XXXXX.  
Axtell, Eugene N., XXXXX.  
Baker, Alan G., XXXXX.  
Baker, Barton O., XXXXX.  
Baker, Morris L., XXXXX.  
Ball, Thomas F., XXXXX.  
Balthis, Charles E., Jr., XXXXX.  
Banks, Charles H., XXXXX.  
Barberis, Cesides V., XXXXX.  
Barry, William G., XXXXX.  
Barton, Dennis L., XXXXX.  
Bates, Raymond H., XXXXX.  
Batte, James H., XXXXX.  
Bavaro, Michael F., XXXXX.  
Bayer, Kenneth H., XXXXX.  
Beda, Edward E., XXXXX.  
Beimfohr, Casper V., XXXXX.  
Bell, Olin L., XXXXX.  
Belt, Richard L., XXXXX.  
Bengtson, Nile M., XXXXX.  
Benjamin, George C., XXXXX.  
Bennett, Donald V., XXXXX.  
Benson, Dean M., XXXXX.  
Bierman, Donald L., XXXXX.  
Bingham, Sidney V., Jr., XXXXX.  
Birch, Thomas H., XXXXX.  
Biswanger, Charles T., XXXXX.  
Black, Asa C., XXXXX.  
Black, Edwin F., XXXXX.  
Blackwell, George C., XXXXX.  
Blakeney, Thomas O., XXXXX.  
Blewett, Aaron E., XXXXX.  
Bogardus, Allan L., XXXXX.  
Bogle, James G., XXXXX.  
Bon Durant, Joseph R., XXXXX.  
Bonham, James B., XXXXX.  
Bordley, Marcello W., Jr., XXXXX.  
Bowlby, Herbert M., Jr., XXXXX.  
Boylan, Vincent L., XXXXX.  
Bradford, James C., XXXXX.  
Brady, Stuart F., XXXXX.  
Braid, Robert B., XXXXX.  
Branagan, Robert D., XXXXX.  
Brewer, Robert M., XXXXX.  
Brill, Arden C., XXXXX.  
Bristol, Thomas F., XXXXX.  
Brown, Charles P., XXXXX.  
Brown, Earl J., XXXXX.  
Brown, Gerhard E., XXXXX.  
Brubaker, Jack H., XXXXX.  
Bryan, Thomas L., XXXXX.  
Buechner, Carl A., Jr., XXXXX.  
Bull, Robert H., XXXXX.  
Burfening, John W., XXXXX.  
Burr, Wesley H., XXXXX.  
Burt, Walter L., XXXXX.  
Byers, Carl F., XXXXX.  
Bykerk, Norman H., XXXXX.  
Cagwin, Leland G., XXXXX.  
Calahan, Robert H., XXXXX.  
Callaway, George D., XXXXX.  
Canfield, William D., XXXXX.  
Carlan, Ulysses G., XXXXX.  
Carnahan, George D., XXXXX.  
Carter, George F., XXXXX.  
Cassibry, Robert C., XXXXX.

Cassidy, Patrick F., XXXXXX.  
 Cassidy, Richard T., XXXX.  
 Cavness, William D., XXXXXX.  
 Chamberlain, Thomas C., XXXXXX.  
 Chin, Wah G., XXXXX.  
 Clancy, John L., XXXXXX.  
 Clapsaddle, Clarence W., Jr., XXXXXX.  
 Clark, Cuylar L., Jr., XXXXX.  
 Clark, John B., XXXXX.  
 Clark, Leroy F., Jr., XXXXXX.  
 Clark, Melvin D., XXXXX.  
 Clay, Carmon L., XXXXX.  
 Clement, Wallace L., XXXXX.  
 Clifford, Walter H., XXXXX.  
 Clock, Raymond M., XXXXX.  
 Coats, Wendell J., XXXXX.  
 Cobb, Robert B., XXXXX.  
 Collart, Joseph H., XXXXX.  
 Colley, Martin H., XXXXX.  
 Collins, Alfred, XXXXX.  
 Conley, Victor G., XXXXX.  
 Conn, Charles, XXXXX.  
 Cook, Truman F., XXXX.  
 Copley, Lewis L., XXXXX.  
 Cornett, Jack G., XXXXX.  
 Costello, Darrel G., XXXXX.  
 Cougill, John C., XXXXX.  
 Cox, Landon G., XXXXX.  
 Crandall, Riel S., XXXXX.  
 Creel, George R., Jr., XXXXX.  
 Crocker, David R., XXXXX.  
 Crowe, John H., XXXXX.  
 Cullen, Paul S., XXXXX.  
 Cunningham, Henry A., XXXXX.  
 Dahlstrom, Edward N., XXXXX.  
 Daley, David S., XXXXX.  
 Davis, Duane D., XXXXX.  
 Davis, Warren P., XXXXX.  
 de Latour, Frank A., Jr., XXXXX.  
 Delameter, Benjamin F., 3d, XXXXX.  
 Delaney, Arthur W., XXXXX.  
 Delaney, Robert J., XXXXX.  
 Delaney, William M., XXXXX.  
 Denno, Bryce F., XXXXX.  
 Devlin, Francis T., XXXXX.  
 Dibble, John, Jr., XXXXX.  
 Dickerson, Robert L., XXXXX.  
 Dickson, Dwight B., XXXXX.  
 Dickson, Lon R., XXXXX.  
 Donaldson, John H., XXXXX.  
 Downey, Walter G., XXXXX.  
 Downs, Lemuel C., XXXXX.  
 Drewry, Ivey O., Jr., XXXXX.  
 Duddy, Robert R., XXXXX.  
 Dunn, Francis L., XXXXX.  
 Durgan, Raymond C., XXXXX.  
 Duvall, Everett W., XXXXX.  
 Eldridge, Ralph S., XXXXX.  
 Emmerich, Rollins S., XXXXX.  
 Eschenburg, Emil P., XXXXX.  
 Evans, Jack C., Jr., XXXXX.  
 Evans, John T., XXXXX.  
 Fahey, Paul V., XXXXX.  
 Fairbanks, George C., 3d, XXXXX.  
 Fitzpatrick, Edward D., XXXXX.  
 Flake, Joe, XXXXX.  
 Flanders, Edward A., XXXXX.  
 Fletcher, Melvin, XXXXX.  
 Floyd, Alfred J., XXXXX.  
 Flynn, Stanley F., XXXXX.  
 Fogle, George C., XXXXX.  
 Forbes, Lawrence G., XXXXX.  
 Foster, David E., XXXXX.  
 Foster, Gayle H., XXXXX.  
 Francisco, William P., XXXXX.  
 Free, Richard H., XXXXX.  
 Freund, John F., XXXXX.  
 Fuller, Ford P., Jr., XXXXX.  
 Fuller, Lawrence J., XXXXX.  
 Gaines, Weaver H., XXXXX.  
 Gardner, Joseph M., XXXXX.  
 Gerard, Max H., XXXXX.  
 Ghent, Daniel T., XXXXX.  
 Gibson, Edwin C., XXXXX.  
 Gilbert, Charles M., XXXXX.  
 Glass, William A., Jr., XXXXX.  
 Gleszer, Roland M., XXXXX.  
 Goldoni, John E., XXXXX.  
 Goodrich, Raymond H., XXXXX.  
 Goodwin, Samuel M., XXXX.  
 Graf, John A., XXXXX.  
 Grant, Emerson W., XXXXX.  
 Gray, Francis M., XXXXX.  
 Gray, Gerald W., XXXX.  
 Gray, Walter A., XXXXX.  
 Green, Gilford D., XXXXX.  
 Green, James B., XXXXX.  
 Green, John H., XXXXX.  
 Greenwood, Walter, Jr., XXXXX.  
 Griffin, James C., XXXXX.  
 Gunning, John G., XXXXX.  
 Gunster, Walter E., Jr., XXXXX.  
 Guy, David R., XXXXX.  
 Guy, John J., XXXXX.  
 Hall, Robert C., XXXXX.  
 Hamelin, Rolland W., XXXXX.  
 Hancock, Chester H., XXXXX.  
 Hannah, Raymond W., XXXXX.  
 Hardenbergh, Hal, XXXXX.  
 Hardin, Joseph S., XXXXX.  
 Harness, Leslie J., XXXXX.  
 Harper, Robert E., XXXXX.  
 Haseman, Leonard L., XXXXX.  
 Hatten, Philip A., XXXXX.  
 Hazelette, Charles B., Jr., XXXXX.  
 Heald, Robert C., XXXXX.  
 Helmuth, Oliver J., XXXXX.  
 Hendrickson, Edward H., XXXXX.  
 Herber, David, XXXXX.  
 Hershey, Lyle E., XXXXX.  
 Hewitt, Walter J., XXXXX.  
 Hickman, Paul D., XXXXX.  
 Higgins, William A., XXXXX.  
 Higgins, William J., Jr., XXXXX.  
 Hightower, John M., XXXXX.  
 Hill, John F. P., XXXXX.  
 Hino, Kenji, XXXXX.  
 Hiser, Charles H., XXXXX.  
 Hobson, Victor W., Jr., XXXXX.  
 Hooper, Thomas F., XXXXX.  
 Horner, Charles T., Jr., XXXXX.  
 Houser, Harold H., XXXXX.  
 Huff, Hotmel J., XXXXX.  
 Huffaker, Robert L., XXXXX.  
 Hughes, John W., Jr., XXXXX.  
 Hughe, Ralph H., XXXXX.  
 Huntley, Charles B., XXXXX.  
 Huppert, George H., Jr., XXXXX.  
 Hutchinson, Philip A., XXXXX.  
 Ingalls, Robert C., XXXXX.  
 Irving, Richard R., XXXXX.  
 Irwin, Walter G., XXXXX.  
 Jackson, John W., XXXXX.  
 James, Howard, XXXXX.  
 Jillson, Stuart F., XXXXX.  
 Johnson, Chester H., XXXXX.  
 Johnson, Lester B., XXXXX.  
 Johnson, Robert W., XXXXX.  
 Jung, Wing F., XXXXX.  
 Keegan, Christopher R., XXXXX.  
 Kehe, Arlin J., XXXXX.  
 Kennedy, Robert S., XXXXX.  
 Kenney, John J., Jr., XXXXX.  
 Kent, Frank J., XXXXX.  
 Kersting, Donald A., XXXXX.  
 King, Warren R., XXXXX.  
 Kinzer, John M., XXXXX.  
 Kirk, Frank A., Jr., XXXXX.  
 Kirk, John E., XXXXX.  
 Kramer, Francis E., XXXXX.  
 Lain, James L., XXXXX.  
 Laliberte, Lawrence A., XXXXX.  
 Lane, Harry B., XXXXX.  
 Lane, Jack F., XXXXX.  
 Lange, Herman, W. W., XXXXX.  
 Larsen, Bobby B., XXXXX.  
 Larsen, Charles J., XXXXX.  
 Lawhon, Zim E., XXXXX.  
 Leahy, Osmund A., XXXXX.  
 Legere, Laurence J., XXXXX.  
 Lehtonen, Reino O., XXXXX.  
 Ledyard, Carl S., XXXXX.  
 Lemley, Kenneth M., XXXXX.  
 Leonard, Allan L., Jr., XXXXX.  
 Lewis, William F., XXXXX.  
 Long, Talton W., XXXXX.  
 Looney, Jack R., XXXXX.  
 Lucas, Charles L., XXXXX.  
 Luckenbach, Everett A., XXXXX.  
 Lundberg, John W., Jr., XXXXX.  
 Lyons, Crawford D., XXXXX.  
 Macaulay, George B., XXXXX.  
 Maedler, James R., XXXXX.  
 Malone, Robert H., XXXXX.  
 Manley, Murray E., XXXXX.  
 Manning, Leo W., XXXXX.  
 Marriott, Richard G., XXXXX.  
 Marsh, Clarence T., Jr., XXXXX.  
 Marsh, Curtis N., Jr., XXXXX.  
 Martin, Alfred, XXXXX.  
 Mastran, Joseph L., XXXXX.  
 Mather, Donald W., XXXXX.  
 Matthews, Maurice H., XXXXX.  
 Matzger, Neil M., XXXXX.  
 Maynard, Stanley G., XXXXX.  
 Mayo, George, Jr., XXXXX.  
 McAlhany, John W., XXXXX.  
 McCaskill, John C., XXXXX.  
 McCown, Hal D., XXXXX.  
 McDaniel, Alva T., XXXXX.  
 McDonald, Eugene O., XXXXX.  
 McFerren, Carl D., XXXXX.  
 McHenry, Carroll E., XXXXX.  
 McKenney, Stewart L., XXXXX.  
 McLean, John R., XXXXX.  
 McPherson, Larry G., XXXXX.  
 McQuain, Gordon E., XXXXX.  
 McRae, Robert B., XXXXX.  
 McSherry, Elwood D., XXXXX.  
 Mendez, Louis G., Jr., XXXXX.  
 Merchant, Marvin H., XXXXX.  
 Merrill, John T., XXXXX.  
 Meszar, Frank, XXXXX.  
 Metcalf, George T., XXXXX.  
 Mette, Clarence A., Jr., XXXXX.  
 Meyer, Norman E., XXXXX.  
 Michaelis, Leon A., XXXXX.  
 Miley, Henry A., Jr., XXXXX.  
 Miller, Boulton B., XXXXX.  
 Miller, Gordon A., XXXXX.  
 Miller, Maynard C., XXXXX.  
 Mills, Jene E., XXXXX.  
 Milner, James W., XXXXX.  
 Minahan, John E., XXXXX.  
 Mitchell, John E., Jr., XXXXX.  
 Monroe, Thomas H., Jr., XXXXX.  
 Moore, Benjamin G., XXXXX.  
 Moore, James M., XXXXX.  
 Moran, Edwin G., XXXXX.  
 Muller, Thomas H., XXXXX.  
 Munson, Delbert E., XXXXX.  
 Murdock, Richard G., XXXXX.  
 Murphy, Cornelius A., XXXXX.  
 Murphy, John H., XXXXX.  
 Murphy, Joseph A., XXXXX.  
 Myers, Harry M., XXXXX.  
 Naudts, Morris J., XXXXX.  
 Nelson, Robert K., XXXXX.  
 Noble, Charles C., XXXXX.  
 Norris, John I., XXXXX.  
 Norris, Robinson R., XXXXX.  
 Nye, Charles A., 3d, XXXXX.  
 O'Brien, John A., XXXXX.  
 Oglesby, Charles E., XXXXX.  
 O'Keefe, John T., XXXXX.  
 Oliver, George L., XXXXX.  
 Olson, Winston L., XXXXX.  
 Orman, Leonard M., XXXXX.  
 Osborne, Robert J. C., XXXXX.  
 Oseth, Frederick W., XXXXX.  
 Paden, Bill W., XXXXX.  
 Parker, David S., XXXXX.  
 Parker, Robert M., Jr., XXXXX.  
 Patten, Samuel M., XXXXX.  
 Paulick, Michael, XXXXX.  
 Pearson, Willard, XXXXX.  
 Pell, Robert H., XXXXX.  
 Penney, Howard W., XXXXX.  
 Perrin, Bert, XXXXX.  
 Perry, Manley C., XXXXX.  
 Petty, Norman E., XXXXX.  
 Pfeil, Robert C., XXXXX.  
 Phillips, Paul D., XXXXX.  
 Pidgeon, John J., XXXXX.  
 Pillsbury, Hobart B., XXXXX.  
 Platt, Robert G., XXXXX.  
 Podufaly, Edward T., XXXXX.  
 Poinier, Arthur D., XXXXX.  
 Porteous, Charles E., XXXXX.  
 Porter, Fred B., XXXXX.  
 Preble, Merle R., XXXXX.  
 Rachal, Daniel W., XXXXX.  
 Radcliff, Elgin G., XXXXX.

Ramsey, Lloyd B., XXXXX  
 Randle, Robert B., XXXXX  
 Rankin, George H., XXXXX  
 Rasmussen, Henry A., XXXXX  
 Reed, James W., XXXXX  
 Reinecke, Paul S., Jr., XXXXX  
 Renwanz, Rowland H., XXXXX  
 Reynolds, Maurice J., XXXXX  
 Rials, Grady F., XXXXX  
 Richter, Henry J., XXXXX  
 Ries, Arthur W., XXXXX  
 Rigg, Robert B., XXXXX  
 Ritchings, Arthur W., XXXXX  
 Ritze, Herbert C., XXXXX  
 Rizza, Salvo, XXXXX  
 Roberts, Clarence F., Jr., XXXXX  
 Roberts, Sam A., XXXXX  
 Robinson, Oval H., XXXXX  
 Roedy, William H., XXXXX  
 Rogers, Ralph M., XXXXX  
 Rohan, Thomas C., XXXXX  
 Rolle, Norman B., XXXXX  
 Rosen, Melvin H., XXXXX  
 Ross, Thomas B., Jr., XXXXX  
 Rosson, William B., XXXXX  
 Ruck, Fred M., XXXXX  
 Rumph, Osborne R., XXXXX  
 Rushing, William J., XXXXX  
 Ruzek, Charles V., Jr., XXXXX  
 Ryan, William T., XXXXX  
 Sandholm, Frank A., XXXXX  
 Sandiland, John S., XXXXX  
 Sanford, Charles A., XXXXX  
 Sayre, Edwin M., XXXXX  
 Scandrett, William, XXXXX  
 Scarburgh, Samuel W., XXXXX  
 Schafbuch, Donald V., XXXXX  
 Schafer, Robert W., XXXXX  
 Schell, Rieder W., XXXXX  
 Schlotzauer, Walter S., Jr., XXXXX  
 Schmaltz, Frederick A., XXXXX  
 School, William P., Jr., XXXXX  
 Schomig, John N., XXXXX  
 Schuppener, Paul B., XXXXX  
 Schwartzman, Jack, XXXXX  
 Scott, David M., Jr., XXXXX  
 Scott, Fred W., XXXXX  
 Scott, Kenneth L., XXXXX  
 Scott, Thomas H., Jr., XXXXX  
 Scudder, Willis B., XXXXX  
 Shagrin, Richard A., XXXXX  
 Shaunesey, Charles A., Jr., XXXXX  
 Shivers, George W., Jr., XXXXX  
 Shockey, Cyrus R., XXXXX  
 Shoemaker, Raymond L., Jr., XXXXX  
 Shoss, Morris L., XXXXX  
 Sigley, Woodrow B., XXXXX  
 Silvay, Stephen, XXXXX  
 Simmons, Howard H., XXXXX  
 Sinclair, Lachlan M., XXXXX  
 Sisco, David W., XXXXX  
 Smee, James C., XXXXX  
 Smith, Arthur L., Jr., XXXXX  
 Smith, Everett N., XXXXX  
 Smith, Francis J., Jr., XXXXX  
 Smith, Page E., XXXXX  
 Smith, Paul F., XXXXX  
 Smith, Vallard C., XXXXX  
 Spaulding, Edward C., XXXXX  
 Spengler, John T. H., XXXXX  
 Stella, Harry A., XXXXX  
 Sterner, Cyril D., XXXXX  
 Stoddard, William G., Jr., XXXXX  
 Stover, Harold G., XXXXX  
 Strauss, James P., XXXXX  
 Stuart, Clarence E., XXXXX  
 Stutzman, Oliver G., XXXXX  
 Sumstad, John, XXXXX  
 Tate, Willie L., XXXXX  
 Taylor, Alton R., XXXXX  
 Taylor, Benjamin G., Jr., XXXXX  
 Taylor, James K., XXXXX  
 Telquist, Clark V., XXXXX  
 Thomas, Eber H., Jr., XXXXX  
 Thomas, Henry G., XXXXX  
 Tistadt, Harry E., XXXXX  
 Townsend, John D., XXXXX  
 Trainer, Wyatte G., XXXXX  
 Tudor, Ralph N., XXXXX  
 Turner, Hugh J., Jr., XXXXX  
 Twyon, Donald E., XXXXX  
 Tyler, James E., XXXXX  
 Unverferth, John E., XXXXX  
 Utley, Robert L., XXXXX  
 Vandenberg, Robert E., XXXXX  
 Vaughan, Woodrow W., XXXXX  
 Venable, Charles P., XXXXX  
 Von Pawel, Ernest, XXXXX  
 Walker, Harry H., Jr., XXXXX  
 Walker, Marion W., XXXXX  
 Walters, James W., Jr., XXXXX  
 Walton, Arthur H., XXXXX  
 Ware, Keith L., XXXXX  
 Warmbrod, Karlton, XXXXX  
 Watson, William W., XXXXX  
 Webster, Daniel, XXXXX  
 Webster, George B., Jr., XXXXX  
 Weigel, Levene J., XXXXX  
 Welch, Howard K., XXXXX  
 Welsh, Charles E., XXXXX  
 Wendt, James R., Jr., XXXXX  
 Wermuth, Anthony L. P., XXXXX  
 Wetherill, Roderick, XXXXX  
 Wheeler, Jesse F., Jr., XXXXX  
 White, Alan B., XXXXX  
 White, Eugene J., XXXXX  
 White, Frederick G., XXXXX  
 White, Richard A., XXXXX  
 Whittick, John R., XXXXX  
 Wiley, Earl T., Jr., XXXXX  
 Wilkinson, William C., Jr., XXXXX  
 Williams, Frank A., XXXXX  
 Williams, Robert R., XXXXX  
 Williams, Trevor E., XXXXX  
 Wilson, Charles V., XXXXX  
 Wingfield, William B., XXXXX  
 Winton, Walter F., Jr., XXXXX  
 Wise, William D., Jr., XXXXX  
 Witt, Landon A., XXXXX  
 Wolfe, Charles A., XXXXX  
 Wood, Milford W., XXXXX  
 Woodbury, James A., XXXXX  
 Woodman, Ernest A. H., XXXXX  
 Woodward, Gilbert H., XXXXX  
 Woolfolk, Robert L., 3d, XXXXX  
 Wright, John M., Jr., XXXXX  
 Wright, Ralph, XXXXX  
 Wyand, Preston W., XXXXX  
 Yarrington, William R., XXXXX  
 Yeager, Frederick J., XXXXX  
 Yerby, Harry L., XXXXX  
 Young, Richard A., Jr., XXXXX  
 Youngman, Charles W., XXXXX  
 Yow, John W., XXXXX  
 Zahrobsky, Ralph E., XXXXX  
 Zeigler, Howard N., Jr., XXXXX  
 Zipf, Karl A., XXXXX

*To be colonels, Chaplain*

Jungfer, Richard W., Jr., XXXXX  
 Koepke, Theodore V., XXXXX  
 Kozak, Edwin J., XXXXX  
 Reardon, David M., XXXXX

*To be colonels, Medical Corps*

Bauer, Albert J., XXXXX  
 Conant, Ralph E., XXXXX  
 Heldobler, Alfred O., XXXXX  
 Kirk, Warren M., XXXXX  
 McNerney, Jules J., XXXXX  
 Psaki, Raoul C., Jr., XXXXX  
 Putnol, Martin, XXXXX  
 Smith, James H., XXXXX  
 Stacy, Harold G., XXXXX  
 Steer, Arthur, XXXXX  
 Tener, John H., XXXXX  
 Wallace, John K., 2d, XXXXX

*To be colonels, Dental Corps*

Cruzan, Winston V., XXXXX  
 Fisher, William T., XXXXX  
 Kirchoff, Arnold W., XXXXX  
 Siegesmund, Kenneth W., XXXXX  
 Swanson, Raymond W., XXXXX  
 Swink, Jesse M., XXXXX

*To be colonels, Veterinary Corps*

Akins, Everett H., XXXXX  
 Frank, Charles B., XXXXX  
 Fry, Lloyd V., XXXXX  
 Miller, Robert J., XXXXX  
 Osteen, Wilson M., XXXXX

*To be colonels, Medical Service Corps*

Austin, William L., XXXXX  
 Baker, Thomas E., XXXXX  
 Behrens, Donald H., XXXXX  
 Blackwell, James M., XXXXX  
 Darling, James O., XXXXX  
 Davison, Neville W., XXXXX  
 Egger, Floyd C., XXXXX  
 Frick, Lyman P., XXXXX  
 Hastings, Frederick W., XXXXX  
 Houser, Jack, XXXXX  
 Jones, Herman A., Jr., XXXXX  
 Nedds, Ivan L., XXXXX  
 Nibbelink, Arion B., XXXXX  
 Noe, Herbert A., XXXXX  
 Olson, Clarence T., XXXXX  
 Quackenbush, Robert O., XXXXX  
 Yates, Virgil T., XXXXX

*To be colonel, Army Nurse Corps*

Clark, Mildred I., XXXXX

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

*To be lieutenant colonel, Dental Corps*

Clark, Robert R., XXXXX

*To be major*

McCrumb, Lynn M., XXXXX

*To be major, Medical Service Corps*

Bradley, John J., XXXXX

*To be captain*

Traas, Adrian G., XXXXX

The following-named officer for appointment as professor of physics and chemistry, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4332:

MacWilliams, Donald G., XXXXX

The following-named officer for appointment as professor of foreign languages, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4332:

Willard, Sumner, XXXXXXXX

## WITHDRAWAL

Executive nomination withdrawn from the Senate, September 21, 1964:

## POSTMASTER

The nomination sent to the Senate on July 23, 1964, of Ralph E. Haffenden to be postmaster at Belvidere, in the State of Illinois.

## HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 21, 1964

Dr. George R. Davis, National City Christian Church, Washington, D.C., offered the following prayer:

Blessed is that nation whose God is the Lord. We remember first of all, our Father, with gratitude the faithful Member of this House so recently departed and commend him to Thine eternal care. This day, our Father, we come to Thee about our Nation. And we come not to seek for anything, not to petition, not to wring our hands. We come in gratitude. We thank Thee that we are willing to be a part of a great society of nations, that we do not wish to walk alone, stand alone, nor to live in arrogant isolation. In a time of much uncertainty, we thank Thee that this Nation does so much to shed the light of hope in the world. We thank Thee when needs are beyond description, this Nation invests so much, risks so much of life and

possessions to help others, enemies as well as friends. With grave dangers all about, we rejoice that our responsible leadership follows caution, friendliness, approachability, as we do business with the nations of the worldwide community. While swords rattle, and to be strong, as we are, is the highest wisdom, we are grateful that our first and foremost desire and ambition is still international peace with justice. In a time of unrest, when bigotry is easy, and violence casts shadows at home and abroad, we are thankful that we are still moving forward in this Nation by the ways of law, and good will, to a true fellowship of all peoples, all groups, all races. We thank Thee, when some are heartless, that this Nation still has heart for the poor, the disinherited, the forgotten. We thank Thee that when even great men are pushed and pulled, that we have leadership capable of and committed to holding us steady, seeing us through. Bless and sustain the Chief Executive. Uphold the makers of our laws. Preserve and maintain for us the freedom and greatness of our courts. Save for us, O God, in our times, all that is sound and good, for Thy name's sake. Blessed is that nation whose God is the Lord. Amen.

#### THE JOURNAL

The Journal of the proceedings of Thursday, September 17, 1964, was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 2, 1964:

H.R. 130. An act to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961;

H.R. 1136. An act to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project;

H.R. 1213. An act for the relief of World Games, Inc.;

H.R. 2215. An act for the relief of E. A. Rolfe, Jr.;

H.R. 3672. An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act;

H.R. 4844. An act relating to the release of liability under bonds filed under section 44 (d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and to amend the Internal Revenue Code of 1954 with respect to certain reacquisitions of real property;

H.R. 5739. An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, and for other purposes;

H.R. 7088. An act for the relief of Joseph Di Cicco;

H.R. 8000. An act to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes;

H.R. 8451. An act to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies;

H.R. 9803. An act to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association;

H.R. 11202. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11338. An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority;

H.R. 11369. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11594. An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands;

H.R. 12128. An act to amend the act of March 10, 1964;

H.R. 12196. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the District of Columbia Teachers' Salary Act of 1955, and for other purposes; and

H.J. Res. 393. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day.

On September 3, 1964:

H.R. 3846. An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes; and

H.R. 9586. An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States.

On September 4, 1964:

H.R. 11241. An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes.

On September 12, 1964:

H.R. 1642. An act to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station, and for other purposes; and

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes.

On September 14, 1964:

H.R. 1263. An act for the relief of Rickert & Laan, Inc.

On September 15, 1964:

H.R. 4786. An act for the relief of the State of New Mexico.

On September 18, 1964:

H.R. 3396. An act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes;

H.R. 6601. An act to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes;

H.R. 7096. An act to authorize the exchange of certain property at Independence National Historical Park, and for other purposes; and

H.R. 11162. An act granting the consent of Congress to an amendment to the Breaks Interstate Park compact between the Commonwealths of Virginia and Kentucky.

On September 19, 1964:

H.R. 5159. An act to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to produce a sustained yield of products and services, and for other purposes;

H.R. 5498. An act to provide temporary authority for the sale of certain public lands;

H.R. 8070. An act 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;

H.R. 10809. 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.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arlington, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill and a concurrent resolution of the Senate of the following titles:

S. 49. An act to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes; and

S. Con. Res. 92. Concurrent resolution favoring the suspension of deportation of certain aliens.

The message also announced that the President pro tempore, pursuant to Public Law 689, 84th Congress, appointed the following Members on the part of the Senate to the North Atlantic Treaty Organization Parliamentary Conference to be held in Paris, France, November 16 to 20, 1964: Mr. FULBRIGHT, Mr. BAYH, Mr. GORE, Mr. JORDAN, of North Carolina, Mr. PELL, Mr. MCINTYRE, Mr. BURDICK (alternate), Mr. MUSKIE (alternate), Mr. MUNDT, Mr. JAVITS, Mr. JORDAN of Idaho, and Mr. KUCHEL (alternate).

#### TRANSFER OF CONSENT CALENDAR TO TUESDAY, SEPTEMBER 22, 1964

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under clause 4, rule 13, the Consent Calendar rule, be transferred to tomorrow.

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

There was no objection.

#### GENERAL LEAVE TO EXTEND IN THE CONGRESSIONAL RECORD

Mr. ALBERT. Mr. Speaker, without setting a precedent, I ask unanimous consent that all Members desiring to do so may have permission to extend their remarks in the CONGRESSIONAL RECORD and to include appropriate extraneous material today.

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

There was no objection.

## CHANGE IN LEGISLATIVE PROGRAM

Mr. ALBERT. 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 Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce certain changes in the program for this week.

Mr. FORD. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. ALBERT. I yield to the gentleman from Michigan.

Mr. FORD. Mr. Speaker, I am sure the Members would appreciate knowing what the schedule is and what changes there are in the legislative program for the remainder of the week.

Mr. ALBERT. The changes in the program have just come to my attention. I would like at this time to announce them.

In the first place, we will remove from the calendar for this week House Resolution 847 which had been scheduled for Wednesday, to create a select committee to conduct a study and investigation of all factors relating to the general welfare and education of congressional pages. We are doing that because the gentlewoman from Oregon [Mrs. GREEN], who is the author of the matter involved, will be in the funeral party of our late colleague.

We are adding for Wednesday and the balance of the week the bill H.R. 8546, loans to students of optometry. This is an open rule permitting 1 hour of general debate and making S. 2180 in order as a substitute.

Also House Resolution 883, providing for agreeing to Senate amendments to H.R. 5932, District of Columbia teachers health benefits.

Mr. FORD. Those are the only changes?

Mr. ALBERT. Those are the only changes I have at this time.

Mr. FORD. Is the supplemental appropriation bill scheduled for consideration tomorrow?

Mr. ALBERT. It is on the program for tomorrow and it is expected it will be called up for consideration at that time.

Mr. FORD. Is it the intention of finishing it tomorrow?

Mr. ALBERT. Yes.

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

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

Mr. GROSS. In reference to the Patman bill which has been before the Rules Committee, has a rule been granted on that dealing with the Supreme Court decision on reapportionment?

Mr. ALBERT. As far as I know it is, but the matter has not been scheduled.

Mr. GROSS. I thank the gentleman.

## ACTIVITIES CARRIED ON UNDER PUBLIC LAW 480, 83D CONGRESS, AS AMENDED—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 365)

The SPEAKER laid before the House the following message from the President

of the United States, which was read and, together with accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

*To the Congress of the United States:*

I am sending to the Congress the 20th semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period January 1 through June 30, 1964.

LYNDON B. JOHNSON.

THE WHITE HOUSE, September 21, 1964.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CUNNINGHAM (at the request of Mr. FORD), for September 21 and 22, on account of official business.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 49. An act to provide for recognition by the United States of Alaska's 100th anniversary under the American flag, and for other purposes.

## THE LATE HONORABLE WALTER NORBLAD OF OREGON

The SPEAKER. The Chair recognizes the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Speaker, it is with deep personal sorrow and profound regret that I announce to the House the passing of our esteemed and beloved colleague from Oregon, WALTER NORBLAD, who passed away at the Bethesda Naval Hospital on Sunday morning.

I have been asked to announce that funeral services will be held on tomorrow morning, Tuesday, September 22, at 11 a.m., at the Demaines Funeral Home, 520 South Washington Street, Alexandria, Va.

It is my understanding, Mr. Speaker, that a day will be set aside next week to allow Members to pay tribute to our late colleague, Mr. NORBLAD.

Mr. Speaker, I offer a resolution.

The Clerk read as follows:

## HOUSE RESOLUTION 885

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable WALTER NORBLAD, a Representative from the State of Oregon.

*Resolved*, That a committee of 11 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Mrs. GREEN of Oregon, Mr. TOLLEFSON, Mr. FORD, Mr. CEDERBERG, Mr.

WESTLAND, Mr. BOB WILSON of California, Mr. ULLMAN, Mrs. HANSEN, Mr. HARRISON, Mr. DUNCAN, Mr. MARTIN of California.

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

## ADJOURNMENT

Accordingly (at 12 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 22, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2541. A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting the second annual report of the Commission, pursuant to section 107 of Public Law 87-256 (H. Doc. No. 364); to the Committee on Foreign Affairs and ordered to be printed.

2542. A letter from the Comptroller General of the United States, transmitting a report on uneconomical procurement of motor vehicle parts and accessories, Department of the Navy; to the Committee on Government Operations.

2543. A letter from the Comptroller General of the United States, transmitting a report on the lack of progress under the defense standardization program resulting in unnecessary procurement and supply management costs for electronic items, Department of Defense; to the Committee on Government Operations.

2544. A letter from the Acting Director, congressional liaison, Agency for International Development, Department of State, transmitting copy of the Agency's reply to the Comptroller General of the United States report (B-146787) on Ineffective Administration of the U.S. Assistance to Children's Hospital in Poland; to the Committee on Government Operations.

2545. A letter from the Assistant Secretary of the Interior, transmitting a project proposal from the Camarillo County Water District of Camarillo, Ventura County, Calif., for a loan of \$4,800,000 for the construction of a water distribution system, pursuant to section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

2546. A letter from the Assistant Secretary of Commerce, transmitting a report that it conducted no commissary activities outside the continental United States during the fiscal year 1964, pursuant to the provisions of 5 U.S.C. 596a; to the Committee on Interstate and Foreign Commerce.

2547. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which have been approved, pursuant to section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2548. A letter from the Secretary of the Treasury, transmitting a report of operations by Federal departments and establishments in connection with the bonding of officers and employees for the fiscal year ended June 30, 1964, pursuant to section 14(c) of the act of August 9, 1955 (6 U.S.C. 14); to the Committee on Post Office and Civil Service.

2549. A letter from the Secretary of Commerce, transmitting an annual report on

scientific research grants for the fiscal year 1964, pursuant to the provisions of Public Law 93-4, 85th Congress; to the Committee on Science and Astronautics.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HARDY:

H.R. 12634. A bill to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands; to the Committee on Armed Services.

By Mr. LAIRD:

H.R. 12635. A bill to provide for payments in lieu of taxes on lands in national forests; to the Committee on Agriculture.

By Mr. PILLION:

H.R. 12636. A bill to provide for the disposition of unclaimed postal savings accounts, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. POOL:

H.R. 12637. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on church bonds; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H. Con. Res. 364. Concurrent resolution authorizing the printing of an additional 1,000

copies of the document entitled "Study of Population and Immigration Problems; Population of the United States"; to the Committee on House Administration.

By Mr. HARSHA:

H. Con. Res. 365. Concurrent resolution expressing the sense of the Congress that the Federal Communications Commission should review its rules applicable to the Citizens Radio Service and report with respect thereto to the Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. MACGREGOR:

H. Res. 886. Resolution to set national policies for local airline service; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DON H. CLAUSEN:

H.R. 12638. A bill for the relief of Henry Mansoor Abdel Sayed, also known as Henri Mansoor, and Roxani Mansoor; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 12639. A bill for the relief of Dr. Hiroshi Yamazaki, his wife, Toshiko Yamazaki, and his mother, Tomo Yamazaki; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts: H.R. 12640. A bill for the relief of Jose Tavares de Sousa; to the Committee on the Judiciary.

#### PETITIONS, ETC.

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

1036. By Mr. KING of New York: Petition of John F. Coultry, Troy, N.Y., protesting the amendment to part 95, enacted July 22 by the FCC and effective November 1, 1964; to the Committee on Interstate and Foreign Commerce.

1037. By the SPEAKER: Petition of the Common Council, City of Buffalo, N.Y., petitioning consideration of their resolution with reference to rejecting any attempt to thwart the Supreme Court decision on reapportionment; to the Committee on the Judiciary.

1038. Also, petition of Henry Stoner, New York, N.Y., relative to defeating constitutional amendments to override the legislative reapportionment decisions; to the Committee on the Judiciary.

1039. Also, petition of the Marine Corps League, National Headquarters, Arlington, Va., petitioning consideration of their resolution with reference to designating the new VA hospital and facility now being constructed in the District of Columbia as the Gen. Melvin J. Maas Memorial Hospital; to the Committee on Veterans' Affairs.

## EXTENSIONS OF REMARKS

**West Virginia Strengthened by Fort Martin Power Generating Station—Ground-Breaking Ceremonies and Morgantown Luncheon Mark the Beginning of Construction**

#### EXTENSION OF REMARKS

OF

**HON. JENNINGS RANDOLPH**

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, September 21, 1964

Mr. RANDOLPH. Mr. President, the Appalachian Regional Development Act is being weighed and considered by Members of both Houses of Congress, and will, I hope, be acted on favorably in the Senate before adjournment. This legislation is a vital element in our Nation's drive to develop programs to advance West Virginia and areas of surrounding States.

The Appalachian bill is in no sense a handout, but rather an investment in the future prosperity of all Americans. We cannot permit one large section of our country to lag economically; to endure conditions of unemployment which substantially exceed the national average; we must not ignore the plight of thousands of our fellow citizens who are without adequate educational and health facilities. It is obvious that from a humanitarian standpoint, and in our own enlightened self-interest, we must act to end these damaging conditions.

Mr. President, the people of Appalachia are far from content with the status quo. They are working with dili-

gence and imagination to improve their way of life and to strengthen the region.

Evidence of this spirit of cooperative effort can be readily found in West Virginia. One such example is the activity being carried forward in conjunction with the construction of the Fort Martin power generating station, at Fort Martin, W. Va., near Morgantown.

The generating station will consist of two units, the first of which is now being built by Monongahela Power Co. and the Potomac Edison Co., both subsidiaries of the Allegheny Power System. The initial facility will have a capability of approximately 540,000 kilowatts and its estimated cost is \$53,500,000. It will be the largest ever installed in the Allegheny System, and is expected to be in operation by 1967.

It was my privilege to participate in the ground-breaking ceremonies for the Fort Martin station on September 11, 1964. Presiding on this notable occasion was Don Kammert, the energetic president of the Monongahela Power Co. Following the invocation by the Reverend William Wolfe, pastor of the Fort Martin Methodist Church, Mr. Kammert introduced J. Lee Rice, Jr., the progressive president of the Allegheny Power System.

In brief remarks Mr. Rice made reference to the cooperation at national, State, and local levels which his organization has enjoyed during the planning of this important power complex. He also expressed the belief, to which I subscribe, that the Fort Martin project is indicative of the enthusiasm and civic interest which is evidenced in West Virginia and Appalachia.

At a given signal, a laser ray was activated, which in turn detonated fireworks officially breaking ground for the Fort Martin power generating station. Taking part in this portion of the program were: Hon. W. W. Barron, Governor of West Virginia; Hon. Harley Staggers, U.S. Representative from the Second District; Robert G. MacDonald, president of the Potomac Edison Co.; Mr. Kammert, Mr. Rice, and myself.

The proceedings were later adjourned to the Hotel Morgan, Morgantown, for a luncheon. Governor Barron addressed an appreciative audience, commenting on the degree of cooperative effort which has been evidenced between Government, industry, labor, and education. He pointed out that:

In West Virginia, these forces have learned—during the past three and a half years—the benefit of sitting down together to study problems. When we do this, we understand the problems and their interrelationship to all other segments of our society. Whenever we come to understand each other and the scope of economic, political, and industrial need, then we truly define "the common good" in modern, cooperative terms. From this basis we develop sound and positive action programs.

Mr. Rice then spoke of the implications of the construction of the Fort Martin station, and its impact on the Morgantown trading area. He correctly stated that this new transmission capability is but one among many steps toward progress and prosperity which have been encouraged by the citizens of Morgantown.

Especially informative were the remarks of Dennis L. McElroy, executive vice president of the Consolidation Coal Co. From the northern West Virginia

mines of this firm will come the coal to heat the boilers which produce the steam to drive the turbines from which will come the vast electrical power of the Fort Martin station. Mr. McElroy indicated that the manpower requirements of this coal production would provide employment for 200 miners near range, and when the second unit is complete that figure will grow to almost 500.

Prior to these remarks it was my privilege to speak, in part, as follows:

Here in our beloved highlands we are heartened to see progress by the American society and private-investor economy. Our growth has its roots in the energy, intelligence and integrity of leadership exemplified by those business, industrial, and political leaders gathered here.

West Virginians are being increasingly recognized as people who are friendly, ambitious, and progressive. The impression is being rapidly dissipated that West Virginia has been sidetracked by automation and forced out of the mainstream of the national economy. The events of this day demonstrate that is not the case.

The beneficial effect of the Fort Martin power generating station has been cause for new optimism among private sectors of the economy. A lucidly written editorial in the September 11 issue of the Morgantown Post emphasizes the public awareness of the positive forces which will accrue.

I ask unanimous consent that this editorial be printed in the RECORD, together with proceedings at the ground-breaking ceremonies for the Fort Martin power generating station, and the luncheon which followed, September 11, 1964.

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

[The Morgantown (W. Va.) Post,  
Sept. 11, 1964]

#### LOOKING BIGGER ALL THE TIME

This community is beginning to get a little better notion of what that new Fort Martin power station down the river will look like after more than \$50 million has been spent in the next 2 or 3 years to bring it into actual being.

But even the speeches at today's formal ground-breaking ceremonies can scarcely convey a general awareness of the total significance to this area of this power-generating project and the whole interconnected system of which it is to be a part.

Immediately upon going into operation, of course, the Fort Martin station will provide a large and assured market for Monongalia County coal and steady round-the-year employment for a substantial number of miners.

But while the economic soundness of putting so much money into a power station was found in the ability to transmit electricity over longer distances than ever before, it does not necessarily follow that the availability of Fort Martin's power will not serve to bring new industry closer to the powerplant as well as to take its power to distant customers.

No wild promises are being held out that Fort Martin will bring industry to Monongalia County and other parts of the upper Monongahela Valley. But it would be most unusual if that result did not occur, especially if the area can otherwise qualify as a good place for new industry to locate and operate.

Such a prospect rises far above the more limited satisfaction to be found in the increased tax revenue the county will receive from this large investment within its borders

even though there is no need to ignore this substantial element in the project.

In the near future, as Fort Martin begins to take visible shape, its full significance will increasingly be recognized and appreciated.

#### PROCEEDINGS AT THE GROUND-BREAKING CEREMONIES FOR ALLEGHENY POWER SYSTEM'S NEW 540,000-KILOWATT FORT MARTIN POWER STATION AT FORT MARTIN, W. VA., SEPTEMBER 11, 1964

Donald M. Kammert, president of Monongahela Power Co.: "This ceremony will begin with the pronouncement of the invocation by Rev. William Wolfe."

Rev. William Wolfe, pastor, Fort Martin Methodist Church: "Let us pray. Our Father and our eternal God, Thou who are most hallowed, most holy and all powerful, we pause in the midst of this day and in the midst of our labors to invoke Thy blessings upon this piece of earthly work. Be pleased our Father to bless these officials of these companies, the representatives of our government, and all interested parties who have come here today. We ask furthermore our Father that you would bless those who take an actual part in the construction of this great plant. Keep them from harm. And as we have come to depend upon the power from these companies and the light, may we also learn to depend upon Thee and Thy Son, Jesus Christ, for the inward light and the inward power. These blessings and these favors we ask in the name of Thy Son and our Savior, Jesus Christ. Amen."

Donald M. Kammert: "Thank you for joining with us on this momentous occasion. This is an event of importance to this community, to the companies comprising the Allegheny Power System, to the States of Maryland, Pennsylvania, and West Virginia, and to the area known as Appalachia.

"It is my privilege to introduce to you the man who will formalize this ground breaking. My friend, and a friend of this geographic area, the president of Allegheny Power System, Mr. J. Lee Rice, Jr."

#### REMARKS OF J. LEE RICE, JR., FORT MARTIN OVERLOOK SITE

On behalf of Allegheny Power System and its three operating companies, Monongahela, Potomac Edison, and West Penn Power, I wish to express our sincere appreciation for the participation in this event by these distinguished public servants here on the platform with me. Their presence is indicative of the cooperation we have received from them at the national and State levels. I think it further indicates their dedication to the economic development of West Virginia, Maryland, and Pennsylvania.

It is also gratifying to us in the investor-owned electric business to see such a fine turnout of business, news media, and government leaders from local and regional levels. We are honored by your presence, which again underscores our long-held contention that there is a good and healthy climate for private industry investment and growth in our three-State area.

There are several things I may be able to point out that will give you a better on-site understanding of our construction program here at Fort Martin. As you see, quite a bit of dirt has already been shoveled around. The huge hole that has been excavated (pointing) will house the base of the cooling tower and the balloons indicate the height of the tower. The main building housing the generating facilities is to be in the area now being graded. Expansion of the generating station to two units is planned for some time in the future.

The stacks that mark all steam generating powerplants and the cooling towers will reach high above the place where we are now standing. Again we have balloons to indicate the height of the stack.

Huge quantities of coal will be barged down river to the plant site from Consoli-

dation Coal Co.'s Arkwright and Humphrey preparation plants above Morgantown.

I have already talked long enough. Let's get on with the job we came here to do.

In the event any of you have jumpy nerves, let me set them at rest. We are going to set off an explosion down on the plant site, but this is a fireworks—not a dynamite—explosion.

The fireworks we are almost to see will be set off by remote control—by a Laser ray. For those of you who are not familiar with the term Laser ray, let me explain that it is a means of concentrating energy into a light beam. This ray, aimed at a target on the moon, missed the bull's eye by less than 500 yards. It will drill a hole through a diamond or a steel plate and I'm told it has been used to weld a detached retina back in place in the human eye. We have here a battery of buttons, inasmuch as this new plant is symbolic of the push-button age. When all buttons have been pushed, a ray of light directed at a target on the plant site below will set off the fireworks and ground will be officially broken.

I will need some help, so have asked the following people to join me in this pleasant task. They are: Senator Jennings Randolph, Governor Barron, Don Kammert, president of Monongahela Power Co.; Bob MacDonald, president of Potomac Edison; and Hon. Harley Staggers, U.S. Representative.

Gentlemen, man your buttons.

Well, now we are all fatigued from our strenuous efforts. Let us adjourn to the Hotel Morgan for another type of exercise. The buses are ready for boarding.

#### REMARKS BY GOV. WILLIAM WALLACE BARRON, OF WEST VIRGINIA, SEPTEMBER 11, 1964

The beginning of the Fort Martin power station is another great step forward in West Virginia's record-breaking economy. It's an example of the Monongahela Power Co.'s continuing interest in the progress of our State and its people. It's a real pleasure to be a part of such impressive activity.

The Monongahela Power Co. and the Potomac Edison Co., as well as the parent Allegheny Power System, have always been close partners with the State government. We work together in planning and achieving economic growth. Also, these companies have cooperated in every way possible to help Government help other industries—to improve the overall picture of progress for our people. We in the Government are grateful for this fine cooperation.

Today, West Virginia is experiencing an awakening unparalleled in all of its history. We are not satisfied that our State established alltime high economic records in 1962 and 1963, and is headed for still another record this year. We are setting new goals and new ideals for ourselves. It is not merely a matter of trying to speed up development as we have understood it in the past; we are, rather, providing new directions for development and expansion.

Our new motive force is toward more opportunity, more employment, and more security for more people. The direction is geared to many and varied types of cooperative endeavor. Cooperation is the key. Government, industry, labor, and education become involved in almost every new decision we must make.

In West Virginia, these forces have learned—during the past 3½ years—the benefit of sitting down together to study problems. When we do this, we understand the problems and their interrelationship to all segments of our society. Whenever we come to understand each other and the scope of economic, political, and industrial need, then we truly define "the common good" in modern, cooperative terms. From this basis, we develop sound and positive action programs.

We should not waste our time staring backward at our past. Today, in West Virginia, we are planning, building, and enjoying a greater prosperity than any generation of West Virginians before us experienced.

People grow and move ahead as they work together to solve their own problems and as they develop a sense of direction over their own progress. Today's program is proof that we are doing just that.

REMARKS OF J. LEE RICE, JR., GROUNDBREAKING LUNCHEON, MORGANTOWN, W. VA., SEPTEMBER 11, 1964

We are now within a very few minutes of the end of what has been a most enjoyable occasion for me. My trips to West Virginia and this area are always marked by the warm hospitality I encounter. This day has been no exception.

The readiness of our small city residents of West Virginia, Maryland, and Pennsylvania to open their hearts to visitors, has always impressed and delighted me. It is one of the many reasons Allegheny Power System has solid faith in the economic future of the region it serves. We know that other people—especially industrialists—who come into this region will find this built-in hospitality to be contagious. They will want to become a part of it.

And I think anyone visiting Morgantown today would have to be impressed by the potential of this area. This city is literally humming with activity.

Here are some of the things I have observed in my few hours in Morgantown:

Dramatic expansion of West Virginia University and its facilities—extensive grading for construction of a new four-lane highway into the city—development of the old Morgantown Ordnance Works into a valued and job-producing industrial park—and expanded and highly attractive airport—development of an outstanding recreation area around beautiful Lake Lynn—preparation for construction of a new national training school for boys—extensive building of new homes and apartments—beautification of the downtown area—and I could go on and on.

Gentlemen, my numerous business visits here and the reports I receive indicate that the Morgantown story is one being repeated in towns throughout the territory served by Allegheny Power System. And most of our territory is in that section of the Nation sometimes referred to as Appalachia.

It is my contention that any objective person visiting Morgantown—and other bustling communities in this region—must come away with a feeling of optimism. There is no air of defeatism here.

The officers and directors of Allegheny Power System, and its operating companies, have strong faith in your future—and consequently—our future.

We are expressing this faith in a concrete manner—in the investment of large sums of dollars. One of the more effective tools we have developed is the creation and operation of an area development department in each of our operating companies.

These departments are manned by a number of specialists. Their basic function is to undertake any and all activities which can contribute to the economic development of the area we serve. I think the purpose should be obvious. Only as the economy of our territory grows and prospers can we grow and prosper.

And the economy can only grow and prosper as new jobs, bigger payrolls and larger profits are created. Through our area development staffs we are working closely with our railroads, local, State, regional and Federal agencies; factory locating services; colleges and public school systems; chambers of commerce; industrial development organizations and all other interested agencies, organizations and persons.

This business of area development is highly competitive—particularly in the industrial end. But I am pleased to announce that our companies report that they are engaged in one of the busiest periods in their histories. In fact, they are working on more active industrial projects this year than ever before.

Gentlemen, we are moving forward in our part of Appalachia. And the Allegheny Power System is proud to play an active role in the overall team effort that is bringing about these dramatic results.

Of course we are also demonstrating our confidence in Appalachia's future by the very groundbreaking we held today and the construction work that is to follow at Fort Martin in coming weeks and months.

Let me run through some figures I think will interest you:

In the years through 1970 Allegheny Power System will spend nearly \$350 million on new construction in the coalfields of West Virginia and western Pennsylvania and in adjoining Maryland. That expenditure will be for the two-unit station at Fort Martin and the extra high voltage transmission line to carry power to major markets throughout the East, and also for regular transmission and distribution facilities.

By 1970 our powerplants, including Fort Martin, will be burning over 9 million tons of coal each year which even under modern mining methods will mean steady employment for some 2,500 miners.

Let me give you some more figures to round out the contribution to the economy of Appalachia for the same period through 1970 by all of the investor-owned electric companies, including Allegheny Power, which serve the region.

They will spend over \$2 billion for plant and equipment to be located there.

Steam electric powerplants having a capacity of 7 million kilowatts are under construction or planned.

Those plants and other plants to be built outside the region will burn around 28 million tons of coal mined in Appalachia.

All of you are certainly aware that this huge additional consumption of coal will mean many more coal mining jobs as well as heavy construction payroll.

There can be no question that Allegheny Power System and its neighboring investor-owned electric utilities care about the future of Appalachia and its people. And we care enough to invest our dollars to make that future a bright and prosperous one.

It has been a sincere pleasure to have you with us on this occasion. As a memento of this groundbreaking day, to further demonstrate our appreciation, we have a specially inscribed gold shovel for each of you. You will receive them as you leave the room. Incidentally, they were made in West Virginia.

REMARKS OF DENNIS L. McELROY, EXECUTIVE VICE PRESIDENT, CONSOLIDATION COAL CO., MORGANTOWN, W. VA., SEPTEMBER 11, 1964

Consol is happy to be a part of this Fort Martin industrial development, particularly with our old friends the Allegheny Power system. We are glad to be large users of their electrical energy and most happy to be a substantial supplier of their fuel needs.

The Fort Martin plant is the conclusion of the planning and aggressiveness of Allegheny Power.

To supply the fuel for this plant—northern West Virginia coal—will bring to this area 400 to 500 jobs. This is being done without the use of the ARA or any other Government handout. The economic push this plant and the attendant coal mining are giving this territory is 100 percent private financing, planning, and execution; and adding taxable income to local, State, and Federal Governments—in reverse of Government financial support.

The mine employment to produce the fuel for Fort Martin means about \$3 million per year in wages and salaries plus roughly \$750,000 per year in fringe benefits of one kind or another.

This coal production will require approximately \$2,200,000 per year for materials, power, and supplies.

It has been my pleasure as well as many others in Consol to have not only business but personal friends in both West Penn and Monongahela Power. In days past, Joe Buchanan, Ord Lough, Clint Spurr, Phil Powers, and Don Potter did much to help me and educate me in the ways of the business world—just have the present officers of these companies.

The very best wishes of Consol go to Allegheny Power in this, which I am sure will be a successful venture. Also our congratulations to all the people of this area on getting this most important industrial development. Any area would be "tickled to death" to land such a plant.

We have been and certainly plan to continue to work as partners of Allegheny Power to get the maximum sound industrial growth of the whole western Pennsylvania area and the northern and central part of West Virginia which they serve. Thank you all very much.

## Self-Determination Only Solution for Cyprus

### EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 1964

Mr. FOGARTY. Mr. Speaker, in the belief that the principle of self-determination for all nations is in the best tradition of American democracy, I have followed the recent tragic events on the island of Cyprus with grave concern. Recently I was asked for a public statement of my views on this issue by Rhode Island members of the Order of Ahepa, which is a well-known national organization whose members are American citizens of Greek descent. Under leave to extend my remarks in the RECORD, I include that statement:

Almost four-fifths of the people of Cyprus are Orthodox Greeks. Today, as in the long centuries of their past history, they are Hellenistic in culture and ethnic character. Though Cyprus has been overrun by many foreign invaders—including the Moslem Arabs, the Franks, the Venetians, the Turks, and the British—her people have remained steadfast in their adherence to their religion and their ancient Greek heritage.

As a result of their determined struggle for freedom, they gained a guarantee of independence from Britain in 1959. Under the international agreements made in Zurich and London, however, the autonomy of Cyprus was nonetheless limited when Britain, Greece, and Turkey retained certain privileges of intervention. Consequently Cyprus has not yet attained its true independence.

This situation has been attributed to a desire to protect the interests of the Turkish minority which continues to live on the island as a residue of the colonization policies of the Ottoman Empire, which dominated the area from 1571 until Britain took control in 1878. Actually, the present arrangement, because it denies the will of the

majority, has resulted in nothing but increasing hostility and violence.

It is now increasingly evident that no solution short of true self-determination can resolve the Cyprus situation, which remains not only as an unjust compromise that the Cypriot Greeks cannot accept but also as a threat to world peace. It may eventually prove necessary to arrange an exchange of the Turkish minority with Greeks living under Turkish rule. But I believe that this is a last resort which could be avoided if the Greek majority were given true independence with the establishment of constitutional guarantees of the rights of the minority.

The source of the present disorders is the frustration of the just aspirations of the Greek majority for true freedom. Americans, whose nation was born out of a hard fight for self-determination, cannot fail to appreciate the struggle of the Greek Cypriots, who are bound together by a common faith, a common desire for liberty, and a common devotion to the culture of ancient Greece where the ideal of democracy was first born.

### The Space and Shipping Program in Louisiana

#### EXTENSION OF REMARKS

OF  
**HON. HALE BOGGS**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 1964

Mr. BOGGS. Mr. Speaker, when I first went to work with some of my colleagues to bring the space age to South Louisiana, I knew of the vast potential of the program, but the realities are now exceeding the expectations.

It was just a short 3 years ago when Mayor Schiro made the first announcement about the reactivation of the Michoud plant. At that time few of us realized that this program would constitute the single most important industry that has come to South Louisiana since we were admitted into the Union in 1812.

Its impact almost defies imagination as will be shown by some statistics which are included herewith.

However, let me first point out that all thoughtful students of history and political science know that government is best when it is closest to the people. That is why I have voted over the years to strengthen our city, parish, and State governments and to support our basic concepts of city, parish, and States rights. Some thoughtless critics, however, would have us believe that our U.S. Government has no role in our 20th-century space era. This, of course, is untrue.

Commonsense dictates otherwise. To give a few examples: we all know that it required the U.S. Government to perfect the nuclear defense system upon which all of us depend for the preservation of our freedom and liberty from our Communist enemies. We all know that it took years for us to convince the U.S. Congress of its responsibility in flood control, navigation, shipping, and shipbuilding. And we all know that an undertaking such as the space program, with its limitless promise for the future

to our beloved Louisiana, requires the direction of a National Government. These are matters that all sensible Americans agree on.

Recently, Mr. James Webb, Administrator of the National Aeronautics and Space Administration, visited Michoud and here is what he said as reported on September 15, 1964, in the Times-Picayune. The article follows:

ON MOON BY 1969 WEBB FORECAST: SAYS

#### MICHOUD PLAYS TOP ROLE IN GOAL

U.S. scientists' progress in the development of moonshot vehicles was described Monday as very good by the Administrator of the National Aeronautics and Space Administration.

"If things work well, we'll be there by late 1969," said James Webb of Washington, D.C. "This would not be possible if it were not for Michoud."

Webb was in New Orleans to meet with former members of the NASA New Orleans Coordinating Committee, which was formed in 1961 by Mayor Victor H. Schiro to assist NASA in establishing the Michoud operations.

He predicted that the Michoud operation will remain a center of space activity for many years. "The South is the focal point of assembly and tests for our space exploration vehicles."

Michoud has been responsible for vast growth in the area, Webb added. He pointed out that 70 apartment buildings have been constructed in the New Orleans area, there are 36 new subdivisions with 1,346 new homes and 176 new businesses have resulted.

The Michoud operation and Mississippi test site are critical areas in rocket development, the NASA Administrator stated. Some \$170 million in wages will be paid to the employees at Michoud during the 1965 fiscal year.

At present, he said, 11,505 persons are employed at Michoud and \$927 million in contract work has been let at the plant since operations began.

Editorial comments were, of course, in order as a result of his statement. I quote below the Times-Picayune editorial, "High Expectation" of September 15, 1964, and another from the New Orleans States-Item, of the same date, entitled, "Gage Michoud's Worth":

#### HIGH EXPECTATION

New Orleans and the national space program have come a long way together. And in the optimistic view of James Webb, Administrator of the National Aeronautics and Space Administration, we will continue the mutually beneficial journey far into the future and the reaches of space.

Visiting here, Mr. Webb said: "The South is the focal point of assembly and tests for our space exploration vehicles."

In other words the world's most powerful rockets are being assembled here and soon will be undergoing static tests in Mississippi for the leap to the moon.

New Orleans and surrounding areas have accepted their roles in this effort, striving to welcome and accommodate the influx of specialists who have come here to plan and build the mammoth boosters. Local resources and manpower have been marshaled to the effort.

The return to the New Orleans area has been in equally generous measure. Mr. Webb noted that \$927 million worth of contracts have been let at the Michoud plant; 11,505 persons have been employed there which will bring \$170 million in wages into the area during the current fiscal year. This has meant an economic boom to New Orleans of considerable proportion, measurable in

176 new businesses, 1,346 new homes, and 70 new apartment buildings.

And there still is a long way to go, before the first astronaut sets foot on the moon about 1969. This will require continuing and expanded efforts on the part of the community, of which the Michoud operation has become an integral part.

But the rewards—both in terms of scientific accomplishment and economic reward—make it a journey to be anticipated with high expectation.

#### GAGE MICHOUD'S WORTH

Assessing the value to New Orleans of the Michoud Saturn moon rocket plant, James E. Webb, Administrator of the National Aeronautics and Space Administration, trotted out facts and figures that are indeed impressive.

First, he articulates what has been apparent for several years now—that the rocket assembly facility will be a local fixture contributing enormously to the area's economic well-being for a long time to come.

Mr. Webb discloses that 11,505 persons are currently employed at Michoud and that they will earn some \$170 million in wages during the current fiscal year.

At the same time he notes that \$927 million in contract work has been let at the plant since operations got underway in 1961.

Including other than major contracts for production of boosters, however, NASA arrives at a figure in excess of \$1 billion. And New Orleans firms have shared heavily (to the tune of 76 percent of total value) in contracts for modifying existing facilities and constructing new ones.

Mr. Webb, here to confer with local officials, touched on the current building and business boom, which he said stems largely from Michoud activities:

"Since the present operations have been underway, a tremendous growth has taken place in the New Orleans area. Seventy apartment buildings have been built. There are 36 new subdivisions, with 1,346 new homes, and 176 new businesses have resulted."

His observations complement a NASA news release issued last week on the occasion of Michoud's third anniversary. The agency described the space plant's impact on the community as "exceeding even the most liberal estimates of 3 years ago."

The report attributed 27,000 new jobs to the Michoud operation and said these workers are now providing an additional \$4.5 million each year in city and State sales and income taxes.

It is noteworthy that the impact of Michoud has been more profound than previously imagined. And, as the United States moves more fully into the space age, guesses as to the plant's ultimate worth to the community will likely continue to be inadequate.

Prior to Administrator Webb's visit to our South Louisiana installation I was concerned about a letter which had been directed to the editor of the New Orleans States-Item derogating the value of the space program in our area, and I thereupon wrote a letter to the editor outlining what the program means to us. That letter follows in full:

AUGUST 14, 1964.

The EDITOR, NEW ORLEANS STATES-ITEM,  
New Orleans, La.

DEAR SIR: A fortnight ago one of our citizens, in a letter to the editor, quoting a news magazine, purported to show that Louisiana is only obtaining \$75 million as a result of the space program.

This misinformation was corrected in your lead editorial of July 25.

In order that our people may fully understand the tremendous impact of the space

program, I have gathered from the most reliable public and private sources the following verified facts:

1. Total employees at the Michoud plant, August 13, 1964, 11,155.

2. Estimated total number of jobs created in the New Orleans area, including both employment at the Michoud plant and the nearby telecomputing center at Slidell, La., and the added employment in the area firms doing subcontract work, 26,000.

3. Estimated total increase in personal income per year as a result of salaries and wages at the Michoud plant and at area firms doing subcontract work, \$170 million.

4. Estimated total salaries and wages per year at the Michoud plant, \$85 million.

5. Estimated total increase in effective buying income as a result of salaries and wages at the Michoud plant and at area firms doing subcontract work, \$114.6 million.

6. Estimated total increase in effective buying income as a result of salaries and wages paid at the Michoud plant alone, \$72.3 million.

7. Total number of subcontracts awarded to New Orleans area firms as an outgrowth of the prime contract space work being done at Michoud, 258 (as of July 1, 1964).

8. Total dollar value of the 258 subcontracts awarded to New Orleans area firms as an outgrowth of the prime contract space work being done at Michoud, \$31,724,709 (as of July 1, 1964).

9. Grand total dollar value of subcontracts awarded to all firms as an outgrowth of prime contract space work being done at Michoud, \$41,545,205 (as of July 1, 1964).

10. Grand total number of subcontracts awarded to all firms as an outgrowth of prime contract work being done at Michoud, 306.

11. Total percentage of subcontracts awarded to New Orleans area firms as an outgrowth of prime contract work being done at Michoud, 76.4 percent.

12. Estimated total revenues to the State of Louisiana per year by virtue of sales taxes from employees at the Michoud plant and their families, \$2,386,000.

13. Estimated total revenues to the city of New Orleans per year by virtue of sales taxes from employees at the Michoud plant and their families, \$1,168,000.

14. Estimated total revenues to the State of Louisiana per year from State income taxes from employees at Michoud and their families, \$758,000.

15. The program has already accounted for 1,300 new homes, 36 new subdivisions, and 70 new apartments and many more will be required.

16. Total value of all contracts (both prime contracts and subcontracts to New Orleans area firms) awarded for space work at the Michoud plant and related work in conjunction with the prime contract work, almost \$1 billion.

Thus it is shown that this program is one of the most important things that has happened to our State in its entire history, and I am proud that I played a leading role in making it possible for our people.

Sincerely,

HALE BOGGS,  
Member of Congress.

Mr. Speaker, I shall not dwell on the many programs which this Congress has enacted such as the tax reduction bill—resulting in the greatest period of employment at the highest wages in history in my section of Louisiana, or the recently passed trade acts bringing record business to our port—but I must mention the Avondale Shipyard. That shipyard, located on the banks of the great Mississippi River in Jefferson Parish, La., is now the largest in the United States. Its productivity compares favorably with

any shipyard in the world. It is building the most modern ships in our merchant fleet as well as some of the most complex vessels in our nuclear Navy.

This shipyard is providing about 5,000 jobs and an annual payroll of about \$40 million. This program combined with the implementation of the Merchant Marine Act of 1936, giving life and energy to such magnificent steamship lines as Lykes, Mississippi Shipping Co., and others, means at least \$100 million a year in payrolls to our area.

These programs have greatly strengthened our free enterprise system so that today more of our people are gainfully employed in private enterprise, owning their own homes and enjoying the blessings of freedom than ever before.

They will return many billions over their cost to industry, to our business community, to our port and shipping, to professional and working people, to our homebuilders, contractors and real estate developers, to our farmers, fishermen, cattlemen, timbermen, and to our citizens generally in South Louisiana.

When one also considers the almost explosive growth of the petro-chemical industry, as represented by Shell, Monsanto, American Cyanamid, Du Pont, Union Carbide, and Kaiser, to mention some, in the great parishes of Jefferson, St. Charles, St. John the Baptist, and St. James—fast becoming the Ruhr Valley of America—it is no wonder so many of my colleagues say to me, "How does Louisiana obtain so much?" I like to feel, Mr. Speaker, without being immodest, that the answer to that question lies, at least in part, in the hard work which I have been privileged to do for my district over the years, because of the sustaining confidence and friendship of the people that I represent.

### Wheat Dumping

#### EXTENSION OF REMARKS

OF

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 1964

Mr. NELSEN. Mr. Speaker, at the very time when thousands of American farmers are individually withholding this year's wheat crop hoping to boost the sagging price, it must be a bitter pill for them to swallow knowing the Government has been dumping 90 million bushels on the market since the 1st of July, thereby depressing prices even further.

I would like to call the attention of my colleagues to the commodity letter appearing in the September 15 issue of the Wall Street Journal reporting this double dealing. The Journal notes that during the last week of August alone, the Commodity Credit Corporation—Orville Freeman's shop—dumped nearly 40 million bushels on the market. The Journal further notes that the 90 million bushels is up by some 52 million bushels over CCC sales last year, an increase of 136 percent.

I would remind you, Mr. Speaker, that the present price of wheat is \$1.33 per bushel as compared to \$1.77 per bushel last year at this time.

And while the Secretary of Agriculture allows this dumping to continue, insult is added to injury when it is reported that America has now replaced Great Britain as the world's leading importer of beef and veal.

Mr. Speaker, surely no one needs reminding importing these two meats, along with dumping policies resulting in domestic overproduction, are largely responsible for the catastrophic price slump livestock producers all over the country have had to face for the last 2 years.

The Journal report indicates the United States imported nearly 1.7 billion pounds of beef and veal last year as compared to Great Britain's 1.1 billion, making America the No. 1 importer. The British have led in past years.

No wonder, Mr. Speaker, the farmers in Minnesota expressed so much gloom about their financial future in a recent statewide poll. They realize their supposed friends in the Department of Agriculture are undercutting their markets.

No wonder, Mr. Speaker, more than 2 million farmers have had to give up their farms in the last 4 short years.

### Outstanding Reserve Airman

#### EXTENSION OF REMARKS

OF

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 1964

Mr. GONZALEZ. Mr. Speaker, it was my pleasure recently to meet the outstanding Reserve airman in the Continental Air Command, M. Sgt. Elmer F. Schilling.

Sergeant Schilling is a resident of San Antonio, and his honor of being selected the outstanding Reserve airman for the Continental Air Command is a personal achievement of the first magnitude. There are about 250,000 Reserve airmen in this command, and this man stands out above all of them. He is one of the less than two dozen outstanding airmen in the U.S. Air Force. There are, of course, thousands—hundreds of thousands of fine, dedicated men like Sergeant Schilling in active service and in the Reserves. But no matter how fine all these men are, there are always a few who are truly outstanding, and Sergeant Schilling is one of these.

Sergeant Schilling is the outstanding airman in the 433d Troop Carrier Wing—a unit which is distinguished in its own right. He has been in the Air Force now for a total of 19 years. Until the Cuban crisis he was a civilian, or weekend airman, but when this great crisis struck, Sergeant Schilling volunteered for active duty and has been there ever since.

As a member of the cadre of the 433d Troop Carrier Wing, Sergeant Schilling

has made strenuous and dedicated efforts to attract high quality men and to retain them. His efforts have resulted in a 100-percent effective manning for his unit.

This is also a man of courage, for on two occasions in 1963—both within mere weeks of each other—he risked his life to jettison heavy equipment from his stricken C-119 aircraft. These acts are credited with saving possible serious injury to the crew of his craft.

Elmer Schilling is an outstanding airmen, an outstanding family man—a credit to himself and his community. Mr. Speaker, I am proud to count him among the residents of my district and proud to salute him before my colleagues.

### Appalachia Program Is Needed

#### EXTENSION OF REMARKS

OF

**HON. WILLIAM H. HARSHA**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 21, 1964*

Mr. HARSHA. Mr. Speaker, there is a dire need for the passage of H.R. 11946, called the Appalachian Regional Development Act, and I most sincerely urge the leaders of this Congress to schedule this bill for debate on the floor of the House of Representatives, and respectfully submit to the Congress, as a whole, that this is a worthwhile, realistic approach to the needs of the people and communities in the Appalachian area.

This bill is a program for physical resource development of the area and not the usual approach of Federal hand-outs. Its purpose is to assist the region in meeting its special problems, to promote its economic development and to establish a framework for joint Federal, State, and local efforts toward providing the basic facilities essential to its growth.

This measure, in contrast to the war on poverty bill, retains the historic concept of Federal, State, and local participation.

I believe in and have always believed in fiscal responsibility, particularly on the part of Government, and I consider the provisions of this act to be consistent with these views. The additional funds which will be spent in Appalachia represent a positive investment in the region's economy. These funds will be used to build the types of facilities which can generate employment and economic growth. It is my hope and expectation that the kind of expenditures called for in H.R. 11946 will inevitably mean reductions in the enormous amounts of money the Federal Government now spends for public assistance in Appalachia.

Almost 6 percent of Appalachia's total population are receiving welfare payments as against 4 percent in the rest of the Nation, and the price tag for Appalachia has been running at almost \$500 million per year. As the President's Appalachian Regional Commission has aptly pointed out, the cost of welfare re-

lief is high in these areas where the roots of free enterprise have been undernourished.

This bill will make Appalachia more attractive to industry, to recreation seekers, and to its own people through such provisions as the construction of sewage-treatment plants, restoring strip-mined lands, and construction of adequate highways.

It has been said that this program creates highways looking for traffic rather than the usual approach of constructing highways to take care of existing traffic. I must agree in part with this, but this is one of the basic problems of the Appalachian area. It is inaccessible, in its present state, to industry and recreation seekers and it is because of this inaccessibility that many of the communities are not keeping abreast of the growth of the Nation.

In an effort to make it accessible to industry, recreation seekers, and others, this road construction program is greatly needed. Surveys by industry and highway users have indicated that economic growth and industrial growth usually generate around areas readily accessible by highway and adequate roads, and it is for this reason that the road program was placed in the Appalachia bill.

Being near a good highway and access to markets are factors of increasing importance in the location of today's industrial plants.

Highways assist in developing new and vacant land, improve production efficiency because of better access to markets and are shaping the locational patterns of today's industry much as rails and water did generations ago.

The highways and access roads provided for in this legislation should enhance the industrial development of the Appalachia region.

Among the most sensible and most essential sections of this act are those which will provide direct benefits to the communities of Appalachia in the form of flood control works, hospitals, vocational education schools, and other necessary public facilities. Economic development at the local level has been difficult in Appalachia—not because the people lack either the desire or the know-how, but because they do not have sufficient financial resources.

I respectfully urge this Congress to pass this needed, worthwhile legislation.

### Congressman Pillion Reports to Citizens of 39th Congressional District of New York

#### EXTENSION OF REMARKS

OF

**HON. JOHN R. PILLION**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 21, 1964*

Mr. PILLION. Mr. Speaker, I consider it a privilege to report to the citizens of the 39th Congressional District of New York upon the actions of the 88th Con-

gress—years 1963 and 1964—and upon the administration of the affairs of the Nation.

During this term of Congress, our Nation suffered a most tragic loss in the assassination of President John F. Kennedy. The House of Representatives set aside December 5, 1963, as a day for the payment of tribute to the memory of President Kennedy.

I quote from my eulogy:

President Kennedy was truly great. He had a grandeur of spirit, a nobility of mind, a generosity of heart and the courage of action. He sought to sublimate and to activate this Nation toward higher concepts. President Kennedy was, at all times, motivated by an urge to improve the lot of mankind.

On September 10, 1964, in a letter to the Chief Justice Earl Warren, Chairman of the President's Commission To Report Upon the Assassination of President Kennedy, I expressed the conviction that Lee Harvey Oswald's assassination of the President was wholly influenced and motivated by his Communist ideology, training, associations, and objectives.

I quote from my letter to the Warren Commission:

The circumstantial evidence is sufficient to exclude to a moral certainty, any other hypothesis, except that Lee Harvey Oswald assassinated President Kennedy to advance the world Communist plan designed to ultimately destroy the United States and the free world.

President Kennedy's last sacrifice will have been in vain if the true cause of his death is not identified, so that the American people and their Government can be fully alerted to, and informed of the sinister, secret, complex, universality, and immediacy of the dangers of the Communist world apparatus.

The 39th Congressional District contains almost a half-million persons. I am proud of the patriotic and knowledgeable interest these citizens have shown in the many current, important, often critical, domestic and international issues. The tens of thousands of letters and telegrams sent to me each year indicate a close and mutually beneficial communication for the betterment of this Nation and its people.

This review and evaluation of our Federal Government's operations is limited to those matters that most directly and deeply affect the citizens of the 39th Congressional District of New York.

#### FOREIGN IMPORTS—UNEMPLOYMENT—TARIFFS

Western New York industries employing more than 40,000 wage earners are suffering from foreign imports. The principal industries include steel, pig iron, cellophane, dyes, cement, electronics, copper, and brass.

The United States is now engaged in tariff reduction negotiations at the General Agreement on Trade and Tariffs—GATT—Conference at Geneva. The Trade Expansion Act of 1962 delegates to the President the power to reduce U.S. tariffs on foreign imports up to 50 percent.

The United States announced, last spring, its policy to negotiate sweeping 50 percent across-the-board tariff reductions. Both industry and labor immediately recognized that these arbitrary

tariff reductions would cause further flooding of U.S. markets with cheap labor foreign imports.

Additional foreign imports would cause severe injury to employment and industry in Western New York. New York State is considered to be a high production cost area for manufacturers. Due to the St. Lawrence Seaway, Buffalo is now a seaport, and is particularly vulnerable to foreign imports. A number of industries in Buffalo are operating on a marginal basis. Any sizable increase in foreign imports would close a number of plants, and reduce employment in other plants.

#### RECIPROCAL TRADE—BALANCE OF PAYMENTS

I favor international trade where economic benefits are mutual. But, the State Department's proposed sweeping tariff cuts are based upon political and diplomatic considerations rather than economic.

Due to cheaper labor costs, Japan and Europe would increase their exports to the United States far more than any increase in U.S. exports, if a 50-percent tariff reduction is agreed upon.

Tariff reductions should be carefully selected, based upon minimum job and industry dislocations and a maximum of mutual benefits.

The proposed U.S. tariff reductions would not only damage U.S. industry and eliminate jobs, but would also further increase the U.S. deficit in its international balance of payments. The United States has been running an annual deficit of more than \$2.5 billion. The increasing drain upon our dollars and the increasing surplus of U.S. dollars held by foreign nations is a continuing threat to our gold reserves, to our international credit, and to the stability of the U.S. dollar in world commerce.

#### JOBS—FOREIGN STEEL AND IRON

The prospect of a flood of foreign imports has alarmed industry and labor across the Nation. At recent public hearings before the U.S. Tariff Commission and the State Department, more than 800 industries filed objections and briefs substantiating the injury to industry and labor that would result from further tariff reductions.

Steel and pig iron are large employers in Western New York. These industries are seriously suffering from foreign imports.

Mr. David J. McDonald, president of the United Steelworkers of America, recently stated that the United States exported only 1 ton of steel to the European Common Market for every 10 tons they exported to the United States.

The U.S. steel industry estimates that increased foreign steel imports would displace 70,000 American steelworkers' jobs over the next 3 years.

The U.S. tariff on foreign heavy structural steel is \$2 per ton. European tariffs on the same steel from the United States varies from \$13.84 per ton in the United Kingdom to \$46.30 per ton in France. Canada's tariff on the same steel is \$33.25 per ton.

#### MERCHANT IRON

Employment in the pig iron industry in Western New York has been severely

depressed. Foreign imports have almost doubled from 1960 to 1963. The U.S. tariff on foreign pig iron is 20 cents per ton, while most foreign nations impose a \$7-per-ton tariff.

U.S. production costs for pig iron average about \$70 per ton. Foreign pig iron is being sold at prices from \$50 to \$65 per ton.

Foreign pig iron from Communist East Germany is being imported and sold in the United States as low as \$35 per ton.

#### CONGRESSIONAL ACTIONS TO PROTECT U.S. JOBS AND INDUSTRY

In order to protect U.S. jobs and industry, I have taken the following actions in this Congress:

First. On July 1, 1963, I introduced legislation to strengthen the Buy-American Act by requiring the Federal Government to give preference to U.S. steel in governmental steel purchases.

Second. On July 1, 1963, I introduced a bill to require the U.S. Government to purchase U.S.-manufactured steel for its foreign construction needs.

Third. On July 1, 1963, I introduced legislation designed to strengthen the Antidumping Act, and to protect U.S. jobs and industry from foreign goods dumped into the United States at less than the foreign market price.

This bill would give labor a voice in antidumping hearings by requiring the U.S. Tariff Commission to consider injury to labor as a separate criteria from injury to industry.

Fourth. On April 14, 1964, I drafted and introduced legislation to further tighten the antidumping law. Instead of the present requirement that U.S. industry must prove injury, my bill would require the importer to show there is no injury, after a finding by the U.S. Treasury Department that foreign steel or other products were being imported at below world market prices.

Thirty-five other Congressmen joined me in introducing the same bill as a bipartisan measure.

Fifth. On April 28, 1964, 73 Congressmen, including myself, addressed a letter to President Johnson, urging him to reserve synthetic organic dyes from tariff reductions.

Sixth. On May 28, 1964, I wrote to President Johnson and to Special Representative for Trade Negotiations, Mr. Christian A. Herter, asking them to reserve steel products from tariff reduction negotiations.

Seventh. After a long series of conferences, I drafted and introduced H.R. 11797, designed to protect American jobs, industry, and agriculture where a definite criteria of injury exists. This bill prescribes levels of damage to industry, agriculture, and labor, under which a substantial segment of labor would be protected from tariff reductions.

The following is a partial list of industries to be protected from tariff injury: steel, dairy products, beef, copper and brass, glassware, brick, electronic products, cement, dyes, chemicals, auto parts, cellophane, pig iron, rubber.

Following the introduction of my bill, H.R. 11797, 76 other Representatives, of both parties, introduced identical legis-

lation in a bipartisan effort to protect American jobs and industry.

Eighth. On August 18, 1964, six other Congressmen, including myself, joined Congressman THADDEUS J. DULSKI in a letter to President Johnson, urging him to reserve cellophane from the pending tariff reduction proposals.

Since the introduction of these bills, the State Department has indicated some modification of its previously stated objective to negotiate for indiscriminate 50 percent across-the-board tariff reductions.

#### COINAGE—SILVER

Businessmen, banks, and citizens have been seriously inconvenienced by the acute shortage of coins. Many factors have contributed to this shortage. Although vending machines, toll roads, and so forth, are partially responsible, the principal cause for the coin shortage is the unprecedented increase in collectors, hobbyists, and citizens who are holding large numbers of coins as a hedge against inflation, anticipating an increase in the price of silver.

The normal average annual new coin requirement for the past 5 years has been about 3.5 billion coins. In the last fiscal year ending June 30, 1964, the two U.S. mints at Denver and Philadelphia have produced 4.3 billion coins.

The explosive increase in the demand for coins overtaxed the capacity of U.S. mints. Corrective action has been taken by reopening the San Francisco mint, and by substituting purchased metal strips and blanks in place of their manufacture by the mints.

Stepped up production in our present mints will produce 8 billion coins in fiscal year 1965, which began on July 1, 1964. This immense coin output is expected to completely satisfy all public demand. A completely new mint is in the process of design and construction at Philadelphia. This mint will begin production by 1967, with an annual capacity of 9 billion coins.

#### SILVER—PRICES—SUPPLY—DEMAND

The price, supply, and demand of silver is closely related to this Nation's coinage problems.

The present price of silver is \$1.29 per ounce. This ceiling price is maintained by the U.S. Treasury selling silver out of its reserves to manufacturers. The world annual supply of silver is about 150 million ounces short of the world demand. If silver prices were to be freed to follow normal supply and demand prices, it would probably increase in price to somewhere between \$1.50 and \$2 per ounce.

The normal silver requirement for U.S. coinage has been about 75 million ounces annually. The U.S. Treasury has on hand about 1,400 million ounces of silver. Under normal conditions, the present U.S. silver stocks would be sufficient to supply our coinage requirements indefinitely.

However, the planned production of 8 billion coins for fiscal year 1965 will consume 250 million ounces of silver. To maintain a ceiling price of \$1.29 per ounce, the U.S. Treasury will sell to manufacturers about 60 million additional

ounces of silver in the next year. At this rate, the U.S. silver supply will be exhausted in less than 5 years.

Today, the U.S. silver dollar has a silver content that is worth \$1 at the present market price of \$1.29 per ounce. The subsidiary silver coins, dimes, quarters and halves, contain silver having a market value of 92 cents per \$1 face value of coins.

It is evident that the United States must very quickly take corrective action to avoid an exhaustion of its silver supply for coinage. The following possible combination of actions are under consideration by the Congress and the U.S. Treasury:

First. The elimination of silver, and the substitution of cheaper metals in our coins;

Second. The reduction of silver to 50 or 60 percent of the present silver content in our coins;

Third. The discontinuance of the sale of silver by the U.S. Treasury to manufacturers, the discontinuance of the \$1.29 per ounce ceiling on silver, and freeing silver to seek its world supply and demand price.

#### HIGHER COFFEE PRICES—INTERNATIONAL COFFEE CARTEL

In September 1962, the United States entered into the International Coffee Agreement with 59 of the principal coffee producing and importing nations. Its purpose is to control the world coffee supply, and thus determine coffee prices.

This treaty created an international cartel with two sets of mechanics for attaining its objectives:

First. Exports of coffee and prices are regulated by annual world export quotas for each coffee year, beginning October 1.

Second. Imports of coffee and prices are to be regulated by import nations limiting coffee imports to only the quota amounts from the treaty-bound nations.

#### COFFEE EXPORT QUOTAS AND HIGHER PRICES

The first part of this international scheme is now in operation and does not require implementation by the subscribing nations.

The International Coffee Agreement nations immediately began fixing restricted quotas for coffee exports from the signing of the coffee treaty in 1962.

Due to a reduction in supply and a stable demand, the retail prices of coffee to the American housewife has risen from 69 cents per pound in 1962, to 91 cents per pound in August 1964.

#### AMERICAN HOUSEWIFE COUGED OUT OF \$600 MILLION ANNUALLY

The American housewife is the main victim of this coffee agreement. The United States imports 50 percent of the world coffee supply. It will consume 3 billion pounds of coffee this year. The retail price increase of 22 cents per pound overcharged the American consumer by \$660 million in higher prices of coffee.

The wholesale prices of coffee have increased 15 cents per pound since 1962, when the quota system began its operations. This means that an additional \$450 million is flowing out of the United States to increase our critical deficit of international balance of payments, and

weaken the U.S. gold and dollar position.

#### COFFEE PRICES TO GO HIGHER

The United States and the other coffee agreement nations are evidently not satisfied with the present prices. They have agreed to create a greater scarcity of supply to reach their objective of even higher coffee prices.

For the present coffee year 1964, the coffee export quota was 48.3 million bags. Last month, in August 1964, the International Coffee Council fixed the coffee export quota for the year 1965 at 48 million bags. This is numerically less than the 1964 supply. But, the coffee demand and increased population increase coffee consumption by 3 percent annually. Thus, there will be an artificially created shorter supply of coffee for 1965 over 1964 of about 1.7 million bags.

I anticipate that this shortage will drive coffee prices up to a range of \$1 to \$1.25 per pound in 1965.

The U.S. Department of State has attempted to justify this treaty on the grounds that it is a good will gesture. As a matter of fact, this scheme is a hidden "back door" foreign subsidy program, without economic justification.

The exportable world coffee stock is 70 million bags—almost a year and one-half supply. There is neither a present nor potential shortage.

When the treaty was debated in the Senate, the State Department's justification was that its objective was to stabilize world coffee prices at the 1962 level. This has been proven to be entirely fallacious.

This cartel is contrary to our national laws prohibiting monopolies and price fixing.

#### COFFEE IMPORT CONTROL

Nations representing about 96 percent of the world coffee exports are parties to the International Coffee Agreement. The treaty binds the importing countries to enact laws to prohibit the import of nonquota coffee. This provision would reinforce the artificially short quota supply set by coffee export nations with laws by coffee import nations that would keep added supplies off the market from non-quota coffee-producing nations. This would perfect the scheme to extract high coffee prices by both a tight export quota and import exclusion to fix a short coffee supply in relation to demand.

Pursuant to the treaty agreement, the State Department sponsored H.R. 8864, to authorize the United States to exclude nonquota coffee. This legislation passed both the House and the Senate in different bills. I voted against this bill on passage in the House.

The conference report, which harmonized the differences between the House and the Senate bills, was debated in the House on August 18, 1964. I took an active and leading part in opposition. The House rejected the coffee bill conference report by a vote of 183 to 194. Further conferences are expected between the House and the Senate.

On August 24, 1964, I addressed a letter to President Johnson, urging him to initiate a withdrawal from the International Coffee Agreement, upon 90 days notice, in conformity with the treaty provisions.

#### SOCIAL SECURITY

On July 29, 1964, the House approved a 5-percent increase in cash benefits under the old-age, disability, and survivors insurance of the Social Security Act, and higher payroll deductions to finance the additional benefits.

This increase in benefits would apply to some 20 million retired workers, widows, and disabled persons.

The House-passed amendment to the Social Security Act includes the following additional changes:

First. Provides limited benefits for about 600,000 elderly people currently ineligible;

Second. Self-employed physicians are brought under the program for the first time; and

Third. Permits widows to retire at age 60, instead of 62, and start drawing reduced benefits.

The 5-percent increase in benefits would take effect in the second month after the measure becomes law.

The House bill also provides for increases in both the social security tax and the wage base subject to deductions. The current tax on employer and employee of 3.625 percent will increase as follows: 3.8 percent on January 1, 1965; 4 percent on January 1, 1966; 4.5 percent on January 1, 1968; and 4.8 percent on January 1, 1971.

Starting in January 1965, the wage base subject to social security tax would increase from \$4,800 to \$5,400.

Under the House bill, a single retired worker receiving the minimum monthly payment would get an increase from \$40 to \$42; the average monthly payment would increase from \$77 to \$81; and the maximum monthly benefit from \$127 to \$133.40.

#### SENATE ACTION ON SOCIAL SECURITY BILL

On September 3, the Senate passed its version of the proposed amendment to the Social Security Act.

The Senate bill provides for a program of health benefits for the aged, to be paid out of the social security fund. This additional proposal would cost approximately \$1.5 billion the first year. It would provide limited hospital, nursing home, outpatient, and home medical care for all eligible persons over age 65.

Other changes approved by the Senate include:

First. Raising social security monthly benefits by a flat \$7, instead of the 5-percent increase approved by the House;

Second. Increasing the wage base on which social security tax is computed from \$4,800 to \$5,600; and

Third. Gradually increasing the total employer and employee tax rate from the present 7.25 percent to 10.4 percent by 1971.

The House and Senate versions of this bill have now been referred to a House-Senate conference committee. It is reported that a majority of the conferees are opposed to the addition of medicare to the social security liberalization bill.

It is expected that a House-Senate compromise bill will report an increase in and liberalization of social security benefits.

## VETERANS' PENSION BILL

The House of Representatives unanimously passed H.R. 1927, to liberalize pension payments and eligibility in non-service-connected pensions for World War I, World War II, and Korean war veterans.

The pending bill would entitle all veterans over 65 years of age to pensions, regardless of disability, if their income is within the prescribed limits. Disability eligibility is also revised for veterans under age 65. The exclusion of various incomes, such as social security, is enlarged in determining income eligibility.

The bill also provides increases for veterans and widows in the low categories of income up to an increase of \$35 per month.

This bill has the support of all veterans organizations.

The Senate Finance Committee reported the House bill, but added an amendment that would reopen the national service life insurance for a period of 1 year to all veterans who served between 1940 and 1956.

Although the Senate itself has not as yet acted upon this measure, it is quite certain that a compromise bill will be agreed upon.

## CIVIL RIGHTS

On July 2, 1964, the President signed into law the Civil Rights Act of 1964.

The major provisions of the new civil rights law relate to the following:

First. Supplementing existing Federal laws against denial of voting rights;

Second. Banning discrimination in places of public accommodation, such as restaurants, theaters, hotels, and so forth;

Third. Desegregation of public facilities;

Fourth. Desegregation of public education;

Fifth. Broadening the duties of the Civil Rights Commission;

Sixth. Nondiscrimination in federally assisted programs;

Seventh. Establishment of an Equal Employment Opportunities Commission;

Eighth. Requiring Census Bureau to gather registration and voting statistics based on race, color, and national origin;

Ninth. Making reviewable, in higher Federal courts, the action of Federal district courts in remanding a civil rights case to State courts; and

Tenth. Creation of a Community Relations Service to aid local communities in reviewing complaints relating to alleged discriminatory practices.

The new law provides for a maximum penalty of 6 months in prison and a \$1,000 fine, for any criminal contempt case arising out of the act.

While the question of civil rights has created a great national upheaval, the passage of the Civil Rights Act of 1964 will, in fact, have very little effect upon New York State. Actually, the existing civil rights laws in New York are more comprehensive than those recently enacted by Congress.

I have always maintained that the basic problem in the relations between the colored and white people is not strictly legalistic. The problem is more extensive, more complex, and deeper than one of legalism.

I do not believe that compulsory integration will provide a workable solution to moral, economic, and sociological problems. Neither do I believe that physical force, threats, violence, or riots by either side serve to solve the fundamental issues involved.

Full equality between the races will require a maximum of understanding, patience and good will by all of our citizenry.

With every civil right, there is a corresponding responsibility. The voluntary assumption of responsibility is a requisite to all our rights. We sometimes overemphasize rights without giving enough thought to the corollary responsibilities and duties of citizenship.

I condemn those leaders, both white and colored, who are misleading our Negro population into believing that their status as citizens can be improved through civil disobedience, riots, and violence. I equally condemn those white race leaders who encourage threats and violence against our Negro population.

The vast majority of our Negro citizens are respectable, law-abiding, loyal Americans. Our Negro people rightfully take pride in themselves, and in their race. I deplore the efforts of the Negro minority who are attempting to exploit the Negro movement.

I sincerely hope that citizens of both the black and white races will give proper balance and emphasis not only to the civil responsibilities that go hand-in-hand with civil rights, but also to the economic, sociological and moral problems that confront this Nation in harmonizing our relations and attaining a maximum of our human aspirations.

## APPROPRIATIONS—SPENDING—TAXES—

## INFLATION

"Democracy in the United States will last until those in power learn that they can perpetuate themselves through taxation."

Higher taxation is the inevitable result of greater spending.

Reduced spending leads inevitably to reduced taxes.

## DEBT AND SPENDING

In June 1964, Congress again increased the debt limit by passing a so-called temporary debt limit of \$324 billion in place of the permanent debt limit of \$285 billion. This is the eleventh time in 9 years that Congress has had to increase the debt limit. I have consistently voted against increasing our debt limit because there continues to be vast unnecessary expenditures in our Federal budgets. This debt represents a Federal first mortgage of \$6,800 upon the future earnings of each family.

The interest charge on this debt is \$11 billion annually, representing \$232 in Federal tax payments each year per family.

The Comptroller General of the United States issues hundreds of reports each year upon the misfeasance, malfeasance, illegalities and wastages that continue to exist in the executive branch of our government.

It is quite evident that billions of dollars per year are wasted upon unnecessary programs, unsuccessful programs, inefficiencies and outright wastages.

The Comptroller General's reports are, in the main, ignored by our Federal Government.

## DEFICITS

Continuing annual budget deficits are deliberately planned to create, for political purposes, an artificial prosperity bubble. Higher living costs and reduced purchasing power for the consumer are inevitable under this plan. There have been deficits in the last 25 out of 30 budgets. The current 1965 budget plans a \$4.9 billion deficit.

## REDUCED APPROPRIATIONS

The House of Representatives has made a creditable record in attempting to reduce the huge and unnecessary spending programs of the executive department.

In February 1963, I was assigned by the Republican members of the House Appropriations Committee as one of five members of a task force to recommend reductions in the President's budget. The appropriations for each department and agency were closely studied in both fiscal 1964 and 1965 Presidential budgets. The task force set targets for reductions of more than \$10 billion for each budget. For the first time, the Republican members of each appropriations subcommittee were given specific appropriation reduction targets under an overall coordinated fiscal plan.

In cooperation with the Democratic majority, the Republican members substantially contributed to produce a \$6.5 billion appropriation reduction below the 1964 budget, and a \$4 billion appropriation reduction below the 1965 Presidential budget.

## REDUCTION IN TAXES

These reductions of \$10.5 billion—many of them were annual savings—in the 1964 and 1965 budgets made the 1964 tax reduction bill fiscally possible.

In February 1964 the Congress finally passed the largest tax cut in the Nation's history. The total tax reduction to 190 million citizens amounted to about \$9 billion annually. The tax reductions for corporations amounted to about \$2.2 billion annually. In addition, corporate taxes were reduced by another \$2 billion per year by liberalized depreciation allowance credits and the investment credit law.

My criticism of these tax cuts was directed not at tax reduction, but at the failure to coordinate tax reductions with spending reductions. To reduce taxes out of borrowed money is fiscal irresponsibility.

In this period of highest prosperity, the least we can do is to operate on a balanced budget, with a stabilized cost of living. I also believe that the tax bill did not give sufficient tax relief to citizens in the middle- and low-income category. Out of a total of nearly \$14 billion in tax relief, only \$5.5 billion was allocated to 85 percent of the families earning \$10,000 per year or less.

## INCREASED PERSONAL EXEMPTION

It is my conviction that the most equitable tax relief that Congress can give our citizens is that of increasing personal exemptions for taxpayers and their dependents. There are too many tax loop-

holes and special interest favoritisms in our tax laws.

During the hearings on the tax bill before the House Ways and Means Committee, I urged the committee members to report at least a \$200 increase in personal income tax exemptions. Under the rules of the House, no such amendment could be offered to the bill during its consideration on the floor.

Mr. George Meany, president of the AFL-CIO, in his address before the House Ways and Means Committee, favored increasing the personal income tax exemption from \$600 to \$800 for each dependent. This very same proposal is contained in a number of bills which I introduced.

#### SMALL BUSINESS

Over 450,000 of the Nation's 585,000 corporations are small businesses, owned with net corporate incomes of less than \$25,000 per year. These small business-owned corporations receive only a small share of the corporate tax cut. The 40,000 largest corporations with net incomes of more than \$1 million per year will receive more than 65 percent of the total tax reduction.

To encourage small business, the \$25,000 income level at which the Federal surtax applies should be increased.

Manufacturers' competition with retailers should be curtailed and "kickbacks" prohibited to preferred large customers.

Greater allowances should be granted where funds are invested in expansion, giving additional employment.

Special consideration should be given to protecting small businessmen from compulsory unionism and union harassment.

#### ERIE COUNTY FLOOD CONTROL AND PUBLIC WORKS PROJECTS

As a member of the House Appropriations Committee, I have had a close association with the initiation of appropriations for the various flood control and public works projects.

Both my Democratic and Republican colleagues have been most generous in granting my requests for these appropriations. Every project in Erie County received appropriations to the maximum capability of the U.S. Army Corps of Engineers.

On August 14, 1964, Col. R. Wilson Neff, who recently became district engineer of the Buffalo district, U.S. Army Corps of Engineers, kindly sent me, at my request, a progress report of the various projects in Erie County. Most of the following summary is extracted from this report.

#### SEAWAY DEPTHS FOR BUFFALO HARBOR

The improvement of the Buffalo harbor has been the largest and most important public works project in Erie County. The total cost is \$20,218,000, of which \$18,579,000 has been appropriated—leaving only \$1,639,000 to be required for completion. Completion of construction is expected in the fall of 1964, with final payment to be made from fiscal 1966 appropriations.

The completion of this project will make Buffalo harbor one of the safest harbors in the Great Lakes. Buffalo will be one of the first ports on the Great

Lakes to have a 27-foot St. Lawrence Seaway depth harbor.

#### BEFORE ALL-AMERICA CANAL SURVEY

This canal would connect Lake Erie and Lake Ontario to permit the bypassing of the Welland Canal.

The economic feasibility survey will cost \$1,825,000. The President's budget eliminated funds for the continuation of this survey. At my request, \$200,000 was appropriated to continue this survey without interruption.

#### BUFFALO RIVER—CAZENOVIA CREEK—CAYUGA CREEK FLOOD CONTROL

Appropriations to cover the full cost of this survey, \$143,000, have been made. Starting out as a flood control study of Cazenovia Creek flooding, it has been expanded to include levees and a multiple purpose dam and reservoir.

This survey will be completed and the report forwarded to Washington in October 1964, for final approval. If there is an economic justification, congressional authorization must be approved before appropriations can be made for construction.

#### SMOKES CREEK, LACKAWANNA

This project is in the construction stage. Federal cost is estimated to be \$2,200,000—local cost is \$1,310,000.

Completion of construction is scheduled for November 1966.

#### TONAWANDA—ELLICOTT CREEKS—AMHERST, CLARENCE, TONAWANDA CREEK—BATAVIA AREA

These two flood control surveys have been combined. The full amount of \$210,000 for the survey has been appropriated.

A multiple purpose dam and reservoir in the Batavia area to hold back flood waters is under study, together with local flood control remedial works in the towns of Amherst and Clarence.

The transmission of the final survey report to Washington is scheduled for July 1965.

#### SCAJAQUADA FLOOD CONTROL—CHEEKTOWAGA, LANCASTER

This survey was authorized and an initial \$20,000 appropriated in the current 1965 budget for the survey. The total estimated survey cost is \$105,000. I expect that additional appropriations will be made to the full capability of the U.S. Army Corps of Engineers.

#### HAMBURG PARK SMALL CRAFT HARBOR—SMALL CRAFT HARBORS—LAKE ERIE

An overall study of small craft harbors on Lake Erie is underway. The total cost is \$520,000, of which \$189,000 has been appropriated.

In Erie County, the sites to be included are, besides Cattaraugus Creek, which is a special project, Hamburg Park, Sturgeon Point, and Buffalo. Of these three, the Hamburg Park site is the only one under active study.

Field surveys for the Hamburg Park site have been completed and office studies are underway. Separate reports will be made of each survey as completed.

#### CATTARAUGUS CREEK—SMALL CRAFT HARBOR, FLOOD CONTROL

This survey combines flood control remedial works with the construction of a small craft harbor. The survey cost of \$40,400 has been fully appropriated.

The Buffalo district of the U.S. Army Corps of Engineers, plans to submit its final report to the Chicago division headquarters in October 1964.

After that submission, local interests will be contacted for their views before final transmittal to the Washington Office of the U.S. Army Corps of Engineers.

After approval of the survey, congressional authorization will be required before construction appropriations can be made.

#### CATTARAUGUS CREEK FLOOD CONTROL—GOWANDA AREA

The flood control survey is estimated to cost \$55,000. The 1965 appropriations contained an initiating \$15,000. Appropriations to the full capability of the U.S. Army Engineers are expected to be continued until completion.

#### CONSERVATION—WATER RESOURCES—WATER POLLUTION

On July 23, 1964, I voted in favor of H.R. 3846, a bill to establish a land and water conservation fund to permit the States to plan, acquire, and develop outdoor recreational facilities.

On July 30, 1964, I voted for H.R. 9070, the wilderness bill. This legislation, enacted into law on September 3, sets aside 54 wilderness areas throughout the country that will be preserved in their primitive state. A total of 9 million acres of federally owned land is permanently placed in the wilderness system by the act.

#### WATER RESOURCES

On July 2, 1964, I voted for S. 2, the Water Resources Research Act of 1964. This measure establishes local water resource research centers, and provides facilities for a national program of water research. The water research centers will be concerned with municipal, regional and national water problems.

#### WATER POLLUTION

I have been greatly concerned with the problem of water pollution in the Great Lakes. I have been especially interested in the now critical pollution problems in our own Lake Erie. At present, the Great Lakes are in international waters.

In 1909, Canada and the United States formed an International Joint Commission for the purpose of studying the water pollution problems in the Great Lakes.

In an effort to provide a practical solution to the problem of water pollution, I have introduced the following legislation:

First. A bill to amend the definition of "interstate waters," in the Federal Water Pollution Control Act, to include the Great Lakes. This would bring Lake Erie within the jurisdiction of the Federal Government, in addition to the jurisdiction of the State of New York.

Second. A bill to abate the pollution of the waters of Lake Erie, the Niagara River and their tributaries. This measure establishes regulations, enforcement procedures and penalties for the industrial pollution of these waters.

Third. A bill to encourage the prevention of water pollution by allowing the cost of treatment works for the abatement of stream pollution to be amortized at an accelerated rate for income tax purposes.

I have urged the U.S. Public Health Service, the House Subcommittee on Pollution and Water Resources, the International Joint Commission, and the U.S. Army Corps of Engineers to expedite their present studies of the critical water pollution problems in Lake Erie.

Further legislative action must await the completion of the intensive studies now underway by the U.S. Public Health Service and other Federal and international agencies concerning the causes, the extent and the necessity for remedial measures relating to pollution in Lake Erie.

#### SCHOOL PRAYER

In two separate cases, one in 1962, and one in 1963, the Supreme Court ruled that prayer and Bible reading in public schools is unconstitutional.

The Court held that the recitation of prayers in the public schools violated the first amendment to the Constitution, which states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." These decisions gave rise to a wave of controversy, both in Congress and throughout the Nation. Members of Congress have received tens of thousands of letters, telegrams and petitions expressing great concern over the action taken by the Supreme Court.

Representative FRANK J. BECKER, Republican, of New York, on January 9, 1963, introduced the first of many bills proposing a constitutional amendment which would permit voluntary prayer in the public schools.

After refusal by the House Judiciary Committee to hold hearings, Representative BECKER filed a discharge petition which, if signed by 218 Members, would bring the proposed constitutional amendment directly to the House floor. I was privileged to be among the first to sign the discharge petition. To date, 179 Republican and Democratic Members of the House have signed Representative BECKER's petition.

Representative BECKER contends that the recital of a nondenominational prayer in a public school is in no way an "establishment of religion." It has also been pointed out that the minimal recognition of God, on a voluntary basis, in our public schools, could not be considered inconsistent with the "freedom of religion" concept of our Founding Fathers.

In a dissenting opinion in the first "school prayer" case, Supreme Court Justice Potter Stewart said:

I cannot see how an official religion is established by letting those who want to say a prayer say it.

As a result of steadily increasing pressure from both the American public and individual Members of Congress, hearings on the "school prayer" bills were held by the House Judiciary Committee from April 22 to June 3, 1964. As of this date, no further action has been scheduled by the committee.

It should be noted that, to amend the Constitution, a bill must pass both the House and the Senate by a two-thirds vote, and then be approved by three-fourths—38—of the States.

#### THE WHEAT-COTTON PROGRAM

The wheat-cotton bill is one of the most iniquitous programs to be enacted into law.

The 2-year program for wheat and cotton was passed in April 1964. It had the effect of lowering the price of wheat in 1964 from \$2 to \$1.72, when diversion payment is included. A further reduction to \$1.67 per bushel is a certainty under the regulations promulgated by Secretary of Agriculture Freeman.

Farmers, this year, will receive \$2.25 billion, or 17 percent of their net income from the Federal Government. This is an unhealthy and alarming trend. It is converting our farm population into a "captive class" in our society, dependent upon governmental subsidy and benevolence for their existence. The Federal Government's programs for increasing farm surplus through irrigation and reclamation have depressed farm prices on one hand, while on the other hand, it subsidizes farmers who cannot receive a fair market price for their labor and products.

This wheat-cotton bill has the effect of creating a "bread tax" for the consumer. Bread prices are already up 1 or 2 cents a loaf in some areas. Further increases are expected in the price of bread.

#### ANOTHER LAYER OF COTTON SUBSIDIES

Cotton farmers receive various forms of Federal subsidies. On top of these, the Federal Government subsidizes our export of cotton by 8½ cents per pound.

This cotton bill imposes another layer of cotton subsidy on top of all the others. It was enacted under political pressures from the administration and special interest groups.

This bill not only continues present cotton subsidy programs, but provides \$360 million in cash credits to the cotton textile manufacturers. This huge sum is \$100 million more than the industry's total profits of \$260 million for the year 1962.

This legislation gives an economic competitive advantage over American synthetic fiber manufacturers. It retards technological progress and punishes both the taxpayer and the American consumer.

#### National 4-H Club Week

#### EXTENSION OF REMARKS

OF

#### HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 1964

Mr. NATCHER. Mr. Speaker, the week of September 26 to October 3 has been set aside as National 4-H Club Week. In previous years we have honored the National 4-H Club in the early spring. It is of small concern in what season this celebration occurs for it is always a pleasure for me to pay tribute to this fine organization and to all those who are responsible for the growth and success that it has enjoyed since it was

founded around the turn of the century.

There are many who have played a strong and important part in this continuing growth and success. All of them deserve mention and a heartfelt well done from the entire Nation for the contribution they are making toward a stronger America. The Federal Extension Services of the Department of Agriculture conduct a dynamic program of education functioning through our State land-grant colleges and universities. In addition to this leadership at the national level the State extension services provide excellent direction as do the more than 307,500 local leaders, who as volunteers are unpaid for their unselfish efforts to reach and serve any and all of those who wish their advice and help. There are also about 114,960 older club members—boys and girls—who, as junior leaders give freely of their time and assistance. Working together with these groups for the betterment of the 4-H Club movement are two nongovernmental organizations, the National 4-H Club Foundation and the National 4-H Club Services Committee. Since 1914 when legislation was first passed for the purpose of assisting 4-H Club work nearly 23,830,400 different young people have participated in this "learn by doing program." This is more than ample proof of the effectiveness and wisdom of such Federal action.

The number of projects available to 4-H Club members ranges from approximately 25 in some States to 100 in others and comprise a well-diversified group of programs which are now and which will be for many years to come of immeasurable benefit.

Our 4-H Club members and their leaders have not hesitated to meet new challenges and to set forth workable programs to meet new needs and problems. There has been a widespread change in agricultural technology and this change is being faced squarely and realistically by these dedicated workers.

4-H Club members recognize the need for better understanding between the peoples of all nations and it is for this reason that the National 4-H Club Foundation was an early leader in an international people-to-people program through its farm youth exchange and its Peace Corps projects. Approximately 115 delegates from their ranks are sent abroad to contribute to the social and economic growth and expansion of some 65 countries. In return the same number of young people are brought to our country under this program which was designed to promote an exchange of ideas, aims, and purposes.

It has long been the dream of the United States to lead the free world to a lasting peace. To accomplish this, our youth must be fully prepared to meet the challenges that tomorrow holds. Youth organizations, such as the 4-H Clubs of America are vital to our Nation in this respect for they help to provide the background for these young Americans of whom we are all so justly proud.

Mr. Speaker, I want to say again that it is a pleasure and a privilege for me to salute this outstanding organization which has earned respect and commen-

dation from every corner of the globe for its achievements. I am sure that the 4-H Clubs of America have the gratitude of all of us for their past accomplishments and our sincere best wishes for success in the future.

**Acting Attorney General Sets the Record Straight on Race, Crime, and the Supreme Court**

**EXTENSION OF REMARKS**

OF

**HON. ROBERT W. KASTENMEIER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 21, 1964*

**Mr. KASTENMEIER.** Mr. Speaker, it is being freely charged, from selected campaign platforms, that recent gains in civil rights and civil liberties have fostered an increase in serious crime.

It is difficult to know whether this notion is enjoying wide currency. I for one hope not, because it can thrive only as a parasite on the fears of those perplexed by the rush of events. It is not a case founded on modern crime statistics or the facts of modern life.

Acting Attorney General Nicholas deB. Katzenbach has rendered a great service to public understanding of crime problems by rebutting this charge in his speech last Friday to the Federal Bar Association. It should be informative to those who have heard enough doomsday oratory on this subject, and sobering to still others who may feel they can continue these allegations without risking contradiction.

The text of Katzenbach's speech follows:

ADDRESS BY ACTING ATTORNEY GENERAL NICHOLAS DEB. KATZENBACH TO THE FEDERAL BAR ASSOCIATION, SHOREHAM HOTEL, SEPTEMBER 18, 1964

I am pleased to be with you today and to be a part of a program aimed at understanding one of the great laws of this century—the Civil Rights Act of 1964.

The act was—and is—a controversial law. No act was more thoroughly debated. No act was introduced with deeper conviction or opposed with deeper passion. That the Congress could have so reasonably and dispassionately debated such a highly emotional issue is surely one of the great triumphs of our legislative process.

As a nation, we are in the process of working a profound social change in human relations—a change so deeply felt that I am hard put to find in history a comparable situation which any nation has faced and resolved more peacefully, more justly, and with greater dignity.

And so this act symbolizes something even larger than the realization of ideals of equality and that is the strength of our entire political system. Last summer in the South, we had a spirit of bitterness and hundreds of demonstrations. This year, through almost all parts of the South—and despite tragic exceptions—we have a spirit of good faith and respect for the law.

This is a result for which we must give credit to the responsible men and women of the South. Its representatives, reflecting the deep feelings of their area, fought the Civil Rights Act strenuously. But now that it is law, they have spoken out for obedi-

ence, even though it has, often, taken courage to do so. This is a dramatic testimonial to our oneness as a Nation and to our fundamental respect for law and the orderly process of self-government.

It is, too, a noble—and vital—tradition in America. It was given expression by Andrew Jackson when he was fined for contempt after the War of 1812. "Obedience to the laws," he said, "is the first duty of a citizen and I do not hesitate to comply with the sentence you have heard pronounced."

It is in that tradition that the leaders and responsible citizens of the South are acting now. It is on that tradition that our rights as citizens and our very existence as a society depend.

But now another view is being heard. National attention has now shifted from political posturing in a schoolhouse door to the recent riots in northern cities and to the problem of "crime in the streets." And there are those who say or imply that these problems are related to racial problems in the South.

They do not speak of the Civil Rights Act as the product of our national concern for equal rights for all our citizens. That act, they say, results from capitulation to "agitators" and "demonstrators." They do not speak of the Civil Rights Act as a remedy to deeply felt grievances of Negroes in the South. The act, they say, has encouraged disrespect for the law in other parts of the country.

Thus, a link is drawn between demonstrations for civil rights and crime in the streets. Riots in Harlem, or Rochester, or Philadelphia, are tied to rising crime rates. And profound concern is expressed over lawlessness which has made our cities unsafe and our homes insecure. Because Negroes have been importantly involved in these riots—and despite the fact that they have been deplored by the overwhelming majority of Negroes and by all Negro leaders—they have been called racial.

I do not mean to suggest that these concerns with lawlessness are not real. Of course they are. The question is not whether disorders or increases in crime are serious. The question, really, is What do we do about it?

I wish I could tell you that these are simple problems that have simple solutions. But only the ignorant or the uninformed so regard them. To call them racial problems is not a solution but a slogan. What is worse, it is wrong.

To tie the difficult problems of racial adjustment to the equally serious problems of crime and delinquency, can only obscure, obstruct, and politicize. "Prejudice, which sees what it pleases, cannot see what is plain." But that is no excuse for not looking at the facts.

The increases in the crime rate, for example, have been great, but they have overwhelmingly been increases in crime against property. Such crimes—robbery, burglary, larceny, and auto theft—account for 90 percent of serious crime. In 1963, crimes in this category increased by 11 percent.

Crimes against the person increase far less. Aggravated assault went up 6 percent, murder 1 percent, and rape 1 percent. These increases are only slightly greater than the population increase.

As a second point, there appears to be no significant connection between a city's crime rate and its Negro population. During a debate on the Civil Rights Act in Congress, there was frequent reference to the crime rate of Washington, D.C., whose population is 54 percent Negro. I do not recall a single reference to Phoenix, Ariz.—a city I pick at random—the population of which is 95 percent white and whose crime rate is a third higher than that of Washington.

The point is further demonstrated by suburban crime figures. In the first 6 months

of this year, crime in the suburbs—where there are few Negroes—increased approximately 28 percent. But crime in the city—where Negroes are concentrated—increased at less than half that rate.

As a third point, the increase in crime generally is directly related to the increase in the teenage and young adult population. Young people commit a very large proportion of the crimes against property—those crimes which have increased most. In New York City for example, more than three-fourths of all auto thefts are committed by those under 21. In Washington, D.C., young people under the age of 17 comprise half of those arrested for robberies, half those arrested for car thefts and 40 percent of those arrested for housebreakings.

The number of persons aged 15 to 24 is growing far faster than the rest of our population. And unhappily, people in this age group account for 70 percent of all arrests for serious crimes. This does not mean that our young people are crime-prone. Less than 3 percent of young people are ever arrested. But it does mean that our efforts to solve crime problems should in large measure be devoted to the problems of our youth. Juvenile delinquents may cease to be juveniles at 21, but they do not automatically cease to be delinquents.

This point applies demonstrably to the recent riots in Harlem, Rochester, Philadelphia, Jersey City and elsewhere. Plainly, these riots involved Negroes. But what is significant is not their race, but that some of our worst slum areas are occupied by Negroes; that the unemployment rate among Negroes in these cities is two and three times that of whites; that the school dropout rate among Negroes is twice that of whites. It is clear from the facts of the riots how these circumstances apply:

1. Most of those involved in the riots were between 15 and 25, unemployed, without education, jobs—or hope.

2. Juvenile gang members played a role in the riots in each city, and a large percentage of those arrested or known to have participated had criminal or juvenile records.

3. The participants came from poor, over-crowded slum areas.

4. To the extent that these riots could be said to have had a focus, they were aimed against police officials and merchants in Negro areas. And they were motivated, in part, by the possibility of an opportunity to loot—to make financial gain—under the cover of the disorder.

5. Only one of the riots occurred in areas of likely racial conflict, where Negro and white neighborhoods adjoin. The remainder have occurred in the heart of Negro neighborhoods.

I do not mean to imply that Negroes do not commit crimes. Of course they do. What I do mean to show is that to draw a causal connection between membership in the Negro race and crime is wrong. The relevant link is not between riots and race, but between riots and delinquency, between lawlessness and lawless environments.

It is to this complicated link, not to an emotional cliché, that we should devote our attention and our energies. FBI Director J. Edgar Hoover has for years expressed the deepest concern over youth crime. And, what has become obvious to others in 1964 was obvious to Attorney General Kennedy 4 years ago. He realized that our most serious crime problem was and would continue to be crimes committed by young people.

Accordingly, under the leadership of President Kennedy and President Johnson, the Federal Government embarked for the first time on a comprehensive juvenile delinquency program. This program involved comprehensive studies of young people, their problems, and methods to deal with them at the local level. Pilot projects have been established in 10 major cities to determine,

through actual work with youngsters, how to help them adjust to our complex urban society—whether it be jobs, education, organized sports activities, or increased counseling.

In this effort, the Federal Government has not sought to assume responsibilities that belong to local communities. It has, rather, sought to offer assistance and experience to those communities which seek their own answers to their own problems.

Second, beginning also in 1961, Attorney General Kennedy mounted an unprecedented drive on organized crime and racketeering. Convictions against racketeers increased 23-fold in the past 4 years, from 14 to 325. The importance of these convictions—and there are many more to come—is best understood when one realizes that it is organized crime which supports and profits from the narcotics traffic, illegal gambling, and prostitution. It is organized crime—and occasionally organized prejudice—which corrupts law enforcement agencies and public officials. Where such corruption exists, or even where it is thought to exist, we cannot have respect for law. Lawlessness feeds on lawlessness. Lawlessness of one kind breeds lawlessness of other kinds.

In many cities, a high percentage of crime can be directly related to addicts' need to pay for narcotics. In this administration, we have sought not only to prosecute and punish those who run the narcotics business, but also to mount a drive against narcotic addiction. President Kennedy called the first national conference on this subject in history and the recommendations of the President's Advisory Commission on Narcotics and Drug Abuse have been and are being implemented by President Johnson.

Third, recognizing that slum conditions breed crime and disrespect for law, this administration has embarked upon the most extensive program of slum clearance and housing assistance in history.

Finally, under the leadership of President Johnson, the Federal Government, again in cooperation with local communities, has embarked on a major war against poverty. Its significance cannot be overstated. Surely it is clear to any thinking person that poverty—the lack of food, shelter, education, work, self-respect, and hope—goes hand in hand with crime.

All of these programs are concrete, practical, realistic, and nonpolitical approaches to the crime problem. All of them are based on hard facts. None of them offer simple or simple-minded explanations or solutions.

I have talked thus far about how we have sought to respond positively to the causes of crime and how we should continue to do so. But this long-range concern would not obscure and has not obscured the equally important needs of day-to-day law enforcement. Lawbreakers must be apprehended and punished with appropriate severity. Law enforcement authorities must have the widest public support and assistance. It should go without saying.

But there is no conflict between this need and the parallel need to attack the causes of crime. Rather, the two needs are complementary. Obsessive emphasis on either—whatever its inspiration—can only handicap effective law enforcement.

While the principal responsibility in this area rests on local law enforcement authorities, the Federal Government has sought to provide maximum assistance to them. The anticrime legislation enacted in 1961—the most extensive addition to the criminal laws in 30 years—has permitted us to expand considerably the kinds of investigative and other assistance we can provide. The FBI has built a proud body of alumni of its National Academy in police departments all over the country. And our greatly accelerated crime effort has produced leads and information which we have shared, to mutual benefit, with State and local officials.

It is for this reason that I welcome the support of all Members of Congress who believe, as I do, in the importance of these programs. Anticrime legislation has never been a partisan issue. It should not become one.

Yet I have read the opinion recently that the problems of crime and of local law enforcement stem from an "obsessive concern" on the part of judges "for the rights of the criminal defendant." I have read that the courts have taken away from the States powers which are "absolutely necessary for fair and efficient administration of criminal law." And, I have read, this is why crime is increasing.

These assertions are uninformed. More damaging, they are irresponsible. It is a historic function of the Supreme Court to insure that State convictions comport with due process of law. Undeniably, some decisions have created problems for State law enforcement officials. But then so has the Bill of Rights. In neither case have any fundamental State powers been destroyed.

I think it is helpful to review some of the fruits of powers which are supposedly "absolutely necessary" to the States and which the Supreme Court has declared unconstitutional:

The conviction of a man without evidence.

The conviction of a man upon the prosecutor's knowing use of perjured testimony.

The trial of a man for a serious crime without the assistance of a lawyer.

The conviction of a man upon a confession coerced by the police, or upon a subsequent confession induced by the knowledge that the police already had the extorted confession.

The trial of a man before a jury biased against him.

Which of such vital powers, I wonder, should a State have?

The individuals rights the Court has defended in these cases are part of the fundamental guarantees our country makes to every citizen. I cannot understand how anyone committed to individual liberty could consider violations of these rights as mere "technical" violations, or consider protection against such violations as "obsessive concern" by our judges.

Approximately half the Federal judiciary—and two-thirds of the Supreme Court of the United States—have been appointed since 1952. During the whole of the administrations of Presidents Eisenhower, Kennedy, and Johnson, the American Bar Association has been consulted on each and every judicial appointment. In all these administrations, the views of the organized bar have been sought, appraised, and honored. The record is public and open to examination.

I hope—under these circumstances—that I may be excused for wondering how the growing crime rate can be blamed on judges so selected. If the ABA is too liberal to be entrusted with this responsibility—or if the ABA is incompetent—then to whom do we turn for advice?

I believe that both candidates for the Presidency will continue to adhere to a system which seeks and respects the advice of the organized bar on judicial appointments. And I think both will feel, as I do, that professional, not ideological, criteria are appropriate.

To attribute the growing crime rate to the attitudes or decisions of the Federal judiciary is an insult not merely to the courts but also to the bar. As a lawyer, I cannot but resent those who seek to make political capital by attacking the decisions of an independent judiciary which cannot, in propriety, defend itself. Indeed, I have an obligation to defend the courts against such an attack.

I had thought—perhaps I had only hoped—that the judiciary was beyond the realm of partisan politics. I had thought—perhaps I had only hoped—that all would

realize that the constitutional independence of our judiciary, the separation of powers, was basic to the whole cause of law and order, and that to bring the courts into politics could only undermine that respect for law which is the cornerstone of our Republic.

Clearly I am not saying that our courts are immune from criticism. Indeed, responsible and informed criticism is one of the factors which shapes the law. Every lawyer knows this. And every lawyer—I hope—has respect for a court's decisions even when he disagrees vehemently with the result of the reasoning. And every lawyer has confidence in the independence of our judges.

We need to protect the rights of the individual from hasty infringement just as much as we need to protect society from lawlessness. Each is essential to ordered society and responsible freedom. There is need for everyone, whether from the South or the North, the East or West, to join in strengthening respect for law and order. Your presence at this conference demonstrates your participation in this process.

Law-government is a process which begins with respect for the Constitution, the decisions of our courts, the laws of our land, and the rights of each individual. It is a process which requires all of us, at all levels of government and in each walk of private life to seek to identify our common problems and to work together toward their resolution.

## Interest on Church Bonds Should Be Tax Exempt

### EXTENSION OF REMARKS

OF

**HON. JOE R. POOL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 21, 1964

Mr. POOL. Mr. Speaker, I have today introduced a bill which is long overdue. It proposes to amend the Internal Revenue Act of 1954 to exclude from gross income the interest on church bonds.

Nations which love and hold God in reverent awe always have denied their secular officials the right to control or to impose taxes on the churches of the people. Recognizing that "the power to tax is the power to destroy," our Nation wisely has sought to eliminate any tax on our churches. Church property is exempt in our Nation's cities, counties, and States. The Securities Act of 1933 and all following amendments have exempted church bonds from registration, and this is true also in the various securities acts of the States. My proposal, then, follows the wish of our Founding Fathers; emphasizes the spirit of our Constitution; and clarifies the intent of the Congress and the legislative bodies of the States that church property shall not be burdened directly or indirectly by taxation.

Reduction in Federal revenue, as a result of this legislation, would be infinitesimal. Religious bonds are a tiny business. At present, I am informed about \$300 to \$400 million in church bonds is outstanding. Compared with corporate bonds, of which some \$100 billion is outstanding; or with municipals, of which about \$47 billion is outstanding, the bonds affected by my proposal would amount to a minuscule part of the secu-

rities business. The greater part of these church bonds have been sold to members of the congregation. The maturing bonds and the accrued interest on these bonds are paid by the church from the tithes, contributions, and offerings of members and friends of the church.

These church bonds mature serially as municipal bonds do. Unlike municipals, however, these church bonds are not tax exempt. In other words, Mr. Speaker, we provide tax exempt status for bonds to build an athletic stadium or a sewer system, but we impose Caesar's tax on the building of churches and sanctuaries. My bill would relieve this inequity, for the interest on these church bonds should not be taxable. Under the provisions of this measure, church bonds would be on a par with tax-exempt municipal and State bonds.

Our Nation's churches generally have had a difficult time with construction programs. The day is long past when the congregation could work together to cut the trees and plane into lumber the material to build their church. Over the years, conventional lending agencies—banks, insurance companies, and such—have found more attractive uses for their investment capital. They also have become somewhat reluctant to make church loans because they feel such loans could adversely affect their operations, as when a need might arise to press for payment. Therefore, within the past several years, more and more churches have been turning to bond issues to provide the capital needed for their programs.

Too, the cost of church construction now is greater than in the past. Today, the needs of the church call for more than a sanctuary. The church today is more than a place for Sunday services, for Tuesday choir practice, and prayer meetings on Wednesday. Where the membership is concerned and alert to the requirements of modern society, the church has become a focal point in community leadership and development. There is a need for additional religious education space, for day nurseries, youth programs, and community affairs. Robert South, the great English clergyman, once said:

If there were not a minister in every parish, you would quickly find cause to increase

the number of constables; and if churches were not employed as places to hear God's laws, there would be a need for them to be prisons for lawbreakers.

The encouragement of church building, the establishment of youth centers and day nurseries under the leadership of the church brings moral determination to the fight against poverty, delinquency, and despair.

Mr. Speaker, we have heard much about juvenile delinquency. We have recently passed legislation to attack pockets of poverty in this country. But I say to the Members of this House, a well-organized church program, including youth centers, day nurseries, educational training, will have a greater impact for good than all of our bureaucratic activities. It will permit local groups to solve many of their local problems. It will encourage local initiative and permit local citizens to operate.

The great growth of the suburbs of our Nation's cities has caused a tremendous growth in small-to-medium churches. In town, urban renewal programs provide funds and assistance for improvement of every part of the community except the churches—the motivating moral force in any community. Making church bonds more appealing to buyers is a sound way to help urban renewal area churches keep pace with the renewal program.

Many of the Negro churches of our Nation's cities are in the center of redeveloped, or to be redeveloped, areas. The income of the people in these areas often does not permit them to be investors in any kind of securities. However, they are now contributing, and will continue to contribute, to their various churches through tithes and offerings. Making bonds more attractive to investors outside of the churches will let the Negro church acquire the money to build churches, adequate day nurseries, and properly equipped youth centers.

The bill I have introduced will aid in the encouragement of church building. Indeed, Mr. Speaker, while these institutional bonds generally carry an interest rate higher than medium corporate bonds or municipals, no default on any

institutional issue has been recorded in the past 25 years and the market for such bonds—while not as active as in other securities—is steady, for the greater part of these maturing serial bonds are purchased in the local communities and by the members of the church itself. But, because the church is building to meet the more complex problems of our modern day, the amount of capital for building has increased. These church bond programs are essential if the churches are to meet the challenge of our society.

The field of institutional bonds must be expanded if our churches are to meet their obligations. I propose, through this bill, to aid this great work by making such church bonds exempt from taxation by the Federal Government.

The bill follows:

H.R. 12637

A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on church bonds

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by inserting after section 103 (relating to interest on certain governmental obligations) the following new section:*

**"SEC. 103A. INTEREST ON CHURCH BONDS.**

"(a) **GENERAL RULE.**—Gross income does not include interest on a church bond.

"(b) **CHURCH BOND DEFINED.**—For purposes of subsection (a), the term 'church bond' means a bond, debenture, note, or certificate, or other evidence of indebtedness, which is issued with interest coupons or in registered form, which is issued by a church or a convention or association of churches, and the issuance of which is exempted from the application of the Securities Act of 1933 by section 3(a)(4) of such Act."

(b) The table of sections for such part III is amended by inserting immediately below "Sec. 103. Interest on certain governmental obligations." the following:

**"SEC. 103A. Interest on church bonds."**

Sec. 2. The amendments made by the first section of this Act shall apply with respect to church bonds (within the meaning of section 103A of the Internal Revenue Code of 1954) issued after the date of the enactment of this Act.

S. RES. 370

*Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Walter Norblad, late a Representative from the State of Oregon.*

*Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.*

*Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.*

*Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.*

The message also announced that the Presiding Officer, pursuant to Senate Resolution 370, appointed Mr. MORSE and Mrs. NEUBERGER to join the committee appointed on the part of the House of Representatives to attend the funeral of

## HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 22, 1964

The House met at 12 o'clock noon.

The Reverend Donald D. M. Jones, the Sixth Presbyterian Church, Washington, D.C., offered the following prayer:

Lord of the nations, we turn to Thee in these silent moments to still the busyness of our minds and to find the perspective which comes from contemplation of Thee. In these days of rush, confusion, and distraction, we pray that Thou wilt save us from rash error and selfish insistence. We believe that Thou hast a will and a purpose for this Nation. So we turn to seek Thy guidance. Still our thoughts and words when they are in error or moved by selfish ambition.

Give us words to express nobler thoughts and acts when they accord with Thy plan. May we have the courage to debate the broader issue and vote the nobler end, to the purpose that peace may reign and brotherhood prevail in this beloved land of ours and throughout the world.

We pray in the name of the Lord, Jesus Christ. 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 a resolution as follows: