Are you a card-carrying member of the Muslims," a listener asked Clay.

Cassius looked as much amused as bemused. "You wouldn't want me to marry your daughter, would you? I'm not a Sammy Davis or a Chubby Checker marrying white women. I want to be with my own. You don't see drinking in Islam. You see the women, they wear dresses down to their ankles. They never done wrong. No jail record, no women record, no drinking record."

It was that kind of a day for Cassius. It could have been a day when he'd gloat or strut.

Clay sees a lot of things clearly, after his own fashion, for a kid of 22.

"I'm the heavyweight champion," he said, "but right now there are some neighborhoods I can't move into. I know how to dodge boobytraps and dogs. I dodge them by staying in my own neighborhood. A man don't want you, don't try to force him. Stay with your own. Tigers stay with tigers, red ants stay with red ants, Cubans stay with Cubans. This fighting and stuff is unnecessary. Why do two Negroes have to go 2 miles out of the way to a white school, upsetting the whole school? If there was a separate Nation, there's going to be more peace."

"You treat me right, I treat you right," Cassius said. "You hit me, I hit you back. I treat everybody right. I respect everybody. I'm peaceable by nature. I couldn't be condemned and punished for not running with the mob. They're just educated fools, just running around. I'm not joining no forced integration movement, because it don't work. A man has got to know where he belongs."

It's difficult to say where Cassius belongs, even so far as the Army's concerned. "I had a special case. They sent it to Washington," he said.

According to rumor the "special case" is a claim of conscientious objections. Clay denied he has already made one on religious grounds. However, he does not deny that he may make one. "I'll do whatever they think is best for me," he said.

Clay did not identify "they." It could be the Muslims. It could be the syndicate which owns him. It could be the Army. Cassius insists only that he is a man of peace.

Mr. HUMPHREY. Mr. President, it is certainly a pity even to give thought to the making of a motion that the Senate take a recess at this time, after we have been having the benefit of a presentation of some of the more vivid chapters in the history of our country.

This morning, I was at the White House for the swearing-in ceremony for the new Director of the U.S. Information Agency, which sometimes is called the propaganda agency for the Government of the United States. The name of that gentleman is Carl Rowan—a native of Tennessee, who later became a citizen of Minnesota. I have always had great admiration for him, and I felt that he would do a good job as our Information Agency Chief—or, as some would say, the chief of the propaganda agency of the Government. But I confess that although I respect the good judgment which President Johnson displays when he makes these appointments, I wonder whether he made a mistake when he did not give consideration to appointing the Senator from Georgia to that position, because never in my life have I encountered anyone more able or more skilled in the use of propaganda. In fact, he is much like the French general who said that the military principle to which he subscribed was, "Attack, attack, attack." All this week, the Senator from Georgia has not missed a trick. Whenever there was even a smell of a civil rights bill, the Senator from Georgia has been on the attack, and tonight he has found it possible to inject into these very serious proceedings a description of the antics and tactics and words of one Cassius Clay, who proclaims himself a king and who is, indeed, the boxing champion. Certainly, Cassius Clay was fortunate in selecting the field of athletic competition he did, because that field is open to all; and, thank goodness, he can be the boxing champion of the world. There is complete integration in boxing; and Cassius Clay can be the boxing champion of all races, creeds, and nationalities; he can be the boxing champion of the world. On the other hand, if he had selected some other field, he would not then have been able to make full use of his great ability.

Mr. RUSSELL. Let me say to the Senator from Minnesota that I am sorry that at this time I must leave; but I thank him for his kind words.

Mr. HUMPHREY. Mr. President, the Senator from Georgia has thanked me for my kind words. In turn, I thank the Senator from Georgia for his contributions, which we have enjoyed. No doubt in the weeks ahead we shall have the benefit of more of them.

Mr. President, on that happy note, and in light of the drama of those events of the past and the drama of the events to occur in the future, I warn Senators that they should be present on Monday and on the following days, because the Senate will be engaging in important debate and will be doing some voting.

RECESS TO MONDAY, AT 11 A.M.

Mr. HUMPHREY. Mr. President, with that happy admonition, I move that the Senate stand in recess, under the order previously entered, until Monday, at 11 a.m.

The motion was agreed to; and (at 6 o'clock and 8 minutes p.m.) the Senate took a recess, under the order previously entered, until Monday, March 2, 1964, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 28 (legislative day of February 26), 1964:

UNITED NATIONS

Walter M. Kotschnig, of Maryland, to be the representative of the United States of America to the 19th Plenary Session of the Economic Commission for Europe of the Economic and Social Council of the United Nations.

IN THE NAVY

Adm. Harry D. Felt, U.S. Navy, to be placed on the retired list in the grade of admiral under the provisions of title 10, United States Code, section 5233.

UNITED NATIONS

Kenneth T. Young, of New York, to be the representative of the United States of America to the 20th Session of the Economic Commission for Asia and the Far East of the Economic and Social Council of the United Nations.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28 (legislative day of February 26), 1964:

MARITIME ADMINISTRATOR

Nicholas Johnson, of Iowa, to be Maritime Administrator, Department of Commerce.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 2, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D. offered the following prayer:

Isaiah 41: 13: *For the Lord thy God will say unto thee, Fear not; I will help thee.*

O Thou God of all love and mercy, as we draw nigh unto thee in prayer, may we understand more clearly that everything which the world can give and bestow upon us is too small for the soul and its dreams and aspirations.

Grant that our lives may be fragrant with the spirit of that more abundant life which we know by instinct, by revelation, and experience is the only kind of a life that can satisfy our longings and yearnings for peace and joy.

We earnestly beseech that Thou wilt redeem and restore the soul of humanity and bring it into oneness with Thy holy will and heal it of those inner discords which torment and thwart the efforts for spirit of peace on earth and good will among men.

May all who hold positions of leadership and trust in government and the affairs of state courageously and faithfully seek and hold fast the ways of truth and righteousness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 27, 1964, 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, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9637. An act to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes

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

S. 944. An act to provide for the presentation by the United States to the people of Mexico a monument commemorating the independence of Mexico, and for other purposes.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

9640) entitled "An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard."

AUTHORIZING DEFENSE PROCUREMENT AND RESEARCH AND DEVELOPMENT

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 9637, with the Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate on the disagreeing votes of the two Houses.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? The Chair hears none and appoints the following conferees: Messrs. VINSON, PRICE, STRATTON, COHELAN, PIKE, ARENDS, BECKER, HALL, and STAFFORD.

PERSONAL ANNOUNCEMENT

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

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

There was no objection.

Mr. FUQUA. Mr. Speaker, on rollcall No. 51, on Thursday, February 27, it was necessary that I be absent. Had I been present I would have voted "aye" on H.R. 8316, relative to the length or frequency of broadcast commercials. It is requested that this intent be so recorded.

VENEZUELA HAS BEEN SUBJECTED TO DIRECT MILITARY ACTION FROM CUBA

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

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

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, Venezuela has been subjected to direct military action from Cuba, as confirmed by the investigation just concluded by the Organization of American States. The OAS must now act to cut off the flow of arms and agents from Cuba, as required by the charter and the safety of all the Republics of the Caribbean.

In a previous attack against Venezuela by the Dominican Republic in 1960, it took only 2 months for the OAS to investigate and recommend strong action against the Trujillo government. The OAS vote, after the Dominicans had walked out, was 20 to 0. All members agreed to break off diplomatic relations with the Dominican Republic and cancel shipments of munitions. Later, oil, oil products, trucks and parts were added to the forbidden list. The result, of course, was the complete collapse of the Trujillo family empire.

The threat from Castro today is far greater than that ever faced by the Republics of this hemisphere. The call for action in the OAS must be met swiftly and decisively.

The United States and some of the Caribbean Republics have been carrying the burden of action to contain Castroism. The threat is to each country, and each must be willing to meet its responsibilities under the OAS Charter. The 1960 action has proven that results are possible, that the OAS is more than just a mere debating society. Members must be willing and able to meet their obligations. If they are not, it will mean the end of the OAS as an effective instrument for peace. Let the OAS prove once again that it can work together for the security of the hemisphere and the betterment of all its people.

NEED FOR NEW MINT FACILITIES

Mr. McCLORY. 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 Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I am introducing a bill today directing that the Secretary of the Treasury establish a new U.S. Mint in Lake County, Ill. This proposal is made in the earnest hope that the Congress will recognize the need for new mint facilities in the Midwest to meet the growing demand for coins.

In recent years the production of coins by our existing mints at Philadelphia and Denver has been inadequate. This coin shortage has resulted from many causes:

First. General business activity which requires a large supply of money, including both currency and coins.

Second. The expanded use of coin-operated vending machines for a growing variety of consumer goods.

Third. The prevalence of sales taxes in most of the States necessitating coins for payment of the additional cost imposed by these taxes.

Fourth. Increased recreational and leisure periods for our citizens which require merchants to keep larger inventories of coins in order to accommodate their customers.

Fifth. Enlarged activity in numismatics—coin collecting.

The need for additional mint facilities was recognized by the enactment of Public Law 88–102 which was approved on August 20, 1963. This measure appropriated $30 million to the Treasury Department for the purpose of acquiring suitable sites and for the design, construction, and equipping of mint buildings. This appropriation contemplated initially that the Philadelphia mint would be expanded. However, the purview of Public Law 88–102 is such that the establishment of a third mint in the Midwest would provide a more complete answer to the growing need for coins. The expansion of the mint at Philadelphia or Denver would still leave the great Midwest without a close and convenient source of coins. The location of a mint in Lake County, Ill., which is within the Chicago metropolitan area, and in the heart of the Midwest, would provide this financial, transportation, and commercial center with a new and much-needed supply of coins. One extremely significant factor seems more compelling than any other—namely, that the Chicago area led the Nation in fiscal year 1962 for the receipt of all minted coins. Indeed, Chicago ranked first in the receipt of pennies, third in the receipt of quarters and half dollars and fourth in the receipt of dimes and nickels.

Mr. Speaker, I am informed that the most efficient and least expensive program for additional minting facilities would be the location of this new mint in the Chicago metropolitan area. Knowing of the interest of Members of Congress and of the administration in the most efficient and economical operation of the Federal Government, this fact should be of paramount importance in the consideration of this bill.

I am hopeful that the Committee on Public Works will afford an early hearing on this measure and will give favorable and expeditious approval to this bill to establish the third U.S. mint in Lake County, Ill.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

ACQUISITION OF PROPERTY IN SQUARE 758 IN THE DISTRICT OF COLUMBIA

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

SAINT-GAUDENS NATIONAL HISTORIC SITE, N.H.

The Clerk called the bill (H.R. 4018) to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

LAKE ERIE SESQUICENTENNIAL

The Clerk called the bill (S. 1828) to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMEND THE ORGANIC ACT

The Clerk called the bill (H.R. 5838) to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to make certain improvements of fiscal and administrative practices for more effective conduct of its research and development activities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

PROVIDING FOR ADDITIONAL COMMISSIONERS OF THE U.S. COURT OF CLAIMS

The Clerk called the bill (S. 102) to provide for additional commissioners of the U.S. Court of Claims.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, as I stated previously when this bill was before the House, I would not be opposed to a bill which provided for an increase of five Commissioners and which provided for some changes in the rules; but I cannot let this bill go through at this time with a sweetening of the retirement system for the Commissioners. I reiterate what I said previously that the salaries of Commissioners, under the pay bill which is pending and may come before the House shortly, would be increased by nearly $10,000 a year to $28,000. Implicit in the pay increase is an increase in retirement compensation.

Mr. Speaker, I must ask unanimous consent that this bill be passed over without prejudice until there is some disposition of the pay bill.

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

There was no objection.

RAISING AGE LIMIT TO 65 FOR TOTAL DISABILITY INCOME PROVISION ON NSLI POLICIES

The Clerk called the bill (H.R. 6920) to amend section 715 of title 38, United States Code, to authorize issuance of total disability income provisions to national service life insurance policies through age 65, under certain conditions.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 715 of title 38, United States Code, is amended by designating the existing section as subsection "(a)", adding a new subsection to be designated subsection "(b)", to read as follows:

"(b) Upon surrender of any total disability provisions mentioned in subsection (a) of this section, and prior to the policyholder's sixtieth birthday, the Administrator shall upon application by the insured, proof of good health, and payment of such extra premium as determined by the Administrator to be reasonable and practicable, include in any national service life insurance policy on the life of the insured (except a policy issued under section 620 of the National Service Life Insurance Act of 1940, or section 722 of this title), a total disability income provision providing for monthly benefits on account of total disability, under the same terms and conditions mentioned in subsection (a) of this section, excepting benefits may be paid if such total disability is shown to have commenced prior to the insured's sixty-fifth birthday."

Amend the title so as to read: "A bill to amend section 715 of title 38, United States Code, to authorize, under certain conditions, the issuance of total disability income provisions for inclusion in National Service Life Insurance policies to provide coverage to age sixty-five."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, effective January 1, 1965, section 715 of title 38, United States Code, is amended to read as follows:

"'The Administrator shall, except as hereinafter provided, upon application by the insured and proof of good health satisfactory to the Administrator and payment of such extra premium as the Administrator shall prescribe, include in any national service life insurance policy on the life of the insured (except a policy issued under section 620 of the National Service Life Insurance Act of 1940, or section 722 of this title) provisions whereby an insured who is shown to have become totally disabled for a period of six consecutive months or more commencing after the date of such application and before, attaining the age of sixty-five and while the payment of any premium is not in default, shall be paid monthly disability benefits from the first day of the seventh consecutive month of and during the continuance of such total disability of $10 for each $1,000 of such insurance in effect when such benefits become payable. The total disability provision authorized under this section shall not be issued unless application therefor is made either prior to the insured's fifty-fifth birthday, or before the insured's sixtieth birthday and prior to January 1, 1966. The total disability provision authorized under this section shall not be added to a policy containing the total disability coverage heretofore issued under section 602(v) of the National Service Life Insurance Act of 1940, or the provisions of this section as in effect before January 1, 1965, except upon surrender of such total disability coverage, proof of good health, if required, satisfactory to the Administrator, and payment of such extra premium as the Administrator shall determine is required in such cases. Participating policies containing additional provisions for the payment of disability benefits may be separately classified for the purposes of dividend distribution from otherwise similar policies not containing such benefit'".

The committee amendment was agreed to.

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

The title was amended to read:

A bill to amend section 715 of title 38, United States Code, to authorize, under certain conditions, the issuance of total disability income provisions for inclusion in National Service Life Insurance policies to provide coverage to age sixty-five.

A motion to reconsider was laid on the table.

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

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, H.R. 6920 will authorize a new total disability income provision in national service life insurance policy providing for the payments of total disability income benefits if the insured becomes totally disabled prior to age 65. At the present time total disability income protection is available only if the insured becomes totally disabled before attaining age 60. The philosophy of this legislation is in keeping with the present trend in the insurance industry toward providing more health protection for our senior citizens.

Under the provisions of this legislation, holders of national service life insurance who can show good health and will pay an additional premium may receive $10 per month for each $1,000 of insurance in effect after 6 months of total disability and continuing for as long as the total disability exists. Heretofore the total disability must have existed prior to age 60 for entitlements to this benefit. H.R. 6920 authorizes a new plan of total disability income protection increasing the age limit to 65 years. When this bill was considered before and passed over a question was raised as to the cost of the bill.

An inquiry to the Veterans' Administration on the cost estimates of H.R. 6920 revealed the following:

The slight increase in cost after the third year is attributed to the costs of processing an increased number of claims under the total disability income provisions created by this bill. The Veterans' Administration anticipates a slight increase in the cost each succeeding year, again occasioned by an increasing number of claims. It is not anticipated that the cost will increase by more than $5,000 in any one year over the previous year's cost. The administrative cost of processing an individual claim is estimated at $29 per claim.

I commend the House upon the approval of this bill.

TRANSFERRING AUSTIN, FORT BEND, AND WHARTON COUNTIES FROM THE GALVESTON DIVISION TO THE HOUSTON DIVISION OF THE SOUTHERN DISTRICT OF TEXAS

The Clerk called the bill (S. 721) to amend section 124 of title 28, United States Code, to transfer Austin, Fort Bend, and Wharton Counties from the Galveston division to the Houston division of the Southern district of Texas.

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

America in Congress assembled, That (a) paragraph (1) of section 124(b) of title 28, United States Code, is amended to read as follows:

"(1) The Galveston division comprises the counties of Brazoria, Chambers, Galveston, and Matagorda.

"Court for the Galveston division shall be held at Galveston."

(b) Paragraph (2) of section 124(b) of title 28, United States Code, is amended to read as follows:

"(2) The Houston division comprises the counties of Austin, Brazos, Colorado, Fayette, Fort Bend, Grimes, Harris, Madison, Montgomery, Polk, San Jacinto, Trinity, Walker, Waller, and Wharton.

"Court for the Houston division shall be held at Houston."

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

INCLUSION OF HOPKINS COUNTY WITHIN THE PARIS DIVISION OF THE EASTERN DISTRICT FOR THE U.S. DISTRICT COURTS IN TEXAS

The Clerk called the bill (H.R. 5964) to provide for the inclusion of Hopkins County, Tex., within the Paris division of the eastern district for the U.S. district courts in Texas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (4) of subsection (c) of section 124 of title 28, United States Code, is amended to read as follows:

"(4) The Paris division comprises the counties of Delta, Fannin, Hopkins, Lamar, and Red River.

"Court for the Paris division shall be held at Paris."

(b) Paragraph (5) of such subsection is amended by striking out "Hopkins,".

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

AMENDMENT TO THE ATOMIC ENERGY ACT OF 1954

The Clerk called the bill (H.R. 9711) to amend the Atomic Energy Act of 1954.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMENDMENTS TO THE FEDERAL EMPLOYEES HEALTH BENEFITS ACT OF 1959

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1561) to amend the Federal Employees Health Benefits Act of 1959.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Employees Health Benefits Act of 1959 (5 U.S.C. 3001–3014) is hereby amended as follows:

(1) Section 2(c)(3) (5 U.S.C. 3001(c)(3)) is amended by striking out "as a result of injury sustained or illness contracted on or after such date of enactment".

(2) Section 2(c)(4) (5 U.S.C. 3001(c)(4)) is amended by striking out "on account of injury sustained or illness contracted on or after such date of enactment".

(3) Section 2(d) (5 U.S.C. 3001(d)) is amended—

(A) by inserting ", foster child," immediately following "stepchild"; and

(B) by striking out "nineteen" wherever occurring therein and inserting in lieu thereof "twenty-one".

(4) Section 2(e) (5 U.S.C. 3001(e)) is repealed.

(5) Section 3(b)(1) (5 U.S.C. 3002(b)(1)) is amended—

(A) by striking out "whichever is shorter, or"; and

(B) by inserting in lieu thereof "or (C) the full period or periods of service beginning with the enrollment which became effective not later than December 31, 1964, and ending with the date on which he becomes an annuitant, whichever is shortest, or".

(6) Section 3 (5. U.S.C. 3002) is amended by adding at the end thereof the following new subsection:

"(g) Any annuitant (including an individual receiving monthly compensation as a result of injury sustained prior to the effective date specified in section 16 and who would be an annuitant if the injury or illness had been sustained or contracted on or after that date) who at the time he became an annuitant shall have been enrolled in a health benefits plan under this Act and who at the time he became an annuitant was ineligible to continue his enrollment may, upon his application before December 31, 1964, and under such other conditions of eligibility as the Commission may by regulation prescribe, prospectively enroll in an approved health benefits plan describe in section 4, either as an individual or for self and family."

(7) Section 6(d) (5 U.S.C. 3005(d)) is amended by adding at the end thereof the following new sentence: "The Commission may terminate the contract of any carrier effective at the end of a contract term, if the Commission finds that at no time during the preceding two contract terms did the carrier have three hundred or more employees and annuitants (exclusive of family members) enrolled for its plan."

(8) Section 6(f) (5 U.S.C. 3005(f)) is amended by striking out ", on such terms or conditions as are prescribed by the carrier and approved by the Commission".

(9) Section 6(g) (5 U.S.C. 3005(g)) is amended by striking out ", at the option of the employee or annuitant,".

(10) Section 7(a)(1) (5 U.S.C. 3006(a)(1)) is amended—

(A) by striking out the comma at the end of clause (A) thereof and inserting "and" in lieu of such comma; and

(B) by striking out "(other than as provided in clause (C) of this paragraph), and (C) not less than $1.75 or more than $2.50 biweekly for a female employee or annuitant enrolled for self and family including a nondependent husband".

(11) Section 7(a)(2) (5 U.S.C. 3006(a)(2)) is amended to read as follows:

"(2) For an employee or annuitant enrolled in a plan described under section 4(3) or (4) for which the biweekly subscription charge is less than twice the Government contribution established under paragraph (1) of this subsection, the Government contribution shall be 50 per centum of the subscription charge."

(12) Section 8(b) (5 U.S.C. 3007(b)) is amended by inserting immediately after the first sentence thereof the following new sentences: "The Commission, from time to time and in such amounts as it considers appropriate, may transfer unused funds for administrative expenses to the contingency reserves of the plans then under contract with the Commission. When funds are so transferred, each contingency reserve shall be credited in proportion to the total amount of the subscription charges paid and accrued to the plan for the contract term immediately preceding the contract term in which the transfer is made."

(13) Section 8(5 U.S.C. 3007) is amended by adding at the end thereof the following new subsection:

"(d)(1) Whenever the assets, liabilities, and membership of employee organizations sponsoring or underwriting plans approved under section 4(3) have been or are hereafter merged, the assets (including contingency reserves) and liabilities of the plans sponsored or underwritten by the merged organizations shall, at the beginning of the contract term next following the date of the merger or enactment of this subsection, be transferred to the plan sponsored or underwritten by the successor organization. Each employee or annuitant hereafter affected by a merger shall also be transferred to the plan sponsored or underwritten by the successor organization unless he enrolls in another plan under this Act.

"(2) Except as provided in paragraph (1) of this subsection, whenever a plan described under section 4(3) or 4(4) is or has been discontinued under this Act, the contingency reserve of that plan shall be credited to the contingency reserves of the plans continuing under this Act for the contract term following that in which termination occurs, each reserve to be credited in proportion to the amount of the subscription changes paid and accrued to the plan for the year of termination."

(14) Section 10(c) (5 U.S.C. 3009(c) is amended to read as follows:

"(c) Any employee enrolled in a plan under this Act who is removed or suspended without pay and later reinstated or restored to duty on the ground that such removal or suspension was unjustified or unwarranted may, at his option, enroll as a new employee or have his coverage restored, with appropriate adjustments made in contributions and claims, to the same extent and effect as though such removal or suspension had not taken place."

SEC. 2. Paragraphs (4), (10), and (11) of the first section of this Act shall become effective on the first day of the first pay period which begins at least ninety days after the date of enactment of this Act.

Amend the title so as to read: "An Act to amend the Federal Employees Health Benefits Act of 1959 to remove certain inequities in the application of such Act, to improve the administration thereof, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. CORBETT. Mr. Speaker, I demand a second.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. MURRAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. POOL].

Mr. POOL. Mr. Speaker, it has certainly been a most interesting and rewarding experience for me to have served as chairman of the subcommittee of the Post Office and Civil Service Committee that considered this legislation.

Anyone who has had the opportunity to study and observe the operations of the Federal employees health benefits program cannot help but be enormously impressed by the fact that it is undoubtedly one of the most far-reaching, progressive, and beneficial "fringe benefits" ever established by any employer for its employees.

Enacted by the Congress in 1959 as Public Law 86–382, the program started operating on July 1, 1960. It now provides over 2 million Federal employees and their 4 million family members with a level of health insurance protection that ranks among the best and most complete obtainable. It is the largest health benefits program in the world and every single day it acts as a protective buffer around Federal employees against the financial impact of not only routine medical expenses but the oftentimes ruinous drain of major medical and hospital costs. The carriers of the 38 participating health benefits plans have paid out approximately $1 billion in benefits in the less than 4 years of its existence.

The administration of the Federal employees health benefits program is under the jurisdiction of the Civil Service Commission which, certainly, deserves the highest commendation, not only for the smooth and efficient manner in which the program functions, but also for its own Herculean accomplishment in getting the program established in the first place within the rather broad guidelines that were laid down by Congress in the enabling legislation.

However, the experience of the Civil Service Commission to date in administering the program has revealed a few problem areas which it now feels require legislative action. In an official recommendation submitted to the Congress on May 8, 1963, the Commission proposed legislation to solve these problems and S. 1561, unanimously reported from our committee and now before the House, is the result of that recommendation.

S. 1561 incorporates 14 separate amendments to the Federal Employees Health Benefits Act of 1959. These amendments are intended:

First. To solve problems that have arisen from the application of the act to particular circumstances that could not be foreseen prior to enactment;

Second. To correct certain inequities that have developed; and

Third. To simplify and improve generally the administration of the act.

Nine of the amendments are those which were contained in the official recommendation of the Civil Service Commission. The remaining five amendments were adopted as a result of the extensive hearings conducted on the legislation by our committee and the Senate committee. These hearings revealed the need for further improvements in the act. I would like to emphasize that all of the amendments, including those which were not originally recommended by the Civil Service Commission, have been endorsed by this agency.

Seven of the amendments that are proposed to the Health Benefits Act in S. 1561 will add certain new benefits for employees; six of the amendments are designed to improve the administration of the program; and one corrects a technical defect in existing law.

Mr. Speaker, since there is no controversy involved in any of the amendments proposed in S. 1561, I think it unnecessary here to review in detail each separate amendment. They are fully explained in the committee report on the bill which is available to the Members. However, I would like to highlight a few of the changes that are made in existing law, particularly those which would extend new benefits. While, with one exception, they cannot be considered major departures from existing law, they are important and will contribute materially to improving the program.

One amendment adds foster children, who are presently excluded, to the list of family members who can be covered by the enrollment of an employee or annuitant, if these children are living with the employee or annuitant in a regular parent-child relationship.

Health benefits coverage will be continued for unmarried children up to the age of 21 years under an employee's family enrollment. The age limit presently is 19 years.

Another amendment makes provision for permitting employees, who otherwise might be ineligible to do so because they did not enroll at their first opportunity, to continue their health benefits protection when they retire on immediate annuities.

Certain retirees who lost their health benefits protection when they retired because they had not enrolled at the first opportunity will be permitted to regain their coverage.

Two of the amendments provide for the orderly and equitable disposition of the contingency reserves of health benefits plans that discontinue business or of health benefits plans sponsored by employee organizations that are involved in mergers. Existing law makes no provision at all for the disposition of these contingency reserves.

Perhaps the most significant amendment, at least from the point of view of over 100,000 married women employees, corrects a very serious inequity involving them that has existed since the program went into effect on July 1, 1960. Present law discriminates against these female employees by requiring them to pay appreciably more for their family enrollments when they have nondependent husbands. There is no similar penalty in existing law for married male employees whose wives may not be dependent upon them. The amendment would simply eliminate the separate enrollment classification for these married women employees who might have nondependent husbands and it puts them on the same Government contribution basis as all other regular family enrollments.

I would like to point out that this particular amendment is the only one of the 14 that involves any cost to the Government. The Civil Service Commission estimates that the cost of this amendment to the Government will be approximately $3.25 million per year, but in the interests of equity and in removing a discrimination against one class of employees that never should have existed in the first place, this cost is fully justified as a part of the overall cost of the Government's share of the program.

As I indicated, there are no costs to the Government involved in any of the other amendments. In fact, the Civil Service Commission estimates that adoption of the remaining amendments will result in minor savings in administrative expenses.

Mr. Speaker, S. 1561 is extremely desirable legislation. It will materially improve and strengthen the Federal employees health benefits program, already recognized as one of the finest and most complete in the world. I earnestly urge the adoption of S. 1561.

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

Mr. POOL. I yield to the gentleman.

Mr. CUNNINGHAM. I want to compliment the gentleman on his statement. I certainly support the gentleman's presentation and I support the bill. Having been a member of the committee that developed the health program for our Federal employees, I think it is one of the finest that could possibly have been developed. I want to compliment the Civil Service Commission particularly for taking a difficult piece of legislation and working it out so smoothly. So I do want to say it is a very fine piece of legislation that we passed out of our Committee on the Civil Service several years ago and that this will strengthen the program. It is the very finest health and accident policy that is available on the market today.

Mr. CORBETT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York [Mrs. ST. GEORGE] who is ranking member on the subcommittee that handled this bill.

Mrs. ST. GEORGE. Mr. Speaker, I wholeheartedly join my distinguished colleague from Texas in urging approval here today of S. 1561.

I was privileged to serve on the Post Office and Civil Service Committee in 1959 and participate in the lengthy hearings and executive sessions out of which emerged Public Law 86–382—the Federal Employees Health Benefits Act, certainly one of the most valuable and beneficial fringe benefits ever enacted by Congress for Federal employees.

Under this program, the Federal Government has joined with other progressive and enlightened employers by contributing a share of the cost of protecting its employees and their dependents against the high, unbudgetable, and financially burdensome cost of medical services. Federal employees are able to purchase protection at comparatively low cost from the oppressive expenses of normal medical care and the generally crushing expenses of major or catastrophic illness or injuries.

I might mention that a corollary benefit of this program is that it has materially improved the competitive position of the Federal Government in the recruitment and retention of competent civilian personnel.

I remember when the program was originally enacted, there were many who

expressed serious doubts that a health benefits program of this magnitude—one that would offer the best possible health insurance protection to over 2 million employees and their families—could ever be successfully inaugurated without at least the necessity for a continuing series of perfecting and strengthening legislative proposals. It is indeed a real testimonial, not only to the legislative architects of the original program, but also to the Civil Service Commission that was charged with responsibility for getting the program underway and administering it, that after a period of almost 4 years of efficient operation this is the first request the Congress has had for any important perfecting legislation.

S. 1561 is the result of an official request which we received from the Civil Service Commission, based upon its experiences to date in administering the program. The bill contains 14 separate amendments to the Federal Employees Health Benefits Act that are designed to bolster it in a few weak spots, correct certain inequities that have been uncovered, and remove a few obstacles in the path of efficient administration.

Only two of the amendments can in any way be considered major substantive changes in the act, but in my opinion, they are the changes that are the most highly desirable. In fact, the existing provisions of law leading to the need for these two amendments should never have been incorporated in the original act. Both of these amendments have been explained by my colleague from Texas, but I do want to review them again briefly for you.

The first amendment continues health benefits coverage under a family enrollment for unmarried children until they reach 21 years of age. The 21-year age limit, incidentally, was recommended to our committee and to the Senate committee in 1959 by the Civil Service Commission during our original consideration of the legislation. Experience to date proves that the Commission was right in advocating at that time a 21-year age limit rather than the 19-year age limit that was finally adopted in 1959. In spite of what you might hear and read about the prevalence of early marriages today, more and more young people are remaining a part of the family household until a later age and their mothers and fathers are still morally and legally responsible for them, at least until they reach the legal age of 21. Changing the age limit to 21 will be particularly helpful to families who have children in college and who are already under a heavy financial burden without being required to purchase separate and more expensive health insurance for their children.

The really good thing about this particular amendment is that it extends an important benefit to Federal employees without adding to the overall cost of the program. The Civil Service Commission endorses this change and, in an official report to our committee, pointed out that its cost, if any, would be quite minimal.

The second amendment contained in S. 1561 that I would like to call to your attention is the one that I consider the most important. It corrects an extremely inequitable condition that has existed since enactment of the health benefits program—a condition that never should have existed, and one that has been of deep concern to me ever since. This amendment quite simply will eliminate the "odd man" classification that was set up in the original act for married women employees whose husbands are nondependent upon them. This separate and discriminatory enrollment classification called for a much smaller Government contribution to their health benefits coverage, thus requiring that they pay a higher percentage share of the total cost of health insurance protection than single persons or married men with families. There is no separate classification or similar penalty imposed upon married men whose wives work and who, in effect, are not dependent.

Singling out this group of Federal Government workers for lower benefits than their coworkers certainly has constituted a serious inequity and particularly at a time when a lot of effort, from the White House on down, is being exerted to provide fully equal consideration for female employees in all phases of Government employment.

S. 1561 will eliminate the "odd man" female and nondependent husband enrollment classification and place these women employees in the regular self and family enrollment where the Government's contribution to their health benefits plans will be exactly the same as what it is for all other family enrollments.

As the gentleman from Texas has informed you, this is the only amendment in the bill that involves any cost—an estimated $3.25 million per year. However, this is a cost that is entirely justified as a part of the overall cost of the entire Federal employees health benefits program. It is a cost that the Government rightfully should have been paying since July 1, 1960. In fact, rather than speaking in terms of additional cost here, a good case could be made that the Government has reaped an undeserved windfall of three and a quarter million dollars per year since July 1960 at the expense of a dedicated group of employees, and that this bill only requires that the Government start paying what it should have paid all along.

Mr. Speaker, the amendments to the Federal Employees Health Benefits Act contained in S. 1561 were very carefully considered by my committee and they are offered here today by a unanimous vote of the committee. I sincerely urge their favorable consideration by the House.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I wish to urge passage today of S. 1561, as amended by the House Committee on Post Office and Civil Service.

On September 1, 1959, Mr. Speaker, I supported a motion to suspend the rules and pass S. 2162, a bill to provide for a health benefits program for Federal employees. The motion carried and S. 2162 subsequently was enacted into law. The intervening time has proven that decision of the Congress to be a good one. The Federal employees health benefits program has operated well, confounding its critics who said it was unworkable. However, minor problem areas have developed in the administration of this program. And today we have an opportunity to correct some of the problems and also to eliminate certain inequities which have appeared. We can do this by passing S. 1561.

Of particular importance, Mr. Speaker, is paragraph 4 which would eliminate an unjust discrimination against married female employees who are required to pay substantially more for their health benefits protection than are married male employees. At present, the married female employee cannot include a nondependent husband in her family policy and receive the same governmental benefits as can a married male employee. To me this is utterly unfair. A woman, providing for her family's health protection, is entitled to exactly the same consideration from her Government as is the male employee protecting his family. The Civil Service Commission has estimated that approximately 100,000 women would qualify for this increased coverage and, even though it would add some to the total cost of the program, the Commission would not, in the interest of equity, oppose the proposal. Those five words "in the interest of equity" are of the utmost importance and should be taken to heart by every Member present today. "In the interest of equity" we should, today, raise the married female employee to the level which the married male employee has enjoyed and benefited from since the program went into effect on July 1, 1960.

Of equal importance, Mr. Speaker, is paragraph 3(A) which adds foster children who are living with the employee in a regular parent-child relationship to the list of family members who can be covered. Again, this is a matter of equity. Such foster children are customarily included in health plans in private enterprise. Therefore, this paragraph merely—and I might add belatedly—brings them under coverage in the Federal program. Not to do so is to work an undue hardship on employees who may be rearing a grandchild, a niece, or a minor brother or sister whose parents are dead.

S. 1561 is well-conceived, well-studied legislation. The Committee on Post Office and Civil Service is to be commended for presenting this excellent legislation to us today. It deserves passage.

Mr. CORBETT. Mr. Speaker, might I inquire if the gentleman from Tennessee has any other requests for time?

Mr. MURRAY. Mr. Speaker, I have no further requests for time on this side.

The SPEAKER. The question is on the motion of the gentleman from Tennessee [Mr. MURRAY], that the House suspend the rules and pass the bill S. 1561 with an amendment.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "An Act to amend the Federal Employees Health Benefits Act of 1959 to remove certain inequities in the application of

such Act, to improve the administration thereof, and for other purposes."

A motion to reconsider was laid on the table.

OUR LIVESTOCK AND MEAT PRODUCTS IMPORT PROBLEM—ACTION UNDER SECTION 22 NEEDED

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

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

There was no objection.

Mr. WHITTEN. Mr. Speaker, section 22 of the Agricultural Adjustment Act, among other things, provides that:

> Whenever the Secretary of Agriculture has reason to believe that any article or articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, any program * * * or any loan, purchase * * * operation * * * or to reduce substantially the amount processed * * * he shall so advise the President, and if the President agrees that there is reason for such belief, the President shall cause an immediate investigation to be made by the U.S. Tariff Commission.

And upon a proper finding a 50 percent tax or quantitative limitation may be required.

Imports of livestock and meat products imported into this country have increased by more than 100 percent in the last few years. These imports have created a surplus on the domestic market, perilously endangering and affecting the operations of farm programs.

For years our Government periodically has been required to purchase surplus meats, and on at least one occasion live cattle, all within the intent of section 32 of the Agricultural Adjustment Act and with funds generated by that act, all in an effort to strengthen the market. We are threatened with such a situation now.

We have a price-support program for grain, and if this great inflow of livestock and meat products is not stopped, we will find less grain fed to livestock at home and this agricultural program will be thus endangered. If these increased imports are not stopped, less American meat will be processed over the years ahead.

The agreements with Australia and New Zealand to reduce shipments to us, while good, are far too little. Therefore, Mr. Speaker, I urge the Secretary of Agriculture to move now to set the provisions of section 22 in motion.

FOREIGN AID HURTS

Mr. Speaker, this problem is compounded by other policies of the Government. Through our foreign aid program the United States is authorized to finance and is apparently financing American cattle interests in locating in South and Central America, as well as other areas, with their operations guaranteed by the U.S. Government, enabling such American interests to produce cattle and return them to the United States without restriction.

The Agency for International Development, according to its bulletin, provides for:

First. An investment survey. AID will finance 50 percent of the cost of a trip to look over the situation in a foreign country.

Second. AID will make a dollar loan, also Export-Import Bank, International Finance Corporation and World Bank, and Inter-American Development Bank.

Third. AID will also make local currency loans from currencies generated by Public Law 480.

Fourth. AID will guarantee against political risks and some business risks.

Then, cattle and other livestock produced abroad can be sent back into the United States without limitation. I understand that even now many more Americans are getting set for this Santa Claus program offered by the U.S. Government through foreign aid, while Internal Revenue Service attempts to collect, in taxes, just a small share of the millions of dollars which other Americans have made under this program at the expense of their American competitors who stayed at home.

INVESTIGATION BEING MADE

When this was brought to our attention a few weeks ago, our Agriculture Appropriations Subcommittee provided for an investigation by the Appropriations Committee investigators, covering the following:

First. Volume of U.S. imports of livestock, meat, and meat products from Canada, Australia, New Zealand, Argentina, Brazil, and other major producing countries.

Second. Programs and policies of Federal agencies governing imports of livestock, meat, and meat products from abroad, including changes made during this period.

Third. Examples of use of section 22 of the Agricultural Adjustment Act to control such imports—or lack of use of such authority.

Fourth. Policies and programs of the Federal Government and agencies such as the International Bank involving the furnishing of technical and financial assistance to organizations of individuals in foreign countries for production of livestock, meat, and meat products.

Fifth. Names of U.S. citizens or organizations which have gone into livestock production in foreign countries during this period, including information on location, volume and whether or not U.S. Government loans were involved.

Sixth. Legislative authority for U.S. agencies to engage in such programs, and the amount of Federal funds and number of employees engaged in such programs.

Seventh. U.S. price levels at the farm, wholesale and retail levels of such products during the period, and effect of price changes on U.S. livestock producers.

Eighth. Effect of such imports on the use of section 32 funds and on the various farm programs of the United States affecting grain production and marketing.

Mr. Speaker, the Secretary of Agriculture needs to act now to protect existing farm and commodity programs and thereby aid our domestic economy and our very essential livestock industry.

EXTRAVAGANCE IN SOLE SOURCE BUYING

Mr. WILSON of Indiana. 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 Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, the Air Force recently spent $345 each to buy a small power supply for an airborne radio and wasted $223 on every one it bought. I warned before it happened that this was going to take place and tried to get the Air Force to coordinate its requirements with the Army. My warnings fell on deaf ears, and while the Army got competitive bids and bought the equipment for $122 each, the Air Force eliminated competition and threw $34,000 down the drain.

When I made this case a part of my continuing study of military procurement and the waste and inefficiency that goes on daily at the Pentagon, I expected cooperation and credible answers.

I should have known better.

The Air Force gave me untrue answers. It took the Comptroller General to help get to the bottom of the mess and find the truth.

In a report made to me on February 6, 1964, the General Accounting Office backed up every single allegation I made in a letter of transmittal of September 17, 1963. It also corroborated my fears that the Air Force gave me false answers in replying to my questions.

Mr. Speaker, after I am through here today, I shall refer the GAO report to the Secretary of the Air Force for his study and action.

It should be apparent to all that some sort of corrective action is mandatory. The deed here is much worse than the dollars. In this one procurement, the Air Force spent 181 percent more than necessary.

If this kind of slipshod and inefficient work can pass without notice until a single Congressman insists on getting at the truth, how many other contracts with similar abuses are sliding by with commensurate waste of millions of dollars a year?

You will notice I say that corrective action should be taken. This does not mean that it will be. It is altogether possible that some bureaucrat will attempt to rationalize or explain the whole thing away. Perhaps the Air Force will sweep the mess under the rug again.

But the fact remains that here is another battle that has been won. Another polecat has been pulled out of the woodpile. The smell is going to linger on until there is some wholesale fumigating on the other side of the Potomac River.

Mr. Speaker, what the Air Force contended in this case and what the GAO found to be the truth are as different as night and day. On the surface, the

Air Force appeared to have tried diligently to do a good job. But once the surface layer was stripped away, the corruption poured out.

Here again, some Air Force civil servant goofed. or worse. The proper papers were shuffled. Every one up and down the line rubber stamped the atrocity that was about to be committed.

But once the General Accounting Office got into the picture, the truth started to come out and the waste of another $34,000 was documented. I warned it would happen, tried to get it stopped, but failed.

Mr. Speaker, in the Commerce Business Daily of July 29, 1963, I saw where the Air Force at San Antonio Air Materiel Area, Tex., planned to buy 60 units of the DY–107 dynamotor without competition or competitive bidding.

This dynamotor is simply a power supply for the AN/ARC–44 airborne radio, a radio that has been made in the past under competitive conditions by several manufacturers. I have watched its purchase. It is a good radio and the purchases have been fair, competitive, and satisfactory to the Government and to industry.

I wondered why, in the light of past contracts, the Air Force had to buy this equipment sole source. Only 6 weeks before that time, the Army Electronics Materiel Agency in Philadelphia had opened a purchase for the same power supply under competitive conditions at a final price of $122 per item.

My concern in this matter was transmitted to Air Force Secretary Eugene M. Zuckert in a letter dated August 5, 1963. I insert the letter at this point:

DEAR MR. SECRETARY: Please obtain a copy of the unnumbered negotiation currently justified by the commanding officer, Kelly Air Force Base, Tex., announced in the Department of Commerce Business Daily No. 3352 of July 29, 1963, page 3, column 1, covering 60 units of dynamotor identified as the DY–107/ARC–44, on a sole source basis with Admiral Corp. Also, I would like a photostatic copy of the D. & F. used by this agency to justify such a sole source award.

In addition, please tell me why the Air Force could not coordinate its requirements for the DY–107/ARC–44 with that of the Army for identical equipment, and combine the award under the U.S. Army Electronics Materiel Agency, Philadelphia, invitation AMC–36–039–63–662 which was publicly opened on June 24, 1963?

Sincerely yours,

EARL WILSON,
Member of Congress.

Mr. Speaker, on August 26, 1963, I received my answer. Briefly, the Air Force told me that I was, in effect, mistaken. The DY–107 power supply to be purchased by the Air Force was not the same to be bought by the Army, I was told.

The Air Force told me it had checked out Federal stock numbers used for this equipment and the report did not indicate the Army as a user of this item. It also told me the stock number used by the Army in its purchase was different from that of the Air Force.

Mr. Speaker, this puzzled me greatly, because my sources in the military insisted the two equipments were the same. I turned to the General Accounting Office to resolve the differences of opinion—if not of fact—that I was receiving. Either my sources in procurement areas of the Air Force were wrong or the answers supplied by the Air Force, August 26, 1963, were not truthful.

In a letter to the Comptroller General, September 17, 1963, I asked for a complete search into the procurement of the DY–107 power supply. In the interim, I had uncovered a third purchase of the item. It was being made by the Army in Fort Rucker, Ala., and I asked that it be looked into.

Included in my letter to the Comptroller General were these questions:

1. Why could not these two services—the Army and the Air Force—coordinate their procurements?

2. The units being procured in both instances are and should be interchangeable with those made by earlier manufacturers. Why have different Federal stock numbers been assigned? Such a duplication is confusing, to say the least.

3. Who is at fault if an error has been made in this case?

4. Why is Fort Rucker permitted to make it own buy? Why hasn't this procurement been coordinated with earlier ones?

On February 6, 1964, I received my report from the General Accounting Office. I can only hope that this is not testimony to what is going on at all levels of Defense procurement, even though I sometimes suspect the worst.

The General Accounting Office review shows, for example, that the Air Force did not supply me with truthful answers.

When GAO quizzed Air Force technicians at San Antonio Air materiel area, a standardization branch employee said, and I quote from the report:

That, acting within his own authority, he changed the first two purchase requests to specify—a different stock number than that of the Army—"which identified the Admiral Corp. as the supplier because of the urgency and limited quantities required.

In a footnote in its report to me, GAO said:

This is in conflict with the information furnished to you by the Department of the Air Force letter of August 26, 1963, that a Federal stock number was sought from the center.

In other words, what the Air Force told me was one thing. The truth, as uncovered by GAO, was another.

Mr. Speaker, the Secretary of the Air Force should pinpoint the man who is giving false information to Members of Congress and state what action is to be taken to discipline him. Every Member of this House should expect this to be done.

The General Accounting Office also stated:

Our review indicates that (1) the Air Force should have coordinated its procurement action with that of the Army and it is highly probable that, had this been done, the Air Force requirements could have been added on to an Army contract at savings of about $34,000 to the Government, and (2) the Fort Rucker procurement action, involving at least $4,600, was unauthorized and was subsequently canceled as a result of your inquiry into this matter.

The Comptroller General's report also said that the Air Force originally anticipated paying $850 per power supply for these same units that were being purchased for $122 each under competitive conditions by the Army. The final Air Force price with Admiral was $345 each—$223 per unit more than paid by the Army—a waste of 181 percent per power supply.

Mr. Speaker, the report of the Comptroller General is complete in every detail. It is No. B–152536, and I have made arrangements for any Member to be supplied with a copy upon his request.

It simply shows that here, as in so many other cases, what passes for efficiency and good work is too often just a coverup of redtape and paper which masks so much waste of tax dollars that the everyday imagination can not cope with the figures involved.

Until we here in Congress start riding herd on the procurement people in the Pentagon and elsewhere, we are passively condoning the rape of our tax dollar that goes on unchecked.

The only way to attack the waste in Defense spending is by individual cases and specifics. A lot of skunks can be hidden in a $50 billion woodpile. The smell may be gamey, but you can not eliminate it until you get at the source and—polecat by polecat—eliminate them.

Just such an effort can be prosecuted with the enactment of H.R. 4409, the bill that I have introduced in this body to set up a blue-ribbon, nonpartisan watchdog committee to maintain surveillance over noncompetitive Defense spending. A colleague in the other body has also introduced a similar measure.

It has been said that the civil rights and tax cut bills were milestones for this Nation. One guarantees a citizen equal rights, the other allows him to keep a little more of his money.

It is my strong feeling that by enacting H.R. 4409 we would go a long way toward insuring the taxpayer that the dollar he drops into the Treasury in taxes is spent wisely and frugally after being properly appropriated by Congress.

THE HONORABLE HAROLD C. OSTERTAG

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

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

There was no objection.

Mr. HORTON. Mr. Speaker, as we all know, our colleague and good friend, the distinguished gentleman from New York [Mr. OSTERTAG] has announced his retirement from the House at the end of this year.

While it has been my good fortune to serve alongside HAROLD for only one Congress, our friendship is a good deal lengthier. I have known him and admired his conscientious service for many years.

The congressional district which HAROLD has represented with distinction since 1951 has a common boundary with the district I represent. Because the city of Rochester, N.Y., and the

county of Monroe, N.Y., are divided by this boundary line and the constituents on both sides have many similar interests, I have worked closely with HAROLD.

Mr. Speaker, in view of HAROLD'S retirement plans, I think it would be appropriate to review the highlights of his 33 years in public life. A Rochester Democrat and Chronicle newspaper reporter, Conrad Christiano, recently wrote an article that accomplishes such a review very capably. I take pleasure in sharing his story with my colleagues.

HIGHLIGHTS OF OSTERTAG'S CAREER: HIS AIM: THE PEOPLE'S INTERESTS

"Responsible, thorough, and forward-looking representation of the best interests of the people of our area and the Nation has been my objective during 12 years in Congress."

That was the way Representative HAROLD C. OSTERTAG began a review of his congressional career in October 1962, as he sought reelection to the House of Representatives in the 37th District.

Yesterday the 67-year-old Attica Republican announced in Washington that he will not seek reelection this year to the post he has held since 1950.

Born in Attica, Wyoming County, on June 22, 1896, OSTERTAG was graduated from Attica High School and the Chamberlin Military Institute. He enlisted in the 74th Infantry Division in May 1917 and served 23 months both in this country and with the AEF overseas. He later established and was director of the Wyoming County Veterans Service Bureau for 4 years.

As a veteran he became active in the American Legion and Veterans of Foreign Wars, at one time serving as vice commander of the State Legion.

OSTERTAG worked for the New York Central System, starting as a clerk, and later becoming a ticket agent, accountant, passenger representative, and finally special representative of the traffic department. He quit upon his election to the House.

A State assemblyman from 1932 to 1950, OSTERTAG was chairman of the legislature's joint committee on interstate cooperation from 1936. He initiated conferences among eastern States on mutual problems such as those involving motor vehicles, welfare, migratory farm labor, commerce and development.

In the House, OSTERTAG is a high-ranking member of the powerful House Appropriations Committee and generally is regarded as belonging to the "economy bloc" in Congress.

In his congressional career, he has been unsuccessful in two of his favorite efforts—to create a Department of Peace and to abolish the ceilings on the amount of wages social security beneficiaries may earn.

He has said a peace department could direct and coordinate the numerous activities of Government designed to create better understanding among nations. Just as there is a National War College devoted to the study of war, OSTERTAG, said, there should be a Peace College to examine international relations and world affairs, train personnel officers of the State Department, the U.S. Information Agency and other agencies.

In November, 1955, OSTERTAG and his wife were arrested at gunpoint by East German police in the Soviet zone of Berlin. They were on a sightseeing tour in a U.S. Army sedan with an Army lieutenant and Representative EDWARD BOLAND, Democrat, of Massachusetts.

The incident involved a radiotelephone in the sedan, apparently a violation of East German regulations, "which we don't recognize," OSTERTAG later explained. The party was detained 4 hours.

OSTERTAG later described it as a "harrowing experience, some of the Gestapo treatment which I had heard that the Communists use, part of a planned strategy."

In his campaign for relection in 1962, OSTERTAG said his seniority in Congress advanced him to a ranking position on the committees that deal with national defense, space exploration, veterans' affairs and many other important matters.

"This provides our area with a direct voice in the decisions which are made in Congress on these programs," he said.

During his career in Washington, he successfully sponsored a wide range of legislation, including improvements to the social security system, a GI bill of rights for Korean veterans, a civil defense training program in radiological detection, a U.S. Travel Service to attract tourists from abroad, and Federal consideration of claims by Lake Ontario residents for damages resulting from Canadian operation of the Gut Dam.

"I have consistently supported a strong national defense and a strong foreign policy, improved health and education programs, sound tax reform, equal opportunity for all, and improved roads and rivers," he said in 1962. "As a member of the House Appropriations Committee, I have constantly endeavored to reduce excessive Federal spending and obtain for the taxpayers the most for their tax money."

He also boasted participation in nearly 100 percent of the rollcall votes in Congress during his tenure.

In August 1962, he took credit for congressional slicing of $100 million from the $3.8 billion asked by the National Aeronautics and Space Administration. He said the $100 million was not even a drop in the ocean to NASA, which he was sure would never get around to spending all its money. But several such cuts would add up to considerable savings for the American taxpayer, he insisted.

While in the State legislature, he sponsored far-reaching legislation in the fields of social welfare, veterans affairs, forestry, pollution abatement, among others.

Mr. Speaker, an indication of the high regard in which HAROLD is held was evidenced by the editorial reaction to his retirement announcement by Rochester's other daily newspaper, the Times-Union. Editorial Page Editor Calvin Mayne has authored a public plea that HAROLD reconsider his decision. It is a pleasure to share this editorial with my colleagues, as well.

REPRESENTATIVE OSTERTAG SHOULD RECONSIDER RETIREMENT

Moments after Representative HAROLD C. OSTERTAG announced his retirement from Congress at the end of the year, Representatives from both sides of the aisle crowded around him on the House floor to urge him to reconsider.

Many in his Rochester area district feel the same way. After 33 years in the State legislature and in Congress, Representative OSTERTAG has earned relief from increasingly heavy burdens of public service. But his departure from Washington will be a blow to his 37th District, his State, and the Nation for two main reasons:

His ability—Representative OSTERTAG knows government—particularly its fiscal problems—as do few other Congressmen. He has saved taxpayers many millions of dollars by his alert detection of waste, but he is no pennypincher in defense, space exploration, and other vital areas in which he is expert. His conservative philosophy represents majority sentiment in his district, yet he has a liberal approach toward human problems of civil rights and social security.

His seniority—The congressional power structure is based on length of service. Representative OSTERTAG'S seven terms provide him a strong voice in all legislative fields. No Representative who replaces him, however capable, can hope to reach a comparable position for years.

HAROLD OSTERTAG is intelligent, responsible, and perceptive. At 67, he is younger than many other Congressmen and is in good health. He is popular in his district, consistently carrying urban areas in his congressional races as well as rural Republican strongholds.

We hope Representative OSTERTAG will reconsider. He is needed in Washington more than ever, now that he has reached the peak of his influence and experience.

But if he holds to the decision he has reached after many months of soul searching, he will leave Washington with praise and thanks from the people he has well represented.

MAJ. BERNARD LUKASIK

Mr. McDADE. 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 Pennsylvania?

There was no objection.

Mr. McDADE. Mr. Speaker, last Friday a solemn processional wound its way to a place of interment in Arlington National Cemetery. We passed the amphitheater in that cemetery. Inscribed in marble high above the entrance is the Latin phrase: "Dulci et Decorum Est Pro Patria Mori"—it is sweet and glorious to die for one's country. It was an appropriate inscription indeed, for we were walking behind the mortal remains of Maj. Bernard Lukasik, of the U.S. Air Force, who had died in distant South Vietnam.

That death, Mr. Speaker, had brought the war in Vietnam suddenly across half the world and jolted the people of the 10th Congressional District. We had heard of Hanoi, Saigon, and the Plains of Jaar, but they were only names. But on February 19 it become a terrible personal reality, when we learned that one of our friends, Major Lukasik, had died in that distant war.

He was a pilot of a lead T–28 aircraft. He was making his sixth strafing pass in support of a raid by Vietnamese troops 90 miles south of Saigon, when his plane was apparently struck by ground fire of Communist guerrillas. It crashed and burned about 14 miles west of Can Tho. Major Lukasik died in that crash.

And so last Friday he was buried. As the last taps sounded, his wife, Joan, placed a single red rose on the coffin of this fallen hero. I wish that every Member of this House could have attended that ceremony. God grant that his soul will rest in peace. God grant that his family will have the strength to endure in this difficult time. God grant that this Nation will maintain the will and the resolve that his sacrifice shall not be forgotten.

Major Lukasik was the son of Joseph W. Lukasik of 716 Price Street, Dickson City, and the late Pearl Kucharski Lukasik. A graduate of Dickson City High School, Major Lukasik attended the University of Scranton on a 3-year competitive scholarship before entering the Air

Force pilot training program in 1956. He received his wings at Randolph Air Force Base and was later assigned to the Aero Space School at Dayton, Ohio. A year ago he was one of four Air Force captains, all jet pilots, who participated in a 20-day simulated space flight, equivalent to a round trip to the moon. His brother, Joseph, is an Air Force captain serving in England as a jet pilot; another brother, John, is a cadet at the Air Force Academy at Colorado Springs, Colo., and is one of the bright lights of that noble institution. His brother, Anthony, and his sister, Barbara, reside with their father in Dickson City. He leaves his wife, Joan, and their three sons, Mark Anthony, John Gregory, and David James, all residing at Hurlburt Air Force Base in Florida.

THE RUSSIAN WHEAT FRAUD

The SPEAKER. Under the previous order of the House, the gentleman from Washington [Mr. STINSON] is recognized for 60 minutes.

Mr. STINSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter and tables.

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

There was no objection.

Mr. STINSON. Mr. Speaker, when the Russians experienced a shortage of wheat last year, they started a propaganda campaign indicating that they must purchase large quantities of wheat in order to feed their people. Consequently, Russia bought 6.8 million tons of wheat from Canada, 1.8 million tons from Australia, and 1.7 million tons from the United States. Using Russia's own statistics, I shall show, first, that there is no shortage of wheat for bread in Russia; second, that the imported wheat will be used for other purposes; and third, that wheat is needed in the chemical and munitions industry.

In the Soviet Union the farmers are required to turn over a large portion of their grain production to the Soviet state. The farmers retain some of their grain to feed their livestock and themselves. Approximately 27 percent of the Russians are engaged in some kind of agricultural or related work and are not fed by the Soviet state. About 73 percent of the population, or 164 million of the 225 million Soviet citizens will be fed from the grain turned over to the Soviet state.

I am enclosing a chart to show the grain deliveries to the state over the years. It is readily apparent that there have been big slumps in grain production before. During these previous slumps no large quantities of grains were imported by the Soviet Union. For example, grain delivered to the Soviet state diminished from 54 million tons in 1956 to 35 million tons in 1957. The quantities of grain delivered to the state diminished from 56 million tons in 1958 to 46 million tons in 1959. No imports were required to alleviate the slump. Therefore, the mere fact that there is a decrease in the crop harvested by the Soviet Union does not explain present grain imports.

Khrushchev, in his speech of December 9, 1963, before the full session of the Central Committee of the CPSU stated that grain deliveries to the state in 1963 would total about 44.8 million tons.

A Soviet report published in 1960 indicates that the daily bread consumption in the U.S.S.R. is about 1 pound. The production of 1 pound of bread requires 0.62 pound of rye or 0.75 pound of wheat. Production of 1 pound of flour requires 1.25 pounds of cereal grain. On the average, 1 pound of bread requires approximately 1 pound of grain.

The Soviet bread grain requirements can be established approximately by the application of two methods. First, the known per capita consumption of bread; second, the known per capita production of flour.

It must also be borne in mind that flour is used not only for the production of bread but also, in smaller quantities, for the production of other foodstuffs. In order to supply each of the 164 million persons for 1 year his daily bread ration of about 1 pound, 29.9 million tons of wheat and rye are required. This year's grain deliveries to the Soviet state of 44.8 million tons, in spite of the crop failure, are substantially larger than the amount required to feed the people. All of the grain deliveries to the state are not made up of the bread grains—wheat and rye—but also include oats, barley, and corn. Therefore, the state bread grain requirements, calculated at 29.9 million tons cannot be compared with the total grain deliveries to the state of 44.8 million tons. However, if we compare the average percentage of wheat and rye in comparison to the total of grain deliveries over the years, we find that about 80 percent of the grains delivered to the Soviet Union is composed of the bread cereals, wheat and rye. Taking this into consideration, approximately 35.8 million tons of the 44.8 million tons delivered to the state in 1963 are available for the bread supply for the 164 million people fed by the state. Since only 29.9 million tons of bread grains are required, it is readily apparent that in spite of the crop failure there is still more than sufficient grain to fulfill the normal bread supply requirements.

Now the foregoing method of determining state grain requirements for bread does not take into consideration the grain and flour requirements for the production of other foodstuffs such as noodles and baked goods. Therefore, we can use a second method to give us a cross-reference. The second method is based on the flour production in the Soviet Union for previous years. About 73 percent of the total flour production of the state mills and people's cooperatives are used to feed those people who depend upon the state for their food. This is confirmed by a quotation from a book published by the Soviet Academy of Science which reads as follows:

> About 70 percent of the entire population is supplied by the centrally collected grain stocks, which corroborates the fact that in 1958 the state mills produced 23,114,000 tons or 70 percent of a flour production total of 33 million tons. The centralized flour supply of the population goes up systematically and will exceed 75 percent at the end of a 7-year planned period—

In the year 1965. Thus a figure of 73 percent of the flour which will be produced in the state-owned mills this year will feed those people who are dependent upon the state for their subsistence. Since the production of 1 pound of flour requires 1¼ pounds of the cereal grains—wheat or rye—the Soviet state requires 32.9 million tons of cereals to produce the 26.3 million tons of flour consumed by the 164 million persons dependent upon the state for their food.

In 1964 in order to guarantee the bread supply of the population sector fed by the state, 29.9 million tons of cereal grains are required. When other food products besides bread are taken into consideration, the total cereal grain requirements to feed the Soviet Union will be about 32.9 million tons for this year. This is considerably below the approximately 35.8 million tons of cereal grains which the Soviet state has available from its own resources.

The facts and figures cited so far show that there is no direct compelling connection between this year's crop failure in the Soviet Union and the large scale of Soviet wheat purchases. However, there are several possible reasons for the Soviet wheat purchases.

1. EXPORT COMMITMENTS

It is conceivable that the Soviet Union may be importing some wheat to enable it to meet its export commitments. The chart which I have enclosed shows the Soviet Union's grain and wheat exports as compared with its grain and wheat stocks. This column also indicates that grain exports continue from the Soviet Union even in very unfavorable crop years such as 1955, 1957, 1959. Grain exports will probably continue in 1964, but will undoubtedly be considerably below the amount of the imports. There is also the possibility that the Soviet Union plans to buy our grain on credit and sell it for cash thus making a profit at our expense.

2. STOCKPILING BY THE STATE

It is estimated that the Soviet Union's own grain stocks are about 8 million tons. It is very possible that the Soviet wheat purchases were initiated in order to build up strategic stockpiles for possible war purposes. Military considerations have played a big part in the Soviet Union's economic policy decisions in the past. A third 5-year plan, for example, provided "the creation of large State reserves, with a view to the international situation of 1938."

3. GRAIN REQUIREMENTS OF THE CHEMICAL INDUSTRY

This, I suspect, is the real reason for the huge quantities of wheat being imported by the Soviet Union. In the publication Die Zeit of November 8, 1963, P. Zieber makes reference to the fact that the Soviet Union is using 8 tons of wheat flour in order to produce 1 ton of alcohol.

Until the initiation of the 7-year plan, ethyl alcohol was predominately produced from foodstuffs under a process

developed by S. W. Lebedjiw. Under the 7-year plan, which is to terminate in 1965, production of ethyl alcohol was to be put "on a new raw materials base" in order "to preserve for the population and the cattle industry a colossal amount of potatoes and cereals." Natural and petroleum gas as well as wood cuttings were being considered as new base raw materials for the production of ethyl alcohol. In the last year of the 7-year plan, 1965, it is planned that out of a target of 1,600,000 tons of ethyl alcohol, 800,000 tons are to be produced from food raw materials.

The Soviet Union has been able to fulfill its target up until now, in spite of the fact that the production of ethyl alcohol from nonfood materials has fallen far behind schedule. The reason for this is the large quantity of grain and other food materials that they have had available. The Soviet writer, A. N. Efimova, pointed out in Economics, S.S.S.R. in 1962 that almost 5 million tons of cereals would be used for certain phases of the chemical industry in 1965.

In his speech of December 9, 1963, Khrushchev indicated that 4.1 million tons of cereals were used to produce ethyl alcohol in 1962.

Grain has not been the only food raw material used in the production of ethyl alcohol. In 1956, 45.2 percent of the ethyl alcohol manufactured from food materials was produced from grain, 16.2 percent from potatoes, and 38.6 percent from molasses. It is well known that the Soviet Union has suffered a severe setback in its potato crop. Also the Cuban sugar cane damage due to a severe hurricane of last year greatly reduced the sugar cane supply. Molasses is a byproduct of sugar production and, because of the sugar cane shortage, a much smaller quantity of molasses than normal will be available. Therefore, it is very probable that a much larger percentage of the ethyl alcohol will be manufactured from grains than before. Khrushchev himself summed up the problem when he stated:

> Talk about the task ahead—stopping the general use of foodstuffs for industrial requirements—it must be admitted that little has yet been done. The amount of food used for industrial purposes is still attaining large proportions.

The Soviet wheat purchases give all the appearances of being important for the raw material supply of the Soviet chemical industry. Wheat purchased by Russia may be used directly for the manufacture of chemical products of military importance. No munitions industry can operate without huge quantities of ethyl alcohol. Some of the munitions that require ethyl alcohol in their manufacture are:

First, TNT; second, torpedo propulsion fuel; third, poison gas; fourth, liquid hydrogen fuel—used in rocket propulsion; fifth, smokeless gun powder; sixth, mercury fulminate—priming compound for the explosion of nitroglycerine and other explosives; seventh, tetryl—explosive booster charge; eighth, DDNP—used as a detonator in blasting caps and in ammunition; ninth, PETN—an ingredient used in the manufacture of detonating fuses and hand grenades, and most important; and tenth, atomic bombs.

Some of the wheat we are sending to Russia could well be shot back at us, and in addition, the American taxpayers are forced to pay an export subsidy of some 60 cents for every bushel of wheat that we sell to Russia. This is the height of folly. We should immediately stop shipping wheat to Russia and urge our allies to do the same.

U.S.S.R. grain production, use, and export

[In millions of tons]

Year	Total U.S.S.R. grain crop	Deliveries to Soviet state	Percent of crop production deliveries to state	Deliveries to state included—			Percent wheat and rye of total deliveries	U.S.S.R. flour production	Soviet Union grain and wheat exports	
				Wheat	Rye	Total			Total cereal	Wheat
1953	82.5	31.1	37.7	19.2	5.9	25.1	80.7	27.0		
1954	85.7	34.6	40.4							
1955	106.8	36.9	34.6	19.9	6.1	26.0	70.4	32.0	3.68	2.04
1956	127.6	54.1	42.4					32.0	3.22	1.45
1957	105.0	35.4	33.7					33.0	7.41	5.45
1958	141.2	56.6	40.1	41.9	5.6	47.05	83.9	33.0	5.10	3.88
1959	125.9	46.6	37.0	34.2	6.4	40.6	87.1	36.0	7.01	6.05
1960	134.4	46.7	34.7	30.7	5.8	36.5	78.1	34.5	6.79	5.64
1961	138.0	52.1	37.8	33.3	7.2	40.5	77.7	36.0	7.48	4.80
1962	147.5	56.6	38.4						7.81	4.77
1963		44.8								

Grain exports of the Soviet Union

[In millions of tons]

	1958	1961	1962
Total	5,099.6	7,480.9	7,914.3
Austria	61.7	111.3	115.0
Great Britain	77.9	843.7	412.5
Belgium	20.1	96.0	34.4
Bulgaria	22.9	4.7	107.9
Brazil		202.3	412.8
Hungary	152.3	415.9	294.3
Soviet Zone	1,747.2	1,787.3	2,185.8
Netherlands	145.6	247.8	122.1
Denmark	6.8	24.1	2.8
Iraq		48.6	
Italy	10.3	249.6	72.8
Red China		200.9	351.0
People's Republic of Korea		290.3	50.0
Cuba		251.0	412.2
Norway	134.0	98.3	82.5
Poland	327.8	603.8	861.7
Sudan		46.0	64.7
Federal Republic of Germany	66.5	362.8	154.7
Finland	358.4	171.3	318.2
Czechoslovakia	1,175.5	1,175.7	1,451.3
Sweden	72.4	94.3	101.1
Japan		24.3	39.2

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

Mr. STINSON. I yield to the gentleman from Kansas.

Mr. DOLE. I commend the gentleman from Washington for a very timely discussion of wheat sold to Russia and I use the term "sold" cautiously, as it may never be paid for.

Last Friday, the Honorable Averell Harriman, Under Secretary of State, appeared before the Committee on Agriculture. He said it was right for us to sell wheat to the Soviets, it was right on humanitarian grounds, it was right as a business proposition, it was right because it dramatized for the world the measure of our capability in the most basic and widespread industry known to man, the growing of food.

I questioned Mr. Harriman about his statement and he indicated perhaps there was no starvation in Russia, and perhaps it would help our balance-of-payments problem, and it might, providing we are paid for the wheat. To be completely accurate I will repeat my questions and his answers:

Mr. DOLE. I have been interested in Mr. Harriman's statement, on page 2 concerning wheat sales to Russia. First of all, to use the term "sell" I assumed from that we will be paid for the wheat?

Mr. HARRIMAN. They will pay the world market prices for the wheat.

Mr. DOLE. In what?

Mr. HARRIMAN. Dollars.

Mr. DOLE. In gold?

Mr. HARRIMAN. In dollars. So far as I know they have not asked for a loan. Some of the Canadian wheat was sold on terms up to 18 months.

Mr. BELL. Yes.

Mr. HARRIMAN. They received commercial credits for that length of time. That might be extended that long, but not longer. It will be dollar payment—the payment will be in dollars.

Mr. DOLE. You say it is right, this sale, on humanitarian grounds. Is there some basis for that statement?

Mr. HARRIMAN. They are very short of wheat this year. The crop seems to be very, very bad. And if they are not able to buy wheat from abroad, to purchase it from us and only a part of the wheat that they are getting is from abroad, they would have to go on a very, very strict ration on the basis of bread which would probably cause some debilitation of the people.

Mr. DOLE. Is the basis for that statement that people are starving in Russia?

Mr. HARRIMAN. No; they are not starving. I think that, roughly, the wheat they are buying from abroad may be about 20 percent of normal production, so that there would have to be a substantial reduction in the normal intake of food from bread.

Mr. DOLE. For example, do you know what they are going to do with the wheat they buy—are they going to stockpile it or to use it for their export commitments?

Mr. HARRIMAN. No; it is their wheat. They have agreed not—I have forgotten just what the agreements are—but they are to take it to their own country.

Mr. DOLE. They have already shipped some of the Canadian wheat to Cuba I understand. So they will replace it with some of ours?

You also stated the sale is a good business proposition.

Mr. HARRIMAN. Yes.

Mr. DOLE. Do we operate on different standards? We condemn certain countries for trading with Communist Cuba, but it is all right for us to trade with Communist Russia.

Mr. HARRIMAN. When I was Secretary of Commerce I established the first controls after the postwar period with Russia, and we only established controls on strategic items, and that has been the agreement within the Western industrial nations. There was never any contemplated thought to cut out the sale of food or consumer goods.

Mr. DOLE. Well, we are objecting now to England and others.

Mr. HARRIMAN. But it never occurred to me in all of the years that I have dealt with East-West trade that we should prevent the Soviet Union from buying consumer goods. It seems to us to eat up what gold they have, and their foreign exchange, rather than to use it for military purposes or to develop their heavy industry.

The situation in Cuba is an entirely different situation. There is a regime that was established in Cuba that we believe is distasteful to our objectives. We are not trying to pull down the Soviet Union's Government, and we do not think that trade is going to have any bearing on it.

The European countries have large trade with the Soviet Union and Eastern European countries. It would not make very much sense for us alone to try to isolate ourselves from this important economic market.

Mr. DOLE. Is not the Cuban Government being supported largely by the Soviet Union?

Mr. HARRIMAN. Yes, to a very considerable extent. The sale of sugar from Cuba is one that keeps Castro's government alive. There have been some shipments from the Soviet Union on credit. I have not the details with me. I will be glad to supply such information as you may wish, but Cuba is dependent on getting the things she needs at the present time from the Communist bloc. We have declined to sell to Cuba and we have urged other free countries to do so likewise, but with only partial success.

Mr. DOLE. There has been some discussion they might make alcohol from the wheat and use it in certain munitions—is there any evidence of this that you know of?

Mr. HARRIMAN. I do not know what she does with her sugar.

Mr. DOLE. I was talking about wheat.

Mr. HARRIMAN. About wheat—yes, I do not know—we do not know what they are going to do with it. They make vodka out of wheat, but it would be rather expensive to make commercial alcohol. As I say, they make vodka out of wheat. And they make it from potatoes.

Mr. DOLE. Do you think that we should limit our trade with Russia to agricultural commodities—you said consumer goods—would you include buses or anything of that kind?

Mr. HARRIMAN. Our trade with Russia is on a very strict licensing basis. It is not adhered to by the European industrial countries, that is, the Western countries. This policy has been developed over a period of years, but so far as I am concerned I think it ought to be loosened up. I think it would be of interest—to our interest to do so, but not in what is called strategic items, those items in the list that it has been agreed to between ourselves and our European allies, but it should not in my opinion be limited only to food. I simply said that it never occurred to me when we established these controls that it would ever apply to food.

As far as the Soviet Union is concerned this Government has been in existence for 47 years and it has been accepted as a trading relationship with practically all countries of the world.

Yesterday the gentleman may have heard Under Secretary of State George W. Ball make similar fuzzy comments in a television interview. He said comparing the sale of wheat to Russia with the sale of buses to Cuba was like comparing an elephant with a rabbit. The elephant he referred to was Russia and frankly I am more fearful of elephants than rabbits. This is no time for "double standards" but time free world countries got together and worked out some policy of dealing with each other and the Communist countries.

I thank the gentleman for bringing this matter to the attention of the House. It is certainly our responsibility to provide the American public with facts. It seems tragic the wheat transactions were handled quasi-secretly by every Federal agency involved. It is difficult for Americans to determine these transactions are in the "national interest" by reading Vietnam casualty lists or reports of trouble in Cuba, Cyprus, Zanzibar, just to name a few.

Mr. STINSON. I thank the gentleman. I also thank him for enlightening Mr. Harriman.

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

Mr. STINSON. I yield to the gentleman from Texas.

Mr. FOREMAN. I want to thank my friend and colleague from Washington for the work and research he has put into this subject, and for bringing it to the attention of the Members of the Congress and the citizens of this country. I think the American people are justifiably concerned over the fact that this administration and this Congress played Santa Claus to Khrushchev last Christmas eve by issuing him a credit card for communism. I know I am concerned as a member of the House Armed Services Committee, at a time when we are spending $50 billion a year for armaments to prevent the spread of communism and to protect our freedom, at a time when unarmed American flyers are being shot down over Germany, and at a time when American fighting men are being shot and killed in Vietnam, it is a shame and a disgrace for us to be sending subsidized American wheat to fill the hungry bellies of Communists who are making the bullets that are shooting us down.

I commend the gentleman for bringing this to our attention.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. STINSON. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I wish to commend the gentleman from Washington for his timely speech. I think history will prove that this selling of wheat to the Russians will go down in history as probably the greatest folly ever undertaken by the leaders of our Government. We are going to pay a heavy price for this mistake. I think it is high time that our leaders make a mistake just once in our favor instead of making all the mistakes against us.

Mr. STINSON. I thank the gentleman for his contribution.

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

Mr. STINSON. I yield to the gentleman from Illinois.

Mr. RUMSFELD. I should like to congratulate my colleague for his leadership in this area and for bringing this extremely important matter to the attention of the Members of the House. There has been a good deal of discussion, particularly by administration spokesmen, about the humanitarian aspects of these Johnson administration sponsored wheat sales to Russia, and about the need for the United States to subsidize and back up these loans with U.S. tax dollars.

As a member of the House Committee on Science and Astronautics I must point out that the Soviet Union is allocating its resources so as to make manpower and money available for space exploration and for meeting their military desires, not for so-called humanitarian purposes. They are not using their manpower and their resources to provide for the needs of their people in terms of food. There is no question in my mind that Khrushchev, if he desired, could allocate U.S.S.R. resources so that they could provide for the needs of the Russian people. They are not doing this. They are using their resources for more warlike purposes. The people of this country who continue to talk about the humanitarian aspects of wheat sales and who would use the dollars of the American taxpayers to bolster the Russian economy are making a serious mistake. By so doing they permit the Communists to continue their military and space ventures rather than meet the demands of their people. This is a subject we are going to be hearing a good deal about in the coming months and years in addition to the whole question of trading with Communist countries.

I thank the gentleman for bringing this matter to the attention of the House and congratulate him on his valuable contribution.

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

Mr. STINSON. I yield to the gentleman from Nebraska.

Mr. BEERMANN. I thank the gentleman from Washington for his astute discussion of this subject, and compliment him on taking the time to bring this information to the Members.

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ALGER. Mr. Speaker, the gentleman from Washington [Mr. STINSON] has performed a great service for every thinking American. We must terminate the folly of aiding the dedicated enemy.

The gentleman has reminded us that wheat can be used to produce ethyl alcohol which is used to manufacture atomic bombs, TNT, poison gas, detonating fuses, torpedo fuel, and other weapons of war. Therefore, now we are engaged in directly aiding the enemy produce deadly weapons that can be used against us. Many of these weapons are now in Cuba. Every man, woman, and child in this country, in the world, is endangered by this direct action on the part of the President, the members of the State Department, and all others engaged in this aid to the Communists.

Nor is this action a simple sale, which would be bad enough as a mistake of judgment. We are subsidizing the Russians. In the first wheat deal we gave the Russians $25 million outright. Since

then the President has authorized the financial underwriting of the Export-Import Bank to Russia and all Communist satellite nations.

Are our leaders crazy? Are they ignorant of what they do? Is not the Communist our dedicated enemy by his own boastful statement time after time? Is not treason defined as giving aid and comfort to the enemy? Is not an outright gift and sale of wheat that can be used to make weapons aid and comfort to the enemy?

In the past we have learned later, to our sorrow, of examples of transshipment of our foodstuffs to those killing American boys. At one time we learned that Poland sent some of our food to North Vietnam to feed those killing American soldiers. Soldiers need food to fight. It is a weapon of war. This misuse of our aid was at the least, bad judgment on our part in helping Poland. How much worse is it to aid Russia directly the center of the Communist conspiracy.

Mr. Speaker, what can a Member of Congress do when he sees such action by the Government leaders, but speak out. Did we not swear to uphold the Constitution? No definition in my responsibility that I know as a Member of Congress permits my remaining silent, thus becoming a silent partner to this suicidal action of our national leaders.

I call aid to Russia a suicidal course. I consider the Communist conspiracy a mortal enemy to all I hold dear, including the children we now are rearing. I will not be a party to this fraud on the American people.

What will it take to awaken the people? What must happen to awaken our President, the State Department planners, and the Democrat leadership, in fact, every elected representative to the takeover by the Communists of the earth's surface which our policies are facilitating. As for me, I am not afraid to speak out, to confront the enemy and stop him in his tracks. I would preserve U.S. sovereignty and lead the bewildered people of the world to freedom, not into the slave camps of communism where our foreign programs are fast taking us.

I ask again—wherein does aid to Russia for Communist weapons differ from treason?

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

Mr. STINSON. I yield to the gentleman.

Mr. UTT. I want to congratulate the gentleman from Washington for taking the time and devoting the study to bring this matter to the attention of the House and to the attention of the American public. I would like to say that yesterday I was in Houston and went down to the docks where they were loading wheat in foreign bottoms headed for Russia. I watched the American pickets down there who were urging them not to load the wheat to go to Russia. This boycott or strike, as you might call it, or picket line, is headed by the leaders of the International Longshoremen's Union. They are dedicated Americans and they know that wheat is just as much an armament as missiles or aircraft. They finally had to give up and had to yield to city hall because they had been threatened with a court injunction of the Federal Government or in the alternative, the army would be sent down to load the ships. You can see how intent we are in bailing the Russians out of their disaster. It might be interesting to point out that the present Secretary of State, Dean Rusk, was in the picket line in 1939 or 1940, when America was shipping scrap iron to Japan, to try to stop it. He said it was an armament and would come back and hit us. Yet, you will not find Secretary Rusk on the picket line today urging the American people not to ship wheat to Russia and armament to bail them out when they are at one of the lowest points in their economic history. He wants to assist them and cooperate with them and bail them out on any problem that they have. I congratulate the gentleman from Washington for taking the time to bring this matter to our attention.

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

Mr. STINSON. I yield to the gentleman.

Mr. DOLE. I would conclude and have done many times, with two basic statements. First of all, it is rather inconsistent to fight communism with one hand and feed communism with the other hand. Secondly, I would much rather give wheat or other surplus commodities to our friends than to sell them to our enemies. I agree with the gentleman from Washington.

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

Mr. STINSON. I yield to the gentleman.

Mr. HALL. I certainly want to congratulate the gentleman from Washington [Mr. STINSON] of the great State of Washington and the Pacific Northwest, not only for his able representation, but specifically for taking this special order to bring before the House and to the citizens of this country this paradox, and this dilemma, in which we find ourselves. I would have presumed that had we lived up to all of the original stipulations concerning the sale of wheat to Russia, it might have been satisfactory in view of our gold outflow. But you have pointed out beautifully the things which utterly washout any basis for such a conclusion. No. 1, you have pointed out again in many areas, but specifically in an area that Napoleon first made an observation; namely, that "armies travel on their stomachs," and therefore, we should not feed a competing arm especially one dedicated to burying us. But, second, and this is particularly why I rise, is because in your speech here on the floor, which has been beautifully done and properly researched and prepared, you have included information about the chemistry and the many other uses of ethyl alcohol, which is one of our primary alcohols. As a professional man, I am well aware of this and of the ease of hydrating alcohol into essential chemicals, into explosives, and into rocketry as well as its use in telemetry. Now whether our citizens absorb all of that as individuals in America or not, anyone ought to know that in the frozen north and in extreme cold such as exists in most of Russia, North China, and Siberia, alcohol is used to prevent frosting and icing of airplane wings. Most of us have been held up at many an airport here in North America until the wings were swabbed down with alcohol to prevent icing on the ground in the midst of certain dewpoints, temperature, or freezing conditions.

This is a beautiful paper. It is well done and I hope the press and the people of America will take it to their hearts and realize not only the error that we have made in selling this valuable foodstuff and ammunition to our direct competitors, but also to realize it has been foolhardy in connection with the test ban treaty. Even in the preamble and certainly in the body of that treaty—which was approved by our Senate, entered into, and to which signatures were affixed long before the public had an opportunity for study and discussion—one will find some of the explosives which involve alcohol are precluded from further use.

Time has now overtaken events and proved that we were in error both in entering into this agreement and finally in confirming it as a test ban treaty.

I thank the gentleman for his diligence and for the beautiful way in which he has brought this vital research forward, and come to such vital conclusions.

Mr. STINSON. I thank the gentleman. I appreciate his kind remarks.

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

Mr. STINSON. I am glad to yield to the gentleman from Illinois.

Mr. ANDERSON. I certainly wish to join my colleagues on this side of the aisle in applauding the gentleman from Washington for making this significant contribution today. I join him in expressing the feeling that without question the most egregious blunder we have committed since the end of World War II was the decision to permit the subsidized sale of grain to the Soviet Union.

Unfortunately, I was not able to hear all of the remarks previously made by my colleague, and perhaps this point has been alluded to earlier.

There were some interesting figures contained in the press yesterday with respect to allied shipments to Communist Cuba. Ships of 7 U.S. allies in the North Atlantic Alliance made 270 trips to Cuba in 1963, according to the figures made available today. British ships led the list, with 132 trips. Greece was second, with 99. The figures for the others are: Italy, 16; Norway, 13; France, 8; and Denmark and Germany, 1 each.

I certainly believe it is only too clear that as a result of the policy decision of the Government to permit trade with Communist Russia our voice, when we attempt to raise it against trade with Cuba, is not being heard by our allies, and we are losing whatever influence we had in the Western alliance on the matter of the economic embargo against Cuba. I believe this can be traced back—as I know the gentleman already pointed out and would agree—to the unfortunate policy decision made by our Government to permit trade with the Soviet Union in this area.

I thank the gentleman for yielding. Again I applaud him for taking this time and making the effort he has made today to bring this matter not only to the attention of those of us in the House but also, I hope, to the attention of the people of our entire country.

Mr. STINSON. I thank the gentleman.

THE RUSSIAN WHEAT DEAL

Mr. STINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. HORTON. Mr. Speaker, the gentleman from Washington [Mr. STINSON] is performing a patriotic purpose in pointing out the paradoxes of the administration's sale of U.S. wheat to Communist countries. I have contended continually that such a sale is contrary to our national interest. BILL STINSON's authoritative analysis supports that contention.

Beyond any economic considerations, there is a moral principle that compels me to oppose this transaction. Clearly, the United States should not carry on any trade of strategic materials with a government that is dedicated to our national annihilation.

There is no doubt that wheat can be considered a strategic material. I find it meets this test on at least two counts.

First, any commodity we supply to another nation helps to lessen its own need to provide that commodity. In the case of Communist bloc countries, the sale of wheat makes a direct contribution to their strategic position by allowing a greater proportion of available resources to be devoted to the building of a mighty military machine.

Secondly, many scientific experts have voiced fears that Russia will turn our wheat into alcohol. Naturally, the product of this distillation process would find ready use in missile and rocket fuels and munitions.

The wheat deal compromises both our security and our democratic beliefs. It tells the world the United States is more interested in the balance of payments than the balance of power.

Why should the United States shore up the Soviet economy and make it easier for the Kremlin to meet its commitments among the Communist bloc nations when the Soviets have given no intention of relaxing world tensions? This could only be termed "trading with the enemy."

We are met on many battlefields with world communism. A Communist-built wall divides Berlin. Russian militarists and their warmaking weapons are camped only 90 miles from our shores. The Communist-supported guerrillas are killing American soldiers in South Vietnam. The once-free people of Poland, Hungary, Lithuania, Latvia, Estonia, Rumania, East Germany, Bulgaria, Armenia, North Korea, Albania, North Vietnam and other captive nations are enslaved by brutal communism. Even in our own country, there are agents of this atheistic system seeking to overthrow the very Government which permits them the freedom to act so boldly.

Khrushchev has proclaimed he will bury the United States economically. What could play more into his hands, then, than supplying him with economic support in the form of American wheat?

This wheat deal also would hit the American taxpayer in the pocketbook. With the present export subsidy on American wheat running at approximately 60 cents a bushel, this proposed 200-million-bushel sale would amount to $120 million in aid to Russia.

Further, this subsidy makes any such wheat deal plainly contrary to the intent of Congress as expressed in the Agricultural Act of 1961. The policy statement of that act opposes the sale of subsidized farm commodities to "unfriendly" countries.

It is inconceivable that Russia could be regarded as a "friendly" nation, and thus not subject to this trade limitation. Positive actions by the Soviets to reduce the tensions they have created are the only proof I am willing to accept that Russia is "friendly" to the United States. Words speaking good intentions are not enough.

I believe that we in Congress who serve as the elected Representatives of the American people have a right to be consulted when such a major shift in our foreign policy is undertaken. Many of us have questions for which no answers have been given. Some of those that concern me are:

First. Where is the policy line to be drawn on U.S. trade with Communist nations? If Russian gold can buy U.S. wheat, why could not Red Chinese gold achieve the same result? Or, for that matter, could the United States properly say "no" to a similar transaction with North Korea, North Vietnam, or Cuba?

Second. Does not such a sale, by helping the Kremlin keep its commitments to other countries, only work to neutralize the military and economic aid the United States continues to pour into the nations of the free world?

Third. If Russia is assured a supply of agricultural products from the Western world, could she not devote her internal resources to more strategic uses?

Fourth. Would not this wheat sale delay final recognition by the Russian people of the shortcomings of Soviet planned production? In other words, would we not be "bailing out" communism?

This wheat sale to Russia is contrary to the national interest and a dangerous step.

Until we see concrete evidence that Moscow will join with us in securing world peace and has abandoned its pursuit of world domination and the ultimate destruction of American liberty and justice, we must not be deluded into helping Russia achieve its present ugly desires.

CIVILIAN ECONOMIC CONVERSION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I should like at this time to draw the attention of Members to an increasingly urgent question.

The issue, Mr. Speaker, is whether this House, and our society at large, will face now the economic consequences of shifts and cutbacks in defense spending. Already there have appeared pockets of dislocation throughout the Nation. This trend is bound to broaden and swell in the years ahead.

I am suggesting that we should act before emergency situations are thrust upon us overnight. Conversion to civilian production and employment will entail problems if we fail to plan and to prepare adequately. There are, on the other hand, impressive opportunities; but without the machinery to deal with isolated cases as they develop across the country, these opportunities may be carelessly forgone due to shortsightedness.

The military situation is changing. We have amassed stockpiles of nuclear weapons to meet any conceivable contingency. The Secretary of Defense has testified on several occasions that the United States has the capability of full and total retaliation even after absorbing a first strike. Our flexibility to choose among an array of strategies would yet exist following an initial blow.

According to reliable estimates, the Soviet Union does not possess a nuclear capacity commensurate with our own.

The atomic era has revolutionized military strategy. Theories of conventional defense are no longer valid. In the horrible event of nuclear devastation, neither the Soviet society nor our own would emerge unscathed. Hardened and hidden missile complexes, their geographic placement, has already rendered the "cities doctrine" inapplicable.

Thus, Defense Department experts and the administration have recognized that with an arsenal of tens of thousands of warheads, the United States can begin curtailing production. There will be cutbacks in the production of fissionable material. The Atomic Energy Commission acknowledges that its accumulation will outstrip weapons procurement some time after 1965.

Simultaneously, the distinguished Secretary of Defense is proceeding with the Department's cost reduction program. He has testified that:

> We are now aiming at a recurring annual reduction in overall costs of $4 billion by fiscal year 1967.[1]

Twenty-six allegedly obsolete military installations will be disbanded within the next few years. This may eventually amount to annual savings of $250 million. The Department is presently engaged in studying the advisability of closing several naval shipyards as well.

We are likewise undergoing subtle changes in the international sphere.

There is growing recognition, both here and in the Kremlin, that further

[1] Extracts of testimony before the Committee on Armed Services, House of Representatives, by Hon. Robert S. McNamara, Jan. 29, 1964.

large accretion to existing nuclear stockpiles will not proportionally enhance the security posture of either nation. I am impressed, Mr. Speaker, with the reality that Moscow is being confronted with increasing variety on the world scene, and that this poses complications for her as well as for others.

The view from Moscow is by no means rosy. Most important is the developing ideological struggle with Peiping, in reality a power contest for the allegiance of the world's Communist forces. This is bound to divert resources and attention from the cold war issues. The Soviet rulers are continuing to face, mainly in eastern Europe, the bitter and ironic effects of the de-Stalinization which they themselves set in being.

On the domestic front, Mr. Khrushchev, having eliminated overt police terror, must meet the demands of an increasingly consumer-oriented society. Soviet man, contradicting the theories of Marx and Lenin, is after the same materialistic satisfactions which these would-be historians said only existed in the capitalist countries.

Khrushchev faces widespread, perhaps incorrigible, difficulties in light industry and agriculture. Moscow knows that it must produce at home to be effective abroad. There is, I believe, growing cognizance that these difficulties cannot be dealt with successfully, in long-range terms, unless the overwhelming burdens of defense spending are in some way lessened.

I am not suggesting that the Communist foe has shelved his ambition of conquering, by any disposable means, the democratic civilization. This remains the end goal. But I am pointing out that Russia faces acute difficulties, both at home and abroad, and that her society is undergoing radical changes.

Into this picture we must not ignore the possibility, at present remote, that the great powers will agree upon meaningful measures of arms limitation in the future.

And so, Mr. Speaker, there are sufficient indications that defense allocations will be on the downturn in the years ahead. In order to avert harmful repercussions upon our own industry, planning and coordination is needed now.

We must not permit ourselves to block savings of tax dollars realized from defense cutbacks that are proven to be desirable. But, we must protect our civilian workers against sudden curtailment of military programs.

Outright reduction of the military budget is not our only concern. Shifts in weapons procurement, as a response to new technological developments, will accelerate. New concepts with new production requirements will continue to distort previous trends.

It is, of course, essential to our security that better methods and greater capability be phased into our overall military stance as quickly and as painlessly as possible. It would be suicidal to block advancement.

But, where industry has catered to urgent government need for so long, only to face large-scale hardship due to strategy changes, it would be equally foolish not to prevent the new conditions from worsening our already critical domestic problems.

Adverse impact would involve whole communities. More unemployment would result.

We do not wish to interfere with the underlying principles of the free enterprise system. Belief in capitalism as an economic way of life means that we, as individuals, must stand prepared to take risks and accept personal responsibility.

But we should recognize that the enormous defense budget has generated an intrinsically synthetic demand. Manufacturers of weaponry are not satisfying any public demand in the true sense. You and I do not buy their merchandise. Their hardware is not subject to the usual fluctuations of the marketplace. Their business rests in large part upon what the national security may require, as interpreted by the Government's policymakers.

It is not presumptuous of Government to help in righting what Government has wrought. To urge that contractors aid in easing the unfavorable impact of disengagement upon their employees seems only fair and reasonable.

I do not think the President's Committee on the Economic Impact of Defense and Disarmament is sufficient to the task. I am encouraged by the President's concern. But it is evident from the President's remarks that the group will function informally; it will not undertake studies; there are no provisions for acquiring an expert staff; it will merely coordinate present efforts, and recommend.

Therefore, I am pleased to associate myself with my distinguished colleagues who have joined in introducing legislation aimed at meeting this vital national problem. My companion bill, H.R. 10023, will establish a National Economic Conversion Commission. Most contractors with the Department of Defense and the Atomic Energy Commission will be required to establish conversion committees which shall plan for the communal shift to civilian work in the event of termination or reduction of defense contracts.

This legislation was orginally introduced by the esteemed Senator from South Dakota [Mr. McGOVERN], in the other body. He deserves great credit for his foresight and knowledge in this field.

Only last week I was encouraged by the initiative shown in my own Long Island. Here a local group, concerned by the vast changes occurring in the military airplane industry, is urging that Tri-County, Long Island be singled out for a Government-sponsored study of how defense industry can best be converted to nondefense.

A pilot project of this nature would certainly be useful in evaluating the needs and requirements of this new phase in our national life. It is abundantly clear that we can profit from such an experience.

These persons are concerned with the community impact, above all unemployment, of the canceling of defense contracts. They saw President Johnson personally, and I understand they received a sympathetic hearing. They are to be commended.

For, manifestly, the conversion machinery created by my bill is meant to supplement effective efforts on the part of local and State officials. Communities touched by the closing of military bases and the reduction of defense contracts should initiate private programs aimed at easing the stresses and hardships involved.

Mr. Speaker, it is an incontrovertible fact that the enormous defense spending of the last several years has created an unwelcome imbalance in the economy. Military spending is inherently negative in economic and social terms.

We should embrace the opportunity of reducing this encumbrance, as the national security may permit. There are vast unmet domestic needs. The opportunity of channeling resultant savings into the more meaningful and beneficial sectors of the economy will go unheeded because of the widespread hardship and unemployment unless the Nation is willing to plan ahead.

I implore the appropriate committee of the House to consider the conversion bills which Members have hitherto introduced.

We must not allow savings and conversion to become a hardship to society. We must stand prepared to welcome it.

With permission, I am asking that one timely and commendable editorial on the subject, appearing in the Long Island Press, be inserted at this point in the RECORD.

[From the Long Island (N.Y.) Press, Feb. 20, 1964]

A MORE FLEXIBLE TRI-COUNTY LONG ISLAND

Tri-County Long Island is the ideal place for a Government-sponsored study of how defense industry can best be converted to nondefense.

The problem is what to do with the thousands of people left unemployed when the Government decides to cancel a defense contract. It's a problem Long Island knows all too well, unhappily. The military airplane industry is undergoing a vast change. Manned planes are being replaced by guided missiles. In the reshuffle, some of our largest plants are losing contracts—not only airframe makers, like Republic Aviation, but big companies which make related parts, like Ford Instrument in Long Island City, Kollsman in Elmhurst and Syosset, Fairchild Stratos in Wyandanch, and Arma in Roosevelt Field. Even giant Sperry Gyroscope Co. in Lake Success, is feeling the pinch.

This doesn't mean that Tri-County Long Island is in imminent danger of economic collapse. Far from it. But there are too many pockets of unemployment. What we need is a workable program to develop a broader base of employment in nondefense, civilian-consumption areas.

Our Queens-Nassau-Suffolk community is not unique in this, of course. There are similar defense industry ailments all around the country. But we are ideally suited for a pilot study because we are large enough to be significant for a national pattern and yet small enough for the project to be manageable.

This is what a group of labor leaders from Nassau and Suffolk told President Johnson this week. They report that the President seemed sympathetic. We hope so. We congratulate the Nassau-Suffolk labor leaders for their initiative, and hope that their Queens colleagues will back them all the way.

CONSTITUTIONAL RIGHTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. CUNNINGHAM] is recognized for 30 minutes.

Mr. CUNNINGHAM. Mr. Speaker, last week, in reading the CONGRESSIONAL RECORD proceedings in the other body, I came upon a statement by a Member of the other body under the heading of "Constitutional Rights." Because I have championed the cause of the protection of constitutional rights for every American, I read the article with interest. Part of the statement by the Member of the other body contained a letter written to him by Mr. Sidney Zagri, legislative counsel, International Brotherhood of Teamsters.

Mr. Zagri detailed at length the activities of Federal agents of the Department of Justice bearing on a case involving James Hoffa, currently being held in a trial in another city.

The Member of the other body stated that he had no personal knowledge of the acts alleged and attributed to the Department of Justice by Mr. Zagri. Neither do I. However, I agree with the observation that these allegations should be investigated by the proper committees of the Congress, because if they are substantiated by the facts—and I feel they will be—it will be proof indeed that the constitutional rights of every citizen to a fair trial is in jeopardy.

If this proves to be the fact in this instance, then no person in the United States would be assured that his constitutional rights would not be washed away and would not be protected. I recently read also of what I believe to be an invasion of the constitutional rights of an American citizen. This involved the case concerning Roy Cohn. Now, whether you approve or disapprove of this gentleman, the fact remains that his constitutional rights have also been invaded, because a secret and confidential memo was issued by the Post Office Department holding and putting a watch on his mail.

Referring back to the problem of the trial in Tennessee involving the Teamsters, I inquired of Mr. Zagri as to any additional information he might supply me on this matter. I have received a letter from him in which he lists the charges of constitutional deprivations of the defendants, their lawyers, and witnesses along with affidavits and evidence substantiating these charges.

Mr. Speaker, at this point in the RECORD I ask unanimous consent that the letter from Mr. Zagri be inserted.

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

There was no objection.

The letter referred to is as follows:

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA,
Detroit, Mich., March 2, 1964.

Hon. GLENN CUNNINGHAM,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CUNNINGHAM: As the trial of James R. Hoffa draws to a conclusion, I feel that you as a Member of the Congress should be made aware of activities by the Department of Justice in that case which constitutes serious encroachments of the rights of the defendants, their lawyers, and witnesses in this case.

I would greatly appreciate your calling these matters to the attention of Chairman CELLER, members of the Judiciary Committee, as well as Members of the Congress.

Certain events which have occurred in the prosecution by the Government of James R. Hoffa and codefendants in the current trial in the Federal court, Chattanooga, Tenn., raise serious questions as to the administration of justice in the United States. The Department of Justice has a responsibility to observe the constitutional rights of the defendants and as an arm of the court is obliged to protect the defendants' rights to a fair trial under the due process clause of the fifth amendment and the fair trial guarantees of the sixth amendment of the Constitution.

The defendant has alleged violations of these rights and offered evidence in support of such allegations which have been uncontroverted by the Department of Justice.

Further the Government admits that—

1. It has conducted constant and unremitting surveillance of the defendants, their counsel, and witnesses since the opening date of the trial until February 8, 1964, when defendants' motions and offer of proof were presented to the court;

2. The Government admits it employed an informer, who used his position of confidence and trust with the defendant Hoffa to spy on his activities in the defense of a prior criminal prosecution;

3. It deliberately avoided taking contemporaneous statements of witnesses and subsequently prepared summaries of narrations of the original statements, which had the effect of circumventing the Jencks Act.

SURVEILLANCE BY FEDERAL AGENTS OF THE DEFENDANTS, THEIR COUNSEL, AND WITNESSES

It has been alleged and evidence offered to prove that Hoffa and his codefendants, their attorneys, and witnesses have been under almost continuous and repeated surveillance from the time that this trial commenced until February 8, 1964. The Government not only does not controvert these allegations but admits to the surveillance charges.

Such activities by Federal agents included surveillance of the hotel where the defendants and their lawyers were staying; of communications by short wave radio of the whereabouts and movements of defendants and their counsel; of the following of such movements in automobiles, and of the invading by a U.S. marshal of the defendants' headquarters while defendants were in trial.

Positive proof of these allegations is attached hereto in the form of a transcript of radio communications, carried on by electronic equipment, of a vast network of conversations of individuals. These conversations are identified, as that of "U.S. Government agents and that their conversations were coded in great part," and decoded by one Bernard B. Spindel, an electronic technician specializing in detection of listening and/or monitoring devices and other means of such surveillance as wiretapping, shadowing and eavesdropping. His affidavit is attached hereto.

The motion charging surveillance by FBI agents, Walter Sheridan and the U.S. marshal is supported by photographs of FBI agents sitting in automobiles near the courthouse and the hotels, speaking into a microphone, transcript of which indicates reports of the movements of Hoffa, his defendant and his attorneys; of the U.S. marshal being caught in the defendant's hotel tampering with the defendant's defense materials including briefs and records in files; viewing of the defendant's movements through the use of binoculars from the window of rooms in a building adjacent to defense headquarters.

Surveillance has affected intimidating witnesses who might come forward with evidence for the defense.

Further that one of the purposes for the requirement of a public trial is that there is a reasonable possibility persons unknown to parties or their counsel by having knowledge of the facts in issue may be drawn to the trial. (*Tanksley* v. *U.S.*, 145 F. (2d) 53; and *U.S.* v. *Konli*, 172 F. (2d) 919.)

What person having knowledge of facts that might be helpful to this defendant would come forward and give information to the accused under the circumstances described above?

He would know, from the publicity given the surveillance of this case that if he contacted the accused or the accused's counsel, he would be immediately under the surveillance of the Government's agents with the likelihood of inquisitorial interrogations by employees of the U.S. Government, who are under the direction of the Attorney General of the United States, who has publicly in both written and oral statements stated his hostility toward the defendant Hoffa. The controlling vice in this situation is the tendency that such surveillance has to silence a person, who would otherwise speak.

DEPRIVATION OF DEFENDANT'S RIGHT TO COUNSEL

The right of an accused to assistance of counsel means effective assistance of counsel, which includes aid of counsel in untrammeled and unimpaired consultation, investigation and preparation for the trial (*Krull* v. *U.S.* 240 F. 2d 122).

The defendants have been deprived of the aid of counsel in investigating the facts; the right to unimpeded communication with his counsel; and the assistance that would come to the defendant had his attorney not been prevented by the surveillance of the FBI of his freedom of action in interviewing witnesses. Attached hereto is affidavit of Harry Berke, defense counsel, who states in part:

"Now I have proof that during this trial I have been under surveillance by agents of the Federal Bureau of Investigation.

"That such surveillance has impeded me in my representation of the accused, that consultations with other counselors, witnesses, and the defendant have had to be conducted in an atmosphere of apprehension and fear that our meetings were being watched and that our activities were under scrutiny. This activity on the part of such persons caused me to postpone several conferences previously scheduled with my client."

Here we have a situation where witnesses and defense counsel are being subjected to extraneous influences to which no party in a court proceeding should be subjected. No American citizen should be subjected to a trial in the judicial branch when the executive branch is actively impeding every constitutional right that the defendant has.

EMPLOYMENT OF AN INFORMER BY THE GOVERNMENT IN THE PREVIOUS CRIMINAL PROSECUTION RAISES SERIOUS QUESTIONS OF ENTRAPMENT AND INTERFERENCE WITH LAWYER-CLIENT PRIVILEGE

Evidence has also been introduced in said case of an informer employed by the Government, who used his position of confidence and trust with a defendant, to spy on his activities in the defense of a prior criminal prosecution, who sat in and attended conferences between the defendant and his attorneys, with the express purpose of reporting the results of his spying to agents of the United States, and which informer almost daily during said criminal prosecution reported and conveyed information to agents of the Federal Government; and that to the dismay of defense counsel, almost daily the Government anticipated defense moves, to the point where the Government attorney, when questioned about how he anticipated defense moves, replied that he was "psychic."

CIRCUMVENTION OF THE INTENT AND REQUIREMENTS OF SECTION 3500, TITLE 18, UNITED STATES CODE—THE JENCKS ACT

It is further noted that in recent criminal prosecutions, suspicions have been raised that representatives of the Government have purposely sought to evade the application of the so-called Jencks statute, by taking statements from witnesses, thereafter destroying said statements after later preparing summaries of narrations of the original statements, and subsequently at a trial representing to the Court that there were no such statements obtained and that the narrations which they later prepared are not required by them to be submitted to the defense in accordance with the prescriptions of the statute. Another favorite way of working the requirements of section 3500, title 18, United States Code, is by allegedly taking "cryptic notes" of witnesses' statements, which notes are not available for production to the defendants under the Jencks Act. Obviously the intention of the Jencks Act is to supply the defendant with statements made by a witness to the Government, for the purpose of cross-examination.

The foregoing practices of agents of the Federal Government are, it is submitted, an improper circumvention of the basic and substantial rights of a defendant in a criminal cause, and a violation of the constitutional rights of a defendant to be fairly tried, to have the effective assistance of counsel, and his rights to due process of law and the equal protection of the law.

I respectfully request that you bring these facts to the attention of the Congress and particularly the members of the Judiciary Committee, so that an observer of the Judiciary Committee may sit in on the trial and report back to the committee, with the possible objective of pursuing a full-scale investigation of the gestapo tactics of the Department of Justice employed in this case.

Cordially yours.

SIDNEY ZAGRI,
Legislative Counsel, IBT.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I wish to commend the gentleman from Nebraska for the courage to call this matter to the attention of this body and the American people.

If the trial in Tennessee were that of a Communist every bleeding heart for constitutional rights would have been in on the act. Where are these champions of constitutional rights in this case?

The gentleman from Nebraska is absolutely right when he says today it is in Tennessee—tomorrow it may be you.

There seems to be a double standard developing in this Nation on this matter of constitutional rights. It seems to be a matter of who you are—not what you have done.

The House Judiciary Committee has a responsibility in this field to the people of the Nation to insure equal administration of constitutional rights to all—not just on the basis of who you are. It is incumbent upon this committee to see that prosecution does not become persecution.

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

Mr. CUNNINGHAM. I yield to the gentleman from Illinois.

Mr. LIBONATI. Do I understand that counsel for the defense have alleged certain violations of their personal rights and their constitutional rights as lawyers in being watched by members of the FBI and also that certain conversations between FBI agents were registered and transmitted to the court? Do I understand those are the charges by counsel?

Mr. CUNNINGHAM. I believe that is true.

Mr. LIBONATI. And were they interfered with in preparing the defense of the defendants?

Mr. CUNNINGHAM. I understand that to be true. I would refer you to the affidavit of counsel for Mr. Hoffa, Mr. Harry Berke.

Mr. LIBONATI. Is that the allegation that was contended in the affidavits presented by the lawyers to the court, that is, that they were interfered with and that they were under surveillance?

Mr. CUNNINGHAM. Very definitely that is true. The letter which I have asked permission to insert in the RECORD will detail that. They were under constant surveillance; they had shortwave radio communications among the Federal agents of the Department of Justice reporting the exact movements of the defendants, attorneys, staff members and witnesses in this case.

Mr. LIBONATI. The reason why I am interested in this is I introduced a bill of the same nature with respect to the violation of the constitutional rights of Dr. Steven Durovic, the doctor who formulated the so-called drug Krebiozen, the cancer drug. He was held under surveillance and was abused and prevented from leaving his office by agents of the Government. He alleged his constitutional rights were violated. That bill is now pending in the Committee on the Judiciary. There has been a request made by the chairman of the committee, the gentleman from New York, Congressman EMANUEL CELLER, for a report, and I think if that bill is enacted into law, you will not have this type of violation.

Mr. CUNNINGHAM. Mr. Speaker, I would respond to the gentleman by saying that regardless of the litigants in this matter, the tactics that have been employed to intimidate the lawyers and the witnesses of the accused are certainly serious matters and represent a very serious invasion of constitutional rights. If something is not done about this type of practice, if it is not curtailed, I can see a very dreary day for all Americans so far as the invasion of their personal and constitutional rights are concerned.

Mr. LIBONATI. When the court was apprised of this situation, why did it not take action? Was there not any discussion relative to that? Was there any information that the gentleman received on that score, perhaps in the letter to which he referred, that was submitted by an individual in the other body?

Mr. CUNNINGHAM. Yes; I received a letter. The defense did make objections to the type of kangaroo court proceedings that were carried on in this particular instance.

Mr. LIBONATI. Was there not some criticism by the lawyers for the defense to the court relative to the court's conduct in this trial, on the question of the court's attitude toward the defendant and the lawyers in being critical of them before the jury?

Mr. CUNNINGHAM. I understand that to be true.

Mr. LIBONATI. And were there not affidavits submitted by the lawyers proving these respective facts which they alleged were practiced against them in violation of their constitutional rights?

Mr. CUNNINGHAM. I understand that to be true.

Mr. LIBONATI. What did the prosecution have to say in response to the presentation of this testimony?

Mr. CUNNINGHAM. The Government admits the surveillance of the defendants. That is detailed in the letter. There are supporting documents in which the defendants point out what the prosecution had done.

Mr. LIBONATI. It has been stated that the Federal judge who presides at this trial was a very active practicing lawyer, well versed in the law. It is surprising that he would not take cognizance of these violations or at least comment upon them.

Mr. CUNNINGHAM. It certainly seems strange to me that he did not do that. I understand the judge has agreed to hear evidence on the surveillance charges after the case is submitted to the jury.

Mr. LIBONATI. Would the gentleman be in favor of the bill that I have introduced as a corrective measure to penalize persons who violate the constitutional rights of citizens, even though they do so under the color of their office and of Federal authority?

Mr. CUNNINGHAM. Mr. Speaker, I have not read the gentleman's bill but as he describes it I certainly would.

Mr. LIBONATI. I have never met Mr. Hoffa, but certainly as a defendant he should be represented in court and his constitutional rights, interests and prerogatives should be protected not only by the court and by the prosecution but the public itself should be interested. He is one individual. This, however, concerns all of the citizens of the United States. It is just that basic.

I wish to compliment the gentleman from Nebraska for taking the time and exhibiting the courage to be critical of these practices.

I believe that the Congress must in the future take into consideration this fact, that the citizens, regardless of whether they are defendants under charges or whether they are persons who as citizens enjoy the freedoms under the constitution or from court justice, must have their rights respected. The fact that a person is given an appointment to serve the Federal Government does not place him in a preferred class to abuse the rights of the citizens.

I have no one but the finest authority who stated at a convention held here in Washington recently—Mr. Hoover of the Federal Bureau of Investigation—in addressing various agents of the different agencies of the Government when he stated that only through ignorance would anyone who works for the Government, whether it be in an investigatory capacity or an enforcement capacity, violate the constitutional rights of citizens.

I certainly feel that in this instance, regardless of the identification of the individuals on trial, the sacred rights that are designed to protect men whether they be defendants or otherwise in a court of law should be preserved. That is the reason why our rules and procedures have been written so as to definitely and positively be assertive of the protection of those rights.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter, including articles and a newspaper clipping relative to this question that the gentleman from Nebraska has so ably discussed.

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

There was no objection.

Mr. LIBONATI. Mr. Speaker, as a member of the Judiciary Committee of the House of Representatives, certain matters have been brought to my attention through Sidney Zagri, legislative counsel for International Brotherhood of Teamsters, in his report concerning the unconstitutional encroachments by the Federal Government operatives through a series of events occurring in the prosecution by the Government of James R. Hoffa and codefendants in the current trial in the Federal court at Chattanooga, Tenn.

It is difficult for me to believe that the infringements of the constitutional rights of a defendant by the Federal operatives involved in this matter, even during the holding of trial procedures, would be countenanced by those in authority. Although I have no personal knowledge of these matters, yet the presentment of the affidavits of the lawyers and others presented to the court together with a transcript of conversations between agents of the Government who conducted the surveillance of the individuals complaining of the violation of their constitutional rights, make a strong prima facie case in proving their contentions.

During the past several sessions—since 1957—the question of constitutional rights has been the legislative concern of the Congress, and all matters pertaining thereto, a matter of legislative enactment. I ask that the text of a copy of the letter and documents submitted to me be printed at this point in the RECORD.

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA
Detroit, Mich., March 2, 1964.

The Honorable ROLAND V. LIBONATI,
Member, House Judiciary Committee,
Washington, D.C.

DEAR MR. LIBONATI: As a member of the House Judiciary Committee, I wish to call your attention to activities by the Department of Justice in the current prosecution of James R. Hoffa and other defendants. Circumstances to which I call your attention constitute serious encroachments on the rights of the defendants, their lawyers and witnesses in the case. Congressional attention is called to the need of conducting an investigation of these charges upon the conclusion of this trial. Legislation may be needed to correct some of the glaring instances of deprivation of defendants' rights. In any event, the Judiciary Committee should become acquainted with the manner in which the Department of Justice is fulfilling its responsibility under existing laws.

I call your attention only to the highlights of constitutional deprivations as well as enclosed documentations substantiating the charges stated herein.

Certain events which have occurred in the prosecution by the Government of James R. Hoffa and codefendants in the current trial in the Federal court, Chattanooga, Tenn., raise serious questions as to the administration of justice in the United States. The Department of Justice has a responsibility to observe the constitutional rights of the defendants and as an arm of the court is obliged to protect the defendants' rights to a fair trial under the due process clause of the fifth amendment and the fair trail guarantees of the sixth amendment of the Constitution.

The defendant has alleged violations of these rights and offered evidence in support of such allegations which have been uncontroverted by the Department of Justice.

Further the Government admits that:

1. It has conducted constant and unremitting surveillance of the defendants, their counsel, and witnesses since the opening date of the trial until February 8, 1964, when defendants' motions and offer of proof were presented to the court;

2. The Government admits it employed an informer, who used his position of confidence and trust with the defendant Hoffa to spy on his activities in the defense of a prior criminal prosecution;

3. It deliberately avoided taking contemporaneous statements of witnesses and subsequently prepared summaries of narrations of the original statements, which had the affect of circumventing the Jencks Act.

SURVEILLANCE BY FEDERAL AGENTS OF THE DEFENDANTS, THEIR COUNSEL, AND WITNESSES

It has been alleged and evidence offered to prove that Hoffa and his codefendants, their attorneys, and witnesses have been under almost continuous and repeated surveillance from the time that this trial commenced until February 8, 1964. The Government not only does not controvert these allegations but admits to the surveillance charges.

Such activities by Federal agents included surveillance of the hotel where the defendants and their lawyers were staying; of communications by shortwave radio of the whereabout and movements of defendants and their counsel; of the following of such movements in automobiles, and of the invading by a U.S. marshal of the defendants' headquarters while defendants were in trial.

Positive proof of these allegations is attached hereto in the form of a transcript of radio communications, carried on by electronic equipment, of a vast network of conversations of individuals. These conversations are identified, as that of "U.S. Government agents and that their conversations were coded in great part," and decoded by one Bernard B. Spindel, an electronic technician specializing in detection of listening and/or monitoring devices and other means of such surveillance as wiretapping, shadowing, and eavesdropping. His affidavit is attached hereto.

The motion charging surveillance by FBI agents, Walter Sheridan and the U.S. marshal is supported by photographs of FBI agents sitting in automobiles near the courthouse and the hotels, speaking into a microphone, transcript of which indicates reports of the movements of Hoffa, his lawyers and witnesses; photographs of FBI agents following the defendant and his attorneys; of the U.S. marshal being caught in the defendant's hotel tampering with the defendant's defense materials including briefs and records in files; viewing of the defendant's movements through the use of binoculars from the window of rooms in a building adjacent to defense headquarters.

Surveillance has affected intimidating witnesses who might come forward with evidence for the defense.

Further that one of the purposes for the requirement of a public trial is that there is a reasonable possibility persons unknown to parties or their counsel by having knowledge of the facts in issue may be drawn to the trial.

What person having knowledge of facts that might be helpful to this defendant would come forward and give information to the accused under the circumstances described above.

He would know, from the publicity given the surveillance of this case that if he contacted the accused or the accused's counsel, he would be immediately under the surveillance of the Government's agents with the likelihood of inquisitorial interrogations by employees of the U.S. Government, who are under the direction of the Attorney General of the United States, who has publicly, in both written and oral statements, stated his hostility toward the defendant Hoffa. The controlling vice in this situation is the tendency that such surveillance has to silence a person, who would otherwise speak.

DEPRIVATION OF DEFENDANT'S RIGHT TO COUNSEL

The right of an accused to assistance of counsel means effective assistance of counsel, which includes aid of counsel in "untrammeled and unimpaired" consultation, investigation and preparation for the trial. (*Krull* v. *U.S.*, 240 F. 2d 122.)

The defendants have been deprived of the aid of counsel in investigating the facts; the right to unimpeded communication with his counsel; and the assistance that would come to the defendant had his attorney not been prevented by the surveillance of the FBI of his freedom of action in interviewing witnesses. Attached hereto is affidavit of Harry Berke, defense counsel, who states in part:

"Now I have proof that during this trial I have been under surveillance by agents of the Federal Bureau of Investigation.

"That such surveillance has impeded me in my representation of the accused, that consultations with other counselors, witnesses, and the defendant have had to be conducted in an atmosphere of apprehension and fear that our meetings were being watched and that our activities were under scrutiny. This activity on the part of such persons caused me to postpone several conferences previously scheduled with my client."

Here we have a situation where witnesses and defense counsel are being subjected to extraneous influences to which no party in a court proceeding should be subjected. No American citizen should be subjected to a trial in the judicial branch when the executive branch is actively impeding every constitutional right that the defendant has.

EMPLOYMENT OF AN INFORMER BY THE GOVERNMENT IN THE PREVIOUS CRIMINAL PROSECUTION RAISES SERIOUS QUESTIONS OF ENTRAPMENT AND INTERFERENCE WITH LAWYER-CLIENT PRIVILEGE

Evidence has also been introduced in said case of an informer employed by the Government, who used his position of confidence and trust with a defendant, to spy on his activities in the defense of a prior criminal prosecution, who sat in and attended conferences between the defendant and his attorneys, with the express purpose of reporting the results of his spying to agents of the United States, and which informer almost daily during said criminal prosecution reported and conveyed information to agents of the Federal Government; and that to the dismay of defense counsel, almost daily the Government anticipated defense moves, to the point where the Government attorney, when questioned about how he anticipated defense moves, replied that he was "psychic."

CIRCUMVENTION OF THE INTENT AND REQUIREMENTS OF SECTION 3500, TITLE 18 UNITED STATES CODE—THE JENCKS ACT

It is further noted that in recent criminal prosecutions, suspicions have been raised that representatives of the Government have purposely sought to evade the application of the so-called Jencks statute, by taking statements from witnesses, thereafter destroying said statements after later preparing summaries of narrations of the original statements, and subsequently at a trial representing to the court that there were no such statements obtained and that the narrations which they later prepared are not required by them to be submitted to the defense in accordance with the prescriptions of the statute. Another favorite way of working the requirements of section 3500, title 18, United States Code, is by allegedly taking "cryptic notes" of witnesses' statements, which notes are not available for production to the defendants under the Jencks Act. Obviously the intention of the Jencks Act is to supply the defendant with statements made by a witness to the Government, for the purpose of cross-examination.

The foregoing practices of agents of the Federal Government are, it is submitted, an improper circumvention of the basic and substantial rights of a defendant in a criminal cause, and a violation of the constitutional rights of a defendant to be fairly tried, to have the effective assistance of counsel, and his rights to due process of law and the equal protection of the law.

I respectfully request that you bring these facts to the attention of the Congress and particularly the members of the Judiciary Committee, so that an observer of the Judiciary Committee may sit in on the trial and report back to the committee, with the possible objective of pursuing a full-scale investigation of the gestapo tactics of the Department of Justice employed in this case.

Cordially yours,

SIDNEY ZAGRI,
Legislative Counsel, IBT.

Mr. Speaker, the matter of surveillance was the subject matter of an incident occurring in Chicago at the offices of the Krebiozen Foundation whereat Dr. Stevan Durovic, the discoverer of the formula, accused Government agents of violating his constitutional rights during an investigation conducted on the premises. I have defended the claims of both Dr. Durovic and the distinguished physiologist, Dr. Andrew Ivy, as to their medical claims—that the drug Krebiozen arrested the ravages of the disease since 1950 at the legislative level investigation conducted by the Illinois General Assembly.

In response to their request, I introduced H.R. 8132 on August 19, 1963, prohibiting certain officers and employees of the United States from interfering under color of law in the free exercise or enjoyment by any person of any right, privilege, or immunity secured by the Constitution or laws of the United States with penalties of $5,000 fine or imprisonment not more than 10 years or both. The bill was assigned to the Judiciary Committee with a request for a hearing. A report has been ordered. If this legislation was enacted into law, it would eliminate the violations complained of by the defendants and their lawyers.

Further, statements in open court by counsel for the defendants have been critical of the court's conduct of the case, both as to rules on the admissibility of evidence and alleged prejudicial statements against the interest of the defendants.

As has often been stated, trials which attract public attention because of the nature of the charges and the identity of the persons being tried, place the court in the unenviable situation of carrying a heavy burden of the necessity of making speedy decisions during the course of the trial. He must not only know the law of procedure and evidence, but he must be able to use them functionally and practically in making adroit and incisive rulings. He is constantly confronted with numbers of legal points to be disposed of immediately. In every practical sense, he needs and must have a great deal of legal experience, ability, and versatility. He is the very cornerstone of our judicial system, and his rulings must be in the light that the trial judge is most often a judicial authority of last resort.

It would come with ill grace for me to assume a critical attitude toward the trial court in his considerations of the evidential points of controversy concerning the admissibility of evidence against the character of one of the Government's witnesses, not only in that I am not informed, but in advancing any opinion during the pendency of the trial. It is proper to present at this point, a comment in a recent article by Stephen S. Chandler, chief judge of the U.S. District Court for the Western District of Oklahoma, American Bar Association Journal, February 1964, page 126, the following exerpt:

The qualification of adaptability for the bench can only be developed in an individual by substantial experience as a trial lawyer, which will provide a practical approach to principle, a better understanding of lawyers and parties appearing before him as judge and a proficiency in the prompt dispensation of justice.

The intellect of a trial judge should embrace a complete awareness of the high importance and prestige of his office, yet even more essentially a willingness to give the fullest measure of service—a willingness unquestionably affected by public esteem accorded the trial judge in recognition of his necessary long experience as an outstanding and skillful practitioner to qualify for that office.

In conclusion, I would like to reiterate my statement incorporated in a paper submitted to the Judiciary Committee as a counsel on criminal justice, as follows:

The nation that protects the innocent, even though through these same measures some guilty may escape, is secure forever in its liberties and institutions. It can also be said that the government that by basic law assumes the burden of proof of the guilt of the defendant is healthy in the continued existence of all of its freedoms. The seed of tyranny is born and reaches maturity when the laws are written to insure unjustly the conviction of the guilty, even at the expense of discarding the safeguards for the protection of the innocent. And that is exactly what is being done in this instance. It appears that the opponents of this change are in the minority. But the history of the philosophy of criminal jurisprudence that created rules of procedure to the rights of all shows that they were formulated to protect the innocent. Every man is born to these rights and safeguards.

Our constitutional rights were written in the law of the Constitution, preserved as the inalienable rights to man, given by God. Our Government is the only one that recognizes these God-given rights as inherent to every human being. We are a nation that zealously guards these rights against all those who would violate them. No law can waive these rights—they are inviolate and each individual enjoys their protection throughout his entire life. The promulgation of these rights insures procedural integrity for their preservation.

The star performers in this phase of life's performance are those who represent the defendant or defendants—the Federal agents, the courts and the prosecution; the prisoner is part of the public and he is represented in his rights by both the courts and prosecution.

There has been a concentrated effort through the years to abrogate all of these rights by operation of statutes or invented practices of authority, both prosecutory and judicial. The supreme courts of the United States have thus far protected the rights of the individual held in custody, either by enforcing the rules or the law.

As a judge of the district court sits, in reality, as a 13th juror and, of course, his judicial position gives him in an authoritative degree great prestige with the jury. He gives the jury instructions at the end of the trial and also comments upon the evidence. Thus, the judge becomes the sole authority upon whom the jury relies for the determination of the question of the weight of the evidence.

He has no alternative in this regard in this present question, even though in his own mind there lurks an uncertainty of its importance as contended by the defense. He is obligated to inform the jury of his contention, thus closing their minds to any controversial evidenciary facts that he refused to permit its introduction by the defense.

Each case should be determined from its own set of facts and not by this general exclusion law. The determination of the question of the admissability of evidence against the good reputation of a star prosecution witness, is too important to the administration of justice to be wrapped up and shelved by his ruling against it.

The instructional charge by the judge at the termination of the trial covering the question of the weight of such evidence deprives the defense of any practical or real consideration of the question. The court's previous comments and then his instruction, negative any contention of the defense as to "his reputation to be believed" as a contributing factor. This ruling could be a challenge to the fairness of an American trial.

It is certain that no appellate jurisdiction would sustain such a ruling.

Thank God for the integrity of our Supreme Court that has for nearly a century and one-half protected human rights.

AFFIDAVIT

STATE OF TENNESSEE,
County of Hamilton:

Bernard B. Spindel, being first duly sworn, makes oath as follows:

That affiant is an expert electronic technician specializing in detection of listening and/or monitoring devices and other means of such surveillance as wiretapping, shadowing and eavesdropping, as well as other contrivances.

That affiant has been retained to detect whether or not there is or has been surveillance of the defendants and/or their attorneys, as well as members of the legal staff working with the attorneys;

That affiant arrived in Chattanooga, Tenn., on Monday afternoon, the 3d of February 1964;

That during the affiant's investigation, employed certain electronic equipment and came across a vast network of conversations of individuals;

That these conversations were by U.S. Government agents and that their conversations were coded in great part;

That affiant is familiar with the practice and custom of persons employing these codes and he is able to translate certain initials, words and statements from their present form into their intended meaning; that during the course of affiant's investigation, he made notes regarding the conversations he heard;

That affiant has not been aided or assisted by any person or persons in any way during the course of his investigations and work in Chattanooga, Tenn.

That affiant has not been assisted by anyone in receiving any of the transmissions or communications to which he referred.

See attached exhibit "A" to be given to the court.

Further affiant sayeth not.

BERNARD B. SPINDEL.

Subscribed and sworn to before me, a notary public for the county of Hamilton this ——— day of February 1964.

WEDNESDAY

I think it might be 3198, 4X3198. I'm not sure.

Nine hundred and thirty-seven to JCW: He is going to be busy for just a minute 937. He will be there in a minute. There is a darn good chance that if this fellow is listening to all you said, there is another good chance if he is he is recording it so you might consider that—10–4.

Seven: I presume he knows if he is that that's a violation of Federal statutes over which we have jurisdiction. I'm sure he knows that. This is 24, uh, that number looked like 4X–3178. Is that the same we got one time before last week or the week before is that the same number. Do you recall?

No, I don't. I don't have my book and, uh, has got it. They have gone again. Did you see which way they were traveling? Evidently went north on Broad.

The one that's parked next to the red station wagon with the rack on top. Yeah, that's right, there was a space between them. It's in front of a little white Corvette-Convair.

Yeah, I'm just looking at it from a different angle. I got over here behind these railroad cars and I'm looking at it from the side (my car). I couldn't tell for sure where it was. I think there is a space between those 2 cars.

Ten to 47. We were not able to come up with that unit we were trying to get over here (CB receiver). He does not have one. 10–47 10–4.

Well, if we really want to pursue it to get JF to check up here with the radio store that he deals with all the time I wouldn't be surprised if they didn't have something.

Four to JB: He is in the garage I think, uh, 4 were going in, we'll talk to him. That 4X3178 is listed for a 63 Ford General Leasing Corp., 317 Read Lake Road.

We have a lot of them. 23.

Twenty-three. Can you get some relief to come up to the office. We need to talk to you, without disrupting the surveillance—7 will relieve him right now.

Ten-four: 23 if you would come up to the office need to talk to you—would appreciate it. 10–4.

Don't move out yet—I'll let you know.

Two: Go ahead. What do you think about recommending somebody getting two in all these units. I just saw the red Ford and now I've seen 63 Ford that's got three men and 63 F. both of them have the W/T (walkie talkies). We better get two men in these units to have a witness. Unintell.

Seven to 317 GCW: Unintell * * * then we got this 56 floating around with four men in it. I want to recommend to him to get a witness in these cars. 10–4.

GCW: Unintell. Why don't you get one in each car for the time being, 10–4, I mean two in each car, 10–4, you all get together with them. We are not reading that other unit 1099. It's coming in as a blur. 1099. Car 7 suggest that those two men split up and put two men in each car temporarily until we decide what's to be done, 10–4?

Unintell: Who all in the other unit seven?

I don't know, I didn't read that unit. Did you get any transmissions from them at all?

He started to fade real bad. I couldn't pick it all up.

Four to JEC: This is JEC car 10. This is JEC and KVP we're coming over, we'll put one with one of you and one with the other. What are you going to do with 10?

We'll put it up.

Well, I'll swing back and pick you up in the garage.

OK, if you will pick me up at * * * (unintell). I want to pick up something (gun?).

Car 10: Car 6484. Bring you what you want and run you around and drop you? That's 10–4. I want my thing from my drawer (gun) there—4784 what about you, are you OK?

Yeah, he is OK (re gun).

If you'll come up ninth, come up ninth, WBH will meet you at the back of the building and run around and drock each of you.

That's 10–4, ah, you read that 4 unintell. * * * OK.

This is 14 back in service. What going on?

This is 4. We just decided to put two of our men in each car. These other two cars apparently running around here with three men in one and four in the other as I understand it. And they apparently have this—some type of radio communication. We all would be better off with two men in all of our cars.

Ten-four: They've been coming around trying to bug you again.

No, but we are just seeing them now. What are they in BC.

Well, they are in 63 red and white Ford, you got the number on that on 7?

Ten-four: That's 63 white over red Ford, that's 4H Harry 5641 and H (Hicks) is in that one by himself with a WT (walkie talkie) sticking out the window—10–4 on that so far?

Ten-four: OK, there is a 55 or 56 black Ford with three men in it—four men in it. It's 4X3178, they have a WT sticking out the window, 10–4 so far? Are you getting all this so far 14?

Ten-four: OK, there is another one, a 63 black Ford I believe it's got the same license on it, 4X3178, that's on the 55 or 56 because that's the one it's registered to. There's three men in that with a WT and they just left, uh, at 1:36, they left the Esso station here, ah, going east on 11th.

Ten-four: Who was that trying to get 317? Did you read them (weak)? Can you read me OK?

OK. Do you know or can find out for me if you can contact a radio dealer here that you know that might have one of these CB transmitter-receivers that we could borrow for a while?

(Very weak) unintell.

Ten-four: If I understood you 5 you said JC went out to see about it and they did not have one. They did not have one where we get our repairs done. Did he have any suggestions where we might locate one—(unintell.).

OK, I can't make you out. You're kind of like a victrola with no volume turned on, just what you'd hear by playing a record with a needle. You don't have any volume at all—23 you want to go eat?—14–23 got called into the office a minute ago.

Ten-four: unintell: And are you over there on Market to cover that, uh, or rather, oh yeah, on Market to cover that (unintell.) 7 is on Broad and 4 is on the way. Yeah, I'll just float around here for a while. Ah, actually sitting behind this over here by the railroad—I can see the package car if you can cover the Market Street up there Market Street.

Ten-four: I'll just be up, down, and around Market Street. What's your 10–20 (location) 4.

If you'll pull down to the railroad crossing on right across from ADT Furniture there is a red pickup truck parked on the right. Take a hard right come in (unintell.).

Go ahead 4 go ahead.

On that WT it looks like 937 (technical man) could go up here to contact his girl and boy couple and find out what they're up to. Well, I was trying to get that message across to him but apparently he is working on 5 radio and I can't read him. Unintell. Get him to do it.

Ten-four: Most interested in listening in a while unit calling. Want to know what they are up to. Unit calling. Unintell.

Will some unit testing and whistling in. Unintell. Nobody wants to admit that. Reckon somebody else did it? JB is working over on Car 5. Maybe it was him—317 to 937—937, 317 to 937—937.

It would be nice to find out if he was doing it—317 to 937—937. This is car 10—317. I'm almost at Volunteer garage. I'll check with him.

Ten-four: 317, go ahead—317 were you testing blowing into a mike?

Yes, I was—10–4.

Ten-four: Unit 937 was doing that.

I'm checking out this unit over here and the strange noises you hear probably come from unit 5 and I can't—it will take me a little while to answer you if you call me, so just stand by for about 2 minutes after you call me and I'll answer you.

That's 10–4. Let us know when you finish, OK?

That I will do.

Thank you—B2 to 317.

Three one seven: Does a red and white Plymouth or DeSoto station wagon, Tennessee license 4X6417 mean anything to us? The reason I ask—an individual just came out of the hotel with a roll of tape, and a tape recorder and put it in the back seat and drove off—10–4.

OK; I'll check it. It might belong to that studio in there—24 go ahead.

You in touch with WJS?

Was a few minutes ago; I can try.

Ask him what time he intends to place Ben up to the mountain; if it's anywhere reasonably early like, uh, 7–8 o'clock, ask him if he can bring the document that I need with him. That way I can handle what you know I have to handle maybe from up there—10–4.

This is B2. Just what it's worth for information. That brown bomber is (unintell.)—14—10–4.

Fourteen-three-one-seven: Is 937 still in town? Go ahead.

No; he is in KX. I talked to him up there—10–4.

I'm proceeding north on Columbia (?) now. Go ahead.

Did you see a big fat cameraman as you came out?

No, I didn't. 10–4.

I guess the rain came at a bad time for him—10–4.

To 14—unintell.

Very weak. KS is right behind it.

Oh yeah, yeah.

Do you know that fella?

Yeah, he looks familiar.

Probably needs a push.

That affirm.

He says is my back wheel wobbling?

I didn't notice his wheel wobbling. You are a friend of his right across the street from you on the south side of the—

Yeah, we're watching him, too.

Yeah, we told him you, we said go ahead drive off so we can look. We'll tell you if it's wobbling.

I hope it does—

That same individual that you're behind here took a big box of something into the hotel, just about 30 minutes ago—10–4.

Fourteen to all units. We were behind that unit and he, uh, got out and looked out obviously and wanted to know if his back wheel was wobbling. We told him to go ahead and we could see it moving, we would let him know and we pulled up behind him again down here at Broad and, uh, JEC looked out (cut off) unintell.

Next time you're talking to him ask him how Bernie (Spindel) is—10–4.

Seven.

This is seven, yah, uh, you want me to pull off.

Negative but I think we ought to watch that guy, he is in a little Renault sport job whatever you call it.

OK, I, I'm not over there, ah, I was, ah when 4 WDC left I thought you acknowledged that you were leaving.

Yeah, that's 10–4, go ahead. I just want you to hear the traffic.

That's 10–4. I'm going to the garage. Is he the same guy that was in the red and white car?

Yeah, that's right T (A. or S.).

What the color of the Renault?

It's a little powder blue—that little hard top, uh, uh, uh, what is that little Renault sport job. I can't think of the name of it.

What was that license DNB?

Four eight four, four eight four. I didn't get the prefix on it. Somebody else may of gotten it.

Did you say 484?

That's 10–4.

He went back in the station here.

He is back in his hangout.

I think I can develop a double agent on that deal out in Thomlinson (phonetic) there if it gets necessary 10–4?

Seven–three and four.

Who all is coming in in the morning. You and I and K (unintell) is GCW, WBH.

That's 10–4.

I guess we ride two together tomorrow, huh (unintell.)

Us fellars from KX aren't used to working these long hours, you guys, Ha; ha; ha.

Twenty-three to fourteen. Who's on first?

Fourteen I think. I'm supposed to pick up W2 or B1 or something like that.

Yeah, why don't you play it solo for a little while. W2 you still in pretty good position?

B1–B2 affirm.

B2 is going down to swap positions with W1 now. He'll be there in about a minute.

Yeah, wouldn't W1 still be in a pretty good position for another half hour? Go ahead.

Yeah, that, that place would be good all night.

I'll carry on. I'm doing fine.

Yeah, yeah, OK, Tiger.

You ran off and left me a while ago.

I was hooking it up to see you and you pulled off.

That's when a little traffic developed and we wanted to check that unit out—10–4.

Ten-four: I'll be back to see you—24 to 15. Go ahead.

You will get one in three car—the other car is coming up against you to pick up the package (unintell.).

Which one are we loading?

The one behind you or the one behind us?

The one behind you will be leaving, follow me in the green car. Follow me straight ahead? 10–4.

No, that was the man that, uh, that we had authority on GEH–GH.

OK, I was at the door when the other fellow opened the door, something was left here, it may be what you were speaking of. I tried to call the man you asked me to contact but he hasn't returned my call as yet, are you going to go back down here or are you going to prepare that daily summary up there?

It appears to me from the what I've seen the first page, uh, what this man uh, would be in a position to say. Is that what you're talking about? Unintell.

Fourteen to twenty-three. What is your 10–20?

I'm coming up north on Market, uh, near where you were.

Yeah, I'm back in position.

OK, I'll see you—B2 to 14.

Go ahead.

Carl that bus station should be good, uh, till we pack it in. It's a good location and I know it's not the best place in the world to eat, but you fellows want to go there, why Jack will be down for a while and be able to swap off with you.

Yeah, 10–4, 10–4.

Unintell. negative—10–4.

Does he look like the package?

Twenty-three are you reading me?

No; I don't think he is robust enough * * * unintell. * * * the second guy is just about it.

They are pointing up at me, ha, ha. Ah, the second guy looks a little too dapper and too small.

That's affirmed.

They are now getting back into this Pontiac. The tag number is 4T4655—there are three guys in it; it's got a, it's got a * * * unintell—with the half white side walled tires. Look to be a 64 Pontiac four-door.

Up Georgia or Market I can't tell which direction yet, it looks more like Market.

Unintell. We are going to try to find 14 here, call out there or something. Car 9 to 23.

Hello, this is 23. I guess my radio went out. I've been trying to call you. I drove up and around and called and called. I got a squelch but no answer, so I guess my battery is down or something—10–4.

Ten-Four. What do you think it's about 11:30?

Well, I was a little worried because I wasn't in touch with you and was afraid something had gone wrong but, ah, everything quiet?

Yeah, we just now just passed the car, it's still there.

I'm with you, it seems kind of ridiculous—10–4.

Well, there is no activity in front or anything. I–I don't I think say 11:35 sounds pretty good, don't you?

Yeah, 12:34 or 1:07—10–4.

Check it out if you're near because we just came back and swapped cars and I'm in nine. If it's still there and * * * unintell—10–4.

Ten-four. We just passed it not less than 3 minutes ago, so I'll go by and give B2 a ride up to his place and call it off.

Ten-four. Unintell. We were up around * * * unintell.

We heard something we couldn't read. I didn't think it was you. I heard something about 15 or something was, is there car 15 out there was, there was earlier * * * unintell * * * gone on to Nashville.

Well, they might have been talking to 515, uh, that may have been what I heard. I couldn't understand them. Otherwise I didn't hear a thing from you.

Well, mine must be out then. Ah, 9317.

THURSDAY

Three, six, seven, one is 55 in and can be drop to me on watch.

Well, let me know when he gets off if he can talk to * * * unintell. watch. Sixty-seven and one-half-volt ones and said they all were either (batteries) fair, some of them fairly good, some of them good but none of them in tiptop shape. We haven't had any new ones in a long time and instead of taking out any of the supply room up there which would be in the same shape as the supply we got, I strongly recommend that we buy at least a dozen. That would give a full set for each of the T units with a set of spares. Would you check with 937 as to the exact type and buy us 12 out of Empress (phonetic) and mail it to us.

For the handy talkies—walkie-talkies. Thank you.

Unintell.

Ten-four: You know where we are?

OK.

Unintell.

Say again.

That magazine article we were talking about did somebody buy that do you have that?

Negative.

Ten-four: That can be had at the bus terminal.

Ten-four.

Fourteen to 317, MJH.

Three-one-seven to 14.

Any traffic?

No, I had a call in but haven't had no reply yet.

Ten-four. We're going to head * * * unintell. * * * B2, to relieve that unit: so as late as it is I'm going to have about leaving now if it's necessary—10–4.

Well, maybe you've been taking that whatever hour is reasonable and bring it out of there when you come, but I'll call you back after I've talked to them. Let you know what the final verdict is.

Ten-four. But this is no time to be leaving this time of day. B2 to 317.

B2 to 14.

Go ahead B2.

Say what's the tag number on that vehicle? I am almost certain in fact we are certain, the package vehicle is out in front by the street entrance at the present time.

You mean the Nashville vehicle?

That's 10–4. It just pulled in.

I don't have it in front of me. I think the last 2 digits are 99 is that 10–4?

That's affirm. Yeah, this, this is it. It's parked out here now. That might be very pertinent so far as, uh, whether they load and what they load and so on—10–4.

Ten-four. We'll be watching

Unintell.

Negative. That is IM as in Mary.

Ah, yes, 10–4—317 to 315.

Three forty-six suppose you can give me a watch? Well, that's very interesting. I'll check that, thank you—14 to 317.

Fourteen to B2.

B2, is he loading up?

Negative. No one is in the vehicle.

We're going down south Broad, we'll be on down this way in case anything develops. I want to check with 317 to see if they want to spot check or anything—14 to 317.

Carl, this is seven. The boy just passed again. Jack had copied this same plate number down before. It's 4U8888.

Yeah, that 10–4, that's the same one that was by there while you all were out.

Try to keep some time on that, I think the other one Jack, I recall was about 8:05.

Ten-four: seven——

I think you ought to change locations there. They might be trying to set you up so they can say the defendants are being surveilled or something.

OK.

They're going to have to come up with something.

They'd probably never find us at Edmund's.

I think you got a real good idea.

Let's rendezvous up there and talk it over.

How late are they open?

I don't know, Paul. I guess about midnight.

See you over there in a little while.

Did the little man have a dark suit on?

That's affirmed.

Yeah, I just came out of 11th and he was walking down just approaching the 11th Street entrance. His companions were with him. I think he saw ——.

Twenty-three to fourteen.

Go ahead.

I'm just cruising. Do you want me to do anything? I passed—the car's still there. I just checked it.

Yeah, I did, too.

I don't see much point in this 23, or what do you think?

Well, I think a little bit after 11 be late enough to show it.

I agree. It's ridiculous to sit on that car all night and that's about all we'd have to do.

Let's go over to Edmund's and talk to the boys a while, and we'll check it as we go by and knock it then—10–4.

Now you're talking.

Thought you was already over there.

No, we didn't want to leave you fellows alone.

Twenty-three ——— and I'll get around there and pick you up at the doorway.

Twenty-three, are you trying to transmit me?

Not me, chief.

What's all that noise?

I think we're tuned in.

That's probably Bernard.

Hiya, Boinie.

Bernie or 317 make the mistake ———.

Yeah, that's what I was talking about.

Well, he said he'd be here earlier in the afternoon; that he was ——— the unit to see if we were transmitting, but we were not.

Ha, ha, maybe there is a hanky-panky, huh?

Could be.

Hiya, Boin. Doing fine, making lots of money working for Mr. H? He's a good boy.

Go home, Bernard.

I plan to, in the morning.

Say, ah, will you be able to hook me up with 584 and 445?

Ten-four: I'll tell you—how about just giving 317 a call right before you do it because I'll be at my car.

OK.

Ten-four: Boin, you still busy?

OK, I'm relieving you. If you're busy. I think. * * *

It might be three.

If you're in a position to go, that car, well around there is B2. It's alerted up there, and bring that key over there so that ——'s man will have a key to get in.

B2, why don't you just secure it and bring the key on over here while D is still here?

Where's 84? Where's 87?

Yeah, I agree with you now that I think about it. His hair was combed the same way, gray, combed straight back, and he had the big, ah, H.

Now, that. * * *

Well, the tiger's back.

He'll get to it there. He'll get to it, I'll tell you.

You better believe it, boy. Did you eat plenty of red meat?

Twenty-three: I moved over here, just around the corner where you were, ah, this morning earlier, headed north, ah. The other side of that lot, the gates are closed.

You might swing around and double-check the car. I've checked it a couple times.

Did you clear that? I forgot. You don't have to clear, do you?

Yeah, now how about that? How 'bout that?

I think we were having a friend back where we were.

You recognize some, huh?

I didn't, but, ah, the other fellow did.

Our package came out, walked around once and went back in.

Well, our guy did?

Check.

Got on that gray suit, white banlon-type shirt, open at the collar, black shoes, no hat, smoked a cigarette.

Like for a constitutional around the block? What did he do? Just walk around the block?

Yeah, 23, after you check the car, if you want to come over here, I want to go upstairs and make a call and see if I can't get one man to come in on beat at 2 in the morning and let these two men with us sleep in, too, because they got out real early this morning—10–4.

Ten-four: There's a car right beside me and I didn't get a good look. I'll be over there in just a minute.

If you want to come over here, I'm right behind a little cheap, ah, just almost opposite the entrance to, ah, the thing. I'll pull out. I think I'll just pull down in that lot and swing around and make sure, ah, and then come back out—10–4.

Well, I can do it. I'm heading back that way.

Ten-four: ——— pretty close ——— excellent, in a position right near a church at another time.

Excellent.

B2 to 317: Unintell—B2 says 10–4.

I was going to have him call you. [Pause.] Still no life around that vehicle, I'll let you know.

B2 to 14: They are proceeding to the vehicle now, quite an entourage, will copy (which means photograph) [pause]—10–4.

B2 to 14: I don't think you want to go near this vehicle due to its contents [pause], ah, they are ready to pull out in front now and I think the package you are interested in is, he didn't even get into, uh, three other individuals got in, he is now crossing Market Street, uh, looks like he is heading over the Rent-a-Car—Avis Rent-a-Car place.

What is believed to be the package just proceeded across 11th, on down 11th on Broad, the vehicle we described just turned up, it made a north turn, it's either going up Georgia or Market.

B2 to 317: Yeah, I got, Carl I got a question, uh, if you have personally seen the package, is he partially bald? That is the package.

Twenty-three: 10–8.

Go ahead, what did you have him—10–4. I guess just forget it for the moment.

Three-seventeen to 1417—317 to 1417. If 1417 is WLS, go ahead. Unintell. Are you in position and ready? Soon as I can get across this one-way traffic I'm on Ninth Street trying to get in behind the building—10–4.

Well, ah, 'cause they might be back in a few minutes. I hope he is long gone but you might hold it for a while.

Three-seventeen: Twenty-three to 317—he looked like, uh, but 2 people got in the car that we positively identified. The third party got in the back seat, we could not make he, uh, and they loaded some gear into the trunk—two large boxes and a briefcase that looks like one of the three is going to shove off, either that or they are going to ship that stuff somewhere—10–4?

That's 10–4.

Twenty-three to 317—317: Twenty-three to 317. (No answer.)

Twenty-three to 317—23, unintell. Pass the word along to the boys upstairs if they haven't left that there are two bad cameramen and here waiting for the package to come out the back of the building.

Are they right at the head of the steps?

No, they're across the alley waiting for him to come up the steps.

Ten-four: Movie or just the regular?

Looked like movie?

(End side 1.)

B2 to 14.

This vehicle just returned, uh, less one occupant and looks like they are going to park in front of the hotel.

I don't think so, not according to description.

Three-seventeen: Go ahead.

No, I just got off the telephone from KX.

You say how many were in it, when it left with the equipment?

Uh, stand by. No, there were three, the fourth individual didn't get in the vehicle, he, he crossed the street and headed down 11th toward Broad. So we know two or the three that left in the vehicle. The third party we don't know, and he wasn't in the vehicle when it got back here at the hotel. You say you do know two of the three who got out.

That's 10–4.

Unintell—to KX before noon tomorrow.

Is it back at the original location, I mean where it's been for the last couple of days?

That's negative. It's on the 11th Street side of the hotel. MJH, you observed the package. Will you tell us if he is partially bald.

No, no, he is not.

Did he wear glasses?

No, he did not.

Well, then, when these people first came out, that is the four of them originally approached this car the two we cannot identify, ah, one was wearing glasses and one was partially bald so it appears that those two could not identify were not the package. Is that 10–4?

OK, the one that was bald was he a slightly built fellow?

He was short, but rotund.

No, I was thinking I might know who that was, but I don't make him from that description.

The crown of his head was bald. He wasn't completely bald. He had hair on the sides and a little hair on the top, but sort of like a monk with the crown—bald.

No, that wasn't the subject.

JI, this is WLS, I didn't hear all of that but I would be inclined to think that is the subject. He is definitely thinning on the top of his head.

Well, I, Bill, I took an awfully good look at him out there and I would consider I wouldn't consider him bald. Of course, I didn't look down at him, from up above, but, uh, I didn't notice any baldness, he might be but I wouldn't consider him bald.

Yeah, Billy, this fellow had a distinctive bald spot on the crown of his head, so does Spindel, he is a big mannish looking guy, humped shoulders, heavy set, right at the top of his head, he is bald, he's got a bare spot.

Well then, that sounds like our man, that originally got into the back seat of the car when it pulled away. Did he come back? That's negative.

I wouldn't consider that subject short. He's a good 5–10 and he would weigh about 220, barrel chested, stooped shouldered and of course as I said I didn't look down at him from up above, but he's got plenty of hair, and its, it's a right good length. It's not real long, but it's not short.

Three-seventeen. Affirm on 317, go ahead. Jo and his crowd normally go out to Lake Chicoma (phonetic). They would normally go out Third Street and Riverside Drive and Amicola Highway at that way.

Would they turn right on Broad Street or Market? Oh, no, they wouldn't; they wouldn't go to Broad at all. They're going the opposite direction from Broad, they would—the best way would be to go in front of the Volunteer Garage over to Third Street, I mean Fourth Street, turn right on Fourth Street, and turn left at City High, it used to be City High, I don't know what—Riverside High now and then that puts you on Riverside Drive and follow Riverside Drive up through East Chattanooga.

That's 10–4. This is B2. The package's automobile was first observed being loaded at 4:55 and was then observed again back at

the hotel at 5:10, minus one individual. I don't believe that gave them enough time to get out to the airport.

No, they couldn't have gone to the airport in that length of time, uh, I'm sure of that.

They may have changed hotels. That's entirely possible.

WLS.

Go ahead. Are they, they've taken another route, uh, they have gone through North Chattanooga in other words, cross Market Street Bridge, turn right and, uh, then, uh, oh past—restaurant on the right, bear left there at GPS, Girls Preparatory School, up over the hill like that out Hickson (phonetic) Pike on out through Stewart (phonetic) Heights to access road now that is not the way I would have gone but that's the way they've gone. Do I—does that make any sense to you, do you have any idea on how you should travel? Yeah, that's 10–4. I'm with it. OK.

B2. Go ahead. You were cut out on your transmission, but it indicated something about 12 noon at KX tomorrow. Would you repeat that?

Instructions are that the four of you are to be back in KX by 12 noon tomorrow—10–4.

I don't know if there is anything more that we can do. I'm going to call a summary up here in the next few minutes and I'll mention it to the SAC but you know what our instructions are so I don't quite know what we could do—go ahead.

I think as of now it would be well, don't you?

All right then, whatever you want.

Twenty-three, go ahead. Yeah, that's 10–4.

Well, did you decide that possibly that the package did not come back—the original package was the one that did not come back to the hotel.

In light of the more current description, that's entirely possible, uh, the vehicle is presently parked in front of the 11th Street entrance and if you like, we will sit here till they do move it.

Well, I'm coming down that way now, just to get a look at it. It's very possible they moved to another location with the equipment thinking maybe they can pick us up a little better.

That's 10–4.

Say Bill, the two occupants in that car were "The Man" (Hoffa) and the ex-boxer (O'Brien).

That's 10–4. Is the car parked on the 11th Street side? That's affirmed.

The light beige tan Chevrolet right there in front of the hotel. Is that 10–4?

That's 10–4, Bill. Nashville tag.

If you want to, I'll check this out a little while.

No, we're going to hang in here till we see if he gets back in the car.

Ten-four. I'll get back around the corner here then.

Twenty-three. Go. Are you aware that those people have been gone for some time, are you not—the ones that, uh, you, that you previously mentioned.

Yes, I sort of lost interest in view of this one. OK.

B2 to 14 and 23, uh, the ex-fighter just came out with two unidentified WMA's. He got into the car, he is not moving as of yet and the other two individuals separated, walked around the corner, and headed north on Market on foot.

Twenty-three, you were just photographed.

That's 10–4.

There is a guy standing against the hotel with a camera and as you pulled up to the light, he stepped out behind your car and photographed your plate. The ex-fighter just got out of the car and walked back into the hotel.

Ten-four. I saw it. What about the other guy walking down the street? Did you get a good look at him?

Billy, are you referring to the cameraman as far as description goes?

I thought you said two walked around the corner. That's 10–4. They had their backs to me. Unintell. Relatively young white males, ah, looked to be late twenties, uh, I doubt very much if I could recognize them, they had their backs to me (or us).

Ten-four.

Did you happen to recognize the photographer?

Negative. Neither one was the package, of course. Ah, let's see that, ah, the ex-pug is just coming back down the, toward the car, getting in the car again here.

He is getting all ready to drive away now.

He done wound it up.

Keep me posted. I'm over at 9th and Market, I guess it is.

Ten-four: 315, could you stand by just a minute?

The "S" vehicle just proceeded across Market going west on 11th. This is B2. As you probably know, the vehicle, uh, the "big boy" (Hoffa) just got back to the hotel evidently he parked the car—10–4.

There are a few fellows that are going in the same direction, so that Mr. Big and, uh, his necessary assistant so I don't think you want to be anywhere around that lot right now.

This is B2. It looks like everyone is gone, ah, unless you have anything to the contrary, we'll close shop.

That's 10–4 with 23.

B2 to 14. What do you think—think we ought to pull this gear out?

Unintell.

The big guy came out with the entourage and they looked like they all got back—unintell. In other words, I'm sure if you drove by there, you'd find it wouldn't be in the lot. Unintell.

I really don't know what you got in there. * * * I just don't want them to photograph that coming out of there, if you think you can handle that without that, go right ahead.

B–2. Unintell. Can we meet with you somewhere? Unintell.

Ten-four: We don't have any wheels, uh, I'll tell you if you want we can meet you at 317 (office) * * * unintell. Come down to 217—10–4. We'll be 217, 23—23, we'll be 10–10 at the building.

END OF CONVERSATION

1. "M. H. and company just returned. Was that husky boy with him? Did you recognize him?

"Who with him?

"O'Brien. I don't think so."

Or words to that effect.

2. "Mr. H and three others getting into a white Pontiac which is parked on the street up from Market Street."

Or words to that effect.

Three, zero, one's call. I'm in the office.

Three, one, seven: 24.

Two-four: Office—36.

It couldn't have been any better. He overruled the motion to suppress his testimony and ruled that the defense had no right to examine the notes of, ah, Walter. End call.

Three, one, seven: 315.

Call me back. I want to talk to Mrs. M.C. again just a minute—10–4, 315.

Three-one-seven: 315. About 1 minute more.

Call us right back—55 just came in and he wants to talk with him.

Mr. H and company just returned.

* * * * *

Was that husky boy with him? Did you recognize him?

Who with him?

O'Brien.

Ah, I don't think so, 10–4.

They call?

Go ahead.

Mr. H and three others getting into a white Pontiac, which is parked on the street up from Market.

Is our package with them?

Ah ——

——— I guess we can't touch that.

See if I can get the plates. The plate on it is 4U —— 8888.

That sounds familiar. I believes that's one of those we had before.

Yeah, I think that's one of the cars rented to the Teamster local.

Campbell.

Mr. H sure was jumping. His head was like a radar strip.

It should be.

Yeah, four, eight men.

Is that you saw? They remind you of anybody?

Yeah, reminds me of, ah, old man D.

Is it, ah ——

From Chicago.

Yeah, just from what I saw, it looks like they're, ah, I told you of that other, ah, electronics man we've been talking about?

Oh, no, this guy was, ah, I saw him from the front, tall and, ah, looked at him through the binocs. He's much too old. Much too old. He, ah, his gray hair and all, he looks like the father of Dorfman.

To all members of Teamsters' Local No. 5:

Some time back we circulated a copy of the charges we filed against business manager, E. G. Partin.

We have stated on numerous occasions to you, the members, that your business manager is not acting in your best interest but rather is running your local union as a dictator and as positive proof of our statement we present to you evidence of his dealings with his fellow dictator, Fidel Castro. We know that he has used your local union funds to visit Castro in Cuba on several occasions. Are you paying union dues to help Russia's Communist Allies infiltrate the United States?

A. G. KLEIN, Jr.
J. D. ALBIN.

IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE, SOUTHERN DIVISION—UNITED STATES OF AMERICA *v.* JAMES R. HOFFA ET AL., 11,989

AFFIDAVIT

I, Harry Berke, state as follows:

That I am counsel of record for the defendant, Hoffa, in this case; and have been such counsel during this entire trial and have been for several weeks prior to the commencement of this trial.

That I have previously stated to this court my belief that I was being trailed and under surveillance by certain persons.

Now I have proof that during this trial I have been under surveillance by agents of the Federal Bureau of Investigation.

That such surveillance has impeded me in my representation of the accused, that consultations with other counselors, witnesses, and the defendant have had to be conducted in an atmosphere of apprehension and fear that our meetings were being watched and that our activities were under scrutiny. This activity on the part of such persons caused me to postpone several conferences previously scheduled with my client.

I cannot adequately and fully represent this defendant in the manner to which he is entitled under the sixth amendment of the Constitution of the United States with the Federal Bureau of Investigation looking over my shoulder.

Subscribed to and sworn to before me February 7, 1964.

———, ———,
Notary Public.

IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE, SOUTHERN DIVISION—UNITED STATES OF AMERICA *v.* JAMES R. HOFFA, ET AL., CRIMINAL NO. 11,989

SUPPLEMENTAL MEMORANDUM IN SUPPORT OF DEFENDANT HOFFA'S MOTION TO DISMISS THE INDICTMENT; OR THE ALTERNATIVE, TO WITHDRAW A JUROR AND DECLARE A MISTRIAL

Simply stated, the questions presented by this motion are:

1. May the executive department by surveillance of the defendants, witnesses, and defense counsel, deprive the defendant of his constitutional right to have witnesses come forward in his defense as guaranteed him under the sixth amendment to the U.S. Constitution?

2. May the executive department by unremitting surveillance of the defendant's counsel deprive the defendant of the right to the effective assistance of counsel as guaranteed to him by the sixth amendment to the Constitution of the United States?

3. May the Attorney General of the United States, and those acting under his express direction, deny to this defendant the fundamental right to a fair trial vouchsafed to him by the due process clause of the fifth amendment to the Constitution of the United States?

I

These questions, cast against the background of the cherished bulwarks of freedom guaranteed to all persons by the Bill of Rights, demand a negative answer to all of the questions, as, indeed, has every court so answered when it had occasion to consider these and related questions.

As the evidence in support of the motion in this case shows, counsel for the defendant, Hoffa, has been under almost continuous and repeated surveillance from the time that this trial commenced until February 8, 1964.

Instead of the free and untrammeled communication with his client and witnesses that he should have, he has been subjected to a type of scrutiny that would remind one of the way persons have to live in Russia; and the fear which permeates the lives of the persons by Hitler and his storm troopers.

The right to a public trial had real meaning at common law and that meaning was translated into a sacred right by reason of the adoption of the sixth amendment to the Constitution.

At common law, the requirement of public trial had as one of its bases, in the day when communications were primitive, the extra assurance that a trial held publicly would attract attention and would induce persons with knowledge of the facts to come forward and give their testimony in aid of either the prosecution or the defendant. This same motivating reason pervades our constitutional requirements of a public trial.

Indeed, it has been described as one of the main purposes for the requirement of a public trial that there is a reasonable possibility that persons unknown to parties or their counsel, by having knowledge of the facts may be drawn to the trial. (*Tanksley* v. *U.S.*, 145 F. (2d) 58; and *United States* v. *Kobli*, 172 F. (2d) 919.)

Here the constitutional purpose is being and has been thwarted by the actions of the agents of the Government in keeping the defendants, their counsel, and witnesses and prospective witnesses under the constant eye of the FBI agents. This fact has been made known to the court and has appeared in the public press in this district as well as all over the country.

What person, having knowledge of facts that might be helpful to this defendant would come forward and give information to the accused under these circumstances? He would know that if he contacted the accused or the accused's counsel that he would immediately under the surveillance of the Government's agents with the likelihood of inquisitorial interrogations by employees of the U.S. Government, who are under the direction of the Attorney General of the United States who has publicly in both written and oral statements, stated his hostility toward this defendant. Would not such knowledge intimidate a witness?

It is not the fact that some witnesses may have been silenced who otherwise would have spoken that is controlling. What is controlling is that the tendency that such surveillance has to silence a person, who would otherwise speak, that is the basic evil.

II

The right of an accused to assistance of counsel means effective assistance of counsel. It guarantees accused the aid of counsel in consultation, investigation and preparation for the trial (*Krull* v. *U.S.*, 240 F. (2d) 122); and grants to the accused the guidance of counsel at every stage in the proceedings for the purpose of insuring against the prejudicing and hampering of the accused in his defense (*Wilfong* v. *Johnson*, 156 F. (2d) 507; *Neufield* v. *U.S.*, 118 F. (2d) 375); and his insured fundamental rights of liberty (*Glasser* v. *U.S.*, 315 U.S. 60, 86 L. Ed. 680); and the right contemplates that the accused should have an able lawyer, who has ample opportunity to acquaint himself with the law and the facts and who is afforded an opportunity to present them to the court or jury in their most favorable light (*Willis* v. *Hunter*, 166 F. (2d) 723); and that such assistance by counsel be an "untrammeled and unimpaired" right.

He has been deprived of the aid of his counsel in investigating the facts; the right to unimpeded communication with his counsel; and the assistance that would come to the defendant had his attorney not been prevented by the surveillance of the FBI of his freedom of action in interviewing witnesses.

III

Not only has the defendant been deprived of his right to a public trial within the meaning of that guaranty as set forth in the 5th amendment; and deprived of his right to the effective assistance of counsel as granted by the same amendment; but he has been denied the right to a fair trial as assured to him by the due process clause of the 5th amendment.

The due process clause supplements the specific procedural grant in both the sixth amendment and the other clauses of the fifth amendment in protecting persons accused of a crime. (*Crain* v. *U.S.*, 162 U.S. 625; *Hopt* v. *Utah*, 110 U.S. 574).)

Substantive due process means a fair trial and an opportunity to prepare and present evidence. It is a restraint upon the executive branch of the Government against arbitrariness and harassment of the citizen by the executive department. It is designed to protect the citizen against oppression and inquisitorial interrogations.

Investigating and law enforcement methods which offend the sense of justice and violate that fundamental fairness which is essential to the very concept of justice violates the constitutional guarantee of due process of law. (*Quinn* v. *Lane*, 231 N.Y.S. (2d) 840.)

To deny anyone the fundamental right to have witnesses come forward to assist him or to give information to the defendant is a violation of the due process clause.

Equally, the denial of the right to the effective assistance of counsel is a violation of the due process clause of the fifth amendment. (*Neufield* v. *U.S.*, supra; *Gall* v. *Brady*, 39 F. Supp. 504, 125 F. (2d) 253.)

In light of the facts disclosed by the evidence in support of this motion, the defendant not only has been denied his right to have witnesses come forward in his defense, and denied his right to effective assistance of counsel; but has also been denied his right to due process of law under the fifth amendment. Any violation of these rights by the Federal Government or its agents completely nullifies this trial and deprives this court of its jurisdiction to continue the trial of this case. (*Kuczynski* v. *U.S.*, 149 F. (2d) 478; *Noble* v. *Eicher*, 143 F. (2d) 1001; *Thompson* v. *King*, 107 F. (2d) 307.)

Jurors, witnesses and defense counsel are essential to the existence and the protection of due administration of justice. They are entitled to the protection of the court from intrusion by anyone, including the agents of the Government. As to the protection which the court will give its instrumentalities, see *Sinclair* v. *U.S.*, 279 U.S. 749.

In *Sinclair* v. *U.S.* the Court said:

"There was probably interference with an appendage of the court while in actual operation, the inevitable tendency was toward evil, the destruction, indeed, of trial by jury."

Intrusion by Government agents in the relationship between an accused and his attorney invalidated a conviction in *Caldwell* v. *U.S.*, 205 F. (2d) 879.

Here, we do not have probable interference. Here we have actual interference. Just as the Supreme Court said in *Remmer* v. *United States*, 98 L. Ed. 655, where a juror had been questioned by an FBI agent:

"The sending of an FBI agent in the midst of a trial to investigate a juror as to his conduct, is bound to impress the juror and is very apt to do so unduly. A juror must feel free to exercise his functions without the FBI or anyone else looking over his shoulder. The integrity of jury proceedings must not be jeopardized by unauthorized invasions."

Neither can counsel conduct the defense of an accused with the FBI looking over his shoulder, nor is it likely that witnesses will come forward, knowing that the FBI are looking over their shoulders.

Here we have a situation where witnesses and defense counsel are being subjected to extraneous influences to which no party in a court proceeding should be subjected. No American citizen should be subjected to trial in the judicial branch when the executive branch is actively impeding every constitutional right that a defendant has.

While there is, of course, independence between the executive department and the judicial department, nonetheless, whenever and wherever there has been an intrusion upon an individual's rights by the executive department, the Court has uniformly stated that it protects the citizens from such acts. (*U.S.* v. *Andolschek*, 142 F. (2d) 503; *U.S.* v. *Reynolds*, 341 U.S. 1.)

The relief which the defendant seeks and which threads through the fabric of the concept of liberty was never more eloquently proclaimed than by Chief Judge Learned Hand in *U.S.* v. *Coplon*, 185 F. (2d) 629, 638:

"All governments, democracies as well as autocracies, believe that those they seek to punish are guilty; the impediment of constitutional barriers are galling to all governments when they prevent the consummation of that just purpose. But those barriers were devised and are precious because they prevent that purpose and its pursuit from passing unchallenged by the accused, and unpurged by the alembic of public scrutiny and public criticism. A society which has come to wince at such exposure of the methods by which it seeks to impose its will upon its members, has already lost the feel of freedom and is on the path towards absolutism."

Here we have a fact situation probably unparalleled in judicial annals. This record is replete with statements and writings of the chief prosecuting officer of the United States in which he has inveighed against this defendant and has unsuccessfully sought to imprison this citizen over a period of 7 years.

This defendant has no redress through the executive department. His only refuge is in the Bill of Rights and in the courts. Where the executive department flagrantly desecrates constitutional rights of an American citizen, that citizen has the right to demand that a price be paid by the executive department for its action. That price is the enforcement by the courts of a defendant's constitutional rights and the assurance of those rights by the dismissal of the indictment or granting a mistrial.

JAMES E. HAGGERTY, Sr.,
HARRY BERKE,
Attorneys for Defendant.

[From the Chicago Tribune, Feb. 28, 1964]

THREE HOFFA ATTORNEYS REBUKED BY JUDGE

CHATTANOOGA, TENN., February 27.—U.S. District Judge Frank Wilson today rebuked three defense lawyers who accused him of siding against them at James Hoffa's jury-tampering trial.

It was the first time since the trial began January 20 that Judge Wilson displayed his temper during repeated exchanges with defense attorneys.

The latest exchange interrupted the Government's rebuttal testimony, completed today. The case is expected to reach the jury early next week—the seventh week of the trial.

LINKED TO BRIBE

Hoffa and five others are charged with trying to bribe a Nashville jury which heard the teamster president's 1962 conspiracy trial.

Like most of the other exchanges, this one involved Edward Grady Partin, a Baton Rouge, La., teamster official who testified against Hoffa.

Harry Berke, Hoffa's Chattanooga lawyer was cross-examining Victor Bussie, a Baton Rouge AFL–CIO official called to counteract defense attacks on Partin's character. Bussie was one of three Government rebuttal witnesses who termed Partin's reputation "good."

When Berke asked if he was "aware that Partin was under investigation for smuggling arms to Cuba," Judge Wilson glared. He had warned the defense previously to avoid the question.

Jerking off his glasses, he leaned forward and, shaking a finger at Berke, snapped: "Mr. Berke, there is no basis in the record for that. You have wilfully disregarded the court's instructions. When I give counsel instructions, I expect them to be obeyed."

ASKS AN APOLOGY

The judge told the jury to disregard the remark. After a recess, with the jury absent, Berke asked an apology from the court on grounds he was "unfairly chastized * * * in the presence of the jury."

New York Attorney Jacques Schiffer accused the judge of aiding the prosecution by indicating "time and time again to the jury that the defense counsel are charlatans, that we're tricksters, that we're trying to fool the jury."

Harvey Silets, a Chicago defense lawyer, asserted that the judge displayed "bias and prejudice against the defense."

The judge replied, "This court has absolutely no bias and prejudice against any of the defendants. The attorneys have made it difficult for the court throughout the trial. I hope that counsel will learn the court means exactly what it says."

PAINTED AS LIAR

The Government's rebuttal witnesses were presented to try to refute defense testimony which painted Partin as a professional liar, a woman chaser, and a dope addict.

Others attesting to Partin's good character were Frank Jumonville, a Plaquemine, La., equipment dealer, and Donice Bennett, president of the teamsters local of which Partin is business manager. Jumonville said, "I've never known him to lie."

Dr. Robert William Razor, with the Federal hospital for narcotics addicts in Lexington, Ky., testified he examined Partin last Friday and found "no evidence that he ever had used habit-forming narcotics."

Meanwhile, Senator HIRAM FONG, Republican, of Hawaii, read into the CONGRESSIONAL RECORD a letter from Teamsters headquarters in Washington seeking a Senate inquiry into alleged gestapo tactics employed by the Government at the trial.

Mr. CUNNINGHAM. I thank the gentleman from Illinois.

I am very hopeful that the allegations that have been made in this regard concerning this case by Mr. Zagri, legislative counsel for the Teamsters, will be studied and considered by the Committee on the Judiciary. I believe that of all the committees in the House this committee is the one which should go into this matter and see that the constitutional rights of all Americans are protected.

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

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

Mr. ABELE. I have listened with interest to the discussion which has been held in regard to the violation of the constitutional rights of certain individuals. I also heard mention of the Roy Cohn case in which there has been the allegation made that there was a mail watch put on his mail. That appeared in today's New York Times.

The deplorable thing about this is that the mail watch was set up on this mail and also on his attorney's mail. When questioned about it 2 weeks ago, Department of Justice officials denied that the watch was for the perjury case that was being heard. They said it was done by direction of the Internal Revenue Service.

Then, on Saturday at another hearing in the same case, it was admitted that the mail was watched in regard to this particular case.

The discrepancy between the two stories of the Department of Justice which is so deplorable is the fact that they should be involved in such situation. I feel that something should be done and that the matter should be investigated thoroughly.

I compliment the gentleman from Nebraska for bringing this matter to the floor of the House. Regardless of who the defendant is he should have his rights protected.

Mr. CUNNINGHAM. I thank the gentleman. Did the gentleman say that this was an article from the New York Times in today's paper relative to this mail matter?

Mr. ABELE. That is correct. The heading of the article is "Justice Officials Say Case Has Been Mishandled—Wrongdoing Is Denied." However, the question in my mind is what were the people in the Department of Justice thinking about when one day they say the mail watch was in regard to an internal revenue matter and 2 weeks later they say it was in regard to the conspiracy or the perjury charge.

Mr. CUNNINGHAM. I believe this matter to which the gentleman from Ohio refers bears on this entire subject of constitutional rights.

I wonder if the gentleman does not want to ask permission to insert that article as a part of the presentation this afternoon on this subject?

Mr. ABELE. Mr. Speaker, I ask unanimous consent to insert an article in the RECORD at this point.

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

There was no objection.

The matter referred to follows:

COHN MAIL WATCH EMBARRASSES UNITED STATES—JUSTICE OFFICIALS SAY CASE HAS BEEN MISHANDLED—WRONGDOING IS DENIED

WASHINGTON, March 1.—Justice Department officials said today they were surprised and disturbed that an assistant Federal prosecutor in New York had ordered a mail watch on Roy M. Cohn and on Mr. Cohn's lawyer.

The officials said they had known nothing about the order and had thought the only mail check was an unrelated one ordered by the Internal Revenue Service. They evidently were embarrassed by the episode.

Mr. Cohn, who is under indictment on Federal perjury and conspiracy charges, moved to dismiss the indictment 2 weeks ago on the ground that his mail was being checked. He produced a copy of a post office order for a mail watch.

Justice Department officials said here at the time that this was an Internal Revenue matter entirely unconnected with their case against Mr. Cohn. They strongly denied that the Justice Department had any check on his mail.

PRESIDENT INFORMED

This same information—denying any Justice Department mail check on Mr. Cohn—was given to President Johnson last week as part of the briefing material for his press conference yesterday. It was given on the chance that the President might be asked about the Cohn matter. He was not.

Then, yesterday, it was disclosed that the mail of Mr. Cohn and his lawyer, Thomas A. Bolan, had been watched in connection with the perjury-conspiracy case.

This disclosure came at a hearing before District Judge Archie O. Dawson in New York on Mr. Cohn's motion to dismiss the indictment. The assistant U.S. attorney handling the case, Gerald Walpin, told Judge Dawson about the mail watch.

ADDRESSES NOTED

Judge Dawson denounced as shocking the placing of a mail watch on a defendant's lawyer after an indictment. But he refused to dismiss the indictment, saying there was no indication that the Government had obtained any information for its case from the mail watch.

In a mail watch, the Post Office notes the names and addresses of those who send letters to the person concerned. Mail is not opened or read. Checks of this kind are said to be quite common law-enforcement devices.

What disturbed officials here today about the Cohn case was not the check so much as the timing and handling of the affair.

Mr. Walpin, the prosecutor, filed a sworn affidavit in court last week saying that the U.S. Attorney's Office had had nothing to do with the mail-watch order of which Mr. Cohn had produced a copy.

This was the Internal Revenue Service order. Mr. Walpin was therefore correct in

saying that his office had had nothing to do with it.

But the impression left with many persons, including Justice Department officials here, they said today, was that no mail order of any kind had been requested by Mr. Walpin or his associates.

Last Friday a postal inspector testified before Judge Dawson about the Internal Revenue mail cover. Postal officials were to testify further the next day and to be questioned by Mr. Bolan.

SUPERIORS INFORMED

It was on Friday evening, according to officials here, that Mr. Walpin told his superiors that he had requested the mail watch last September after Mr. Cohn was indicted on charges of having lied to a grand jury and of having tried to prevent the indictment of four men in a stock fraud case involving the United Dye & Chemical Corp.

On Saturday morning Mr. Walpin told Judge Dawson about the mail watch. The feeling at the Justice Department today was that, while there had not been anything that could technically be called a misstatement, the public position of the Government had been misleading.

Mr. CUNNINGHAM. Mr. Speaker, this is something that is much broader than an individual concerned in a particular trial. I do believe that the allegations made as to the shortwave radio contact between the Government attorneys and the accused, sleuths, private detectives, and all kinds of other people, trying to get what I believe to be illegal evidence, if all these things are true it certainly deserves the serious consideration of the Committee on the Judiciary because this affects all Americans. Who knows when it may be a Member of this body who will be subjected to the same type of harassment?

Mr. GONZALEZ. Mr. Speaker, this is the second speech to be made from the floor of the House by me on this day. The first was on the occasion of the 128th anniversary of Texas Independence Day. For on this day 128 years ago Texas declared its independence from a despotic and hostile colonial power. The Texas Declaration of Independence was modeled after the U.S. Declaration of Independence, and among the grievances against Mexico set out was the charge that Mexico had broken promises to protect life, liberty and property, and that she had deprived the Texans of a trial by jury.

It was by coincidence that I remained in this great Chamber after delivering that speech and that I happened to hear certain remarks of my colleagues related to the very principles underlying the Texas Declaration of Independence, the U.S. Declaration of Independence, and the Constitutions of my home State and my Nation. I refer to the remarks concerning the prosecution of James R. Hoffa, president of the International Brotherhood of Teamsters.

Mr. Speaker, facts have been brought to my attention which if true will cause the current prosecution of James R. Hoffa, regardless of the eventual outcome of the case, to reflect a sordid chapter in American jurisprudence and in the history of this great Nation.

Under our Constitution every defendant in a criminal case has an absolute right to due process and a fair trial. Yet it is my understanding that the Federal Government in this case has admitted to conducting a constant surveillance of the defendant, his counsel and witnesses since the opening date of the trial until February 8, 1964. These activities by agents of the FBI and other Federal agents included surveillance of the hotel where the defendant and his attorneys were staying, communications by shortwave radio of the whereabouts and movements of the defendant and his counsel, following them in automobiles, and the invading by a U.S. marshal of the defendant's headquarters during the trial, using monitoring devices and other means of surveillance such as wiretapping, shadowing and eavesdropping, and viewing the defendant's movements through the use of binoculars from the windows of rooms in a building adjacent to defense headquarters.

It is not my understanding that a defendant in a criminal case may obtain due process or a fair trial if through the use of surveillance witnesses who might come forward with evidence for the defense may be intimidated. It is not my understanding that a defendant in a criminal case may obtain due process or a fair trial when his prosecutors, agents of the Federal Government, resort to devious, deceptive, and duplicitous means, and even direct violations of the law, to obtain their ends. Such methods are odious and wrong on both legal and moral grounds.

It would be a terrible thing if the Federal Government in this instance decided "to get Jimmy Hoffa" and to resort to any means toward that objective. For with the massive machinery and unmatched power of the Government it could "get" anyone if it so desired. But justice through due process and a fair trial is supposed to be for all the people, not just some of the people.

So it is well to remember that this is the anniversary of Texas Independence Day, and the admonition of our forefathers that eternal vigilance is the price of liberty and freedom. Unless we raise our voices at miscarriages of justice, legal demons will be born which, like Frankenstein's monster, may destroy us all.

Mr. OLIVER P. BOLTON. Mr. Speaker, I too, wish to congratulate the gentleman from Nebraska [Mr. CUNNINGHAM] for his raising the question of possible abrogation of constitutional rights. I too, received a letter from Mr. Sidney Zagri, legislative counsel, International Brotherhood of Teamsters, along with several memorandums attempting to document the infractions of constitutional rights alleged in his letter. Many of these documents have been inserted in the RECORD.

Mr. Speaker, whether we are considering the case of Mr. Hoffa, or Mr. Cohn, or of any other citizen charged with any crime, two things stand out clearly in my thinking: The first is the extreme difficulty that there is today in obtaining sufficient evidence to convict. Countless hours of work and of observation; of detailed examination and evaluation; as well as searching out and interrogation of witnesses are required. It is a colossal job to amass sufficient evidence to prove guilt beyond reasonable doubt and to obtain the evidence required therefor, particularly if one is dealing with a clever, organized, and knowledgeable person.

The second point, however, is that under our system of law a man is innocent until proven guilty. We believe in the intrinsic worth of an individual and in the general concept that it is far worse to punish a man for a crime which he did not commit than to free a man for a crime which he did commit.

In these days when the tentacles of the Federal Government reach increasingly into the daily lives of each of our citizens, the protection of the individual against his government and autocratic action thereof becomes ever more important. Whether we are considering laws dealing with income taxes, labor legislation, religious rights, freedom of expression, property rights or civil rights, we must guard carefully against overzealous or overreaching action by our law-enforcement officers.

The gentleman from Nebraska has made a contribution in bringing these serious allegations to the attention of the Congress. On the surface the allegations would suggest that the Justice Department has gone far beyond the fine line which separates the rights of a defendant to conduct his separate defense and the rights of the public to obtain the facts. I was disturbed by the charge that a U.S. marshal had invaded the records of the defendant, and his files, without a warrant or other legal basis. I was further disturbed by the allegation that the Jencks Act had been avoided and the further allegation that the Government was in a position to change testimony without notification to the defense as the trial progressed.

Mr. Speaker, the point raised by the comments of the gentleman from Nebraska and by the allegations of Mr. Zagri must not be considered in light of the defendant. Nor do I make these comments in defense of the defendant, whom I do not know, but rather because of the serious questions they raise with regard to the autocratic power—and its use by the Attorney General—which the charges raise. I hope the Committee on the Judiciary will give these allegations its serious attention.

GENERAL LEAVE TO EXTEND

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the subject I have just discussed.

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

There was no objection.

RESIDUAL OIL QUOTAS—ADDITIONAL COMMENT

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman

from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, for too long 50 million citizens of the east coast of the United States have been seeking relief from the heavy and unnecessary economic handicap imposed upon them by restrictions on urgently needed residual fuel oil imports.

What is disheartening to us fighting for their removal is the complacency with which Secretary of the Interior Udall and the Johnson administration seem to view our predicament. Fifty million U.S. citizens are paying tens of millions every year in premium prices because they have to have residual fuel oil.

How long does the President intend forcing this economic burden on the east coast? How long will he persist in refusing to do what he can—and should do: Remove the troublesome quotas on residual fuel oil imports.

This action is justified, in fact even required, by the simple economics of the issue. Today our citizens living in New England, in the Middle Atlantic States, and in Florida, are paying, and paying dearly, for the President's refusal to act.

How much does this lack of concern for the plight of the east coast cost our economy? A conservative estimate would be at least $70 million every year. It is paid for in terms of business costs, school taxes, light bills, and even hospital bills—in fact almost everything and anything in the east coast areas costs more than it should because of this administration's failure to act.

Last week, I wrote to President Johnson in appreciation of his effort to effect a little economy at the White House by putting out unnecessary lights. I reminded the President that just as he was cutting down his electric light bills in the White House by a "flip of a switch," he could help an estimated 50 million consumers along the east coast cut their light bills too by a "stroke of the pen."

Mr. Speaker, I have been concerned with this problem ever since I have been a Member of this distinguished body and have tried by all possible means to get relief for the people of New Hampshire and others affected by these controls.

I have written to administration officials responsible for the program on several occasions, pointing out again and again the logic of our arguments for removal of controls.

Most recently, on January 24, 1964, I wrote to Mr. Udall—see CONGRESSIONAL RECORD, January 27, 1964, page 1166—in answer to his statement:

> When the national security contribution of the residual fuel oil program is measured in the broader terms of the overall petroleum import control system, it is apparent that in order to maintain the integrity of the controls program it is necessary to retain controls on all of the principal derivaties of crude oil, including residual fuel oil.

At that time, I called the Secretary's attention to the OEP memorandum on residual fuel oil dated February 13, 1963, which effectively exploded any arguments that national security was being imperiled by residual fuel oil imports.

On February 18, 1964, the Secretary of the Interior answered my letter, as follows:

> We would like to point out, however, that we continue to regard the residual fuel oil program as an integral part of the total oil import program, and consider it, therefore, to be essential to the national security.

This is indeed an astonishing statement from the man responsible for decisions relating to oil policy matters. Let us examine it closely.

First. The Interior Department continues to regard residual fuel oil program as an integral part of the total oil import program.

This is a position quite contrary to the Interior Department's stand during the investigation by the OEP into the national security justification for continuing controls. When the Director of the OEP asked the Secretary of the Interior if restrictions of residual imports contributed to increasing explorations and the development of reserves and thus contributed to the national security by preserving a vigorous, healthy U.S. petroleum industry, it was the Department's view that:

> Relaxation of controls over residual fuel oil would have some impact on the domestic producing industry—the extent would be difficult to ascertain in advance. In the short run, through generating lower prices, it would tend to lower refinery revenues and, therefore, to reduce the ability of the industry to conduct exploration, and, perhaps, have a minor impact on the price of crude. It would be almost impossible, however, to isolate the moderate effects which might be anticipated from decontrol from normal changes in market conditions stemming from variations in the balance between demand and supply.
>
> Over the longer term, decontrol of residual fuel oil would probably reinforce the trend of declining residual fuel oil yields that has been evident among domestic refineries for many years. This would have the dual effect of decreasing slightly the demand for domestic crude below levels that would otherwise prevail and of increasing the ability of refiners to pay for such crude as a result of increased revenues resulting from sale of higher petroleum fractions as contrasted with residual.

In my opinion, the foregoing constitutes a rather weak stand for the Interior Department to have taken, if truly the residual oil program, as Interior now claims, is "an integral part of the whole import program."

Recently, Mr. Carl E. Reistle, Jr., chairman of the board of Humble Oil Refining Co. issued a statement opposing a proposed formula for limiting imports of heavy fuel oil. Mr. Reistle pointed out that import restrictions do not benefit the domestic oil industry since it is uneconomic to satisfy the demand for this product from domestic production.

Mr. Reistle in his statement further pointed out:

> In applying and appraising import controls, the Federal Government has consistently drawn a distinction between crude oil, which is available in ample quantities in the United States, and heavy fuel oil which is in increasingly short supply from domestic sources. In September 1962, a report to the President on crude oil import controls by the Petroleum Study Committee under the chairmanship of the Director of the Office of Emergency Planning concluded that "the best case can be made for maintenance of import controls." By contrast, a report to the President in February 1963 by the Director of the Office of Emergency Planning concluded that for heavy fuel oil "a careful and meaningful relaxation of controls would be consistent with national security."

Second. The residual fuel oil program is essential to the national security.

This Mr. Udall has decided—apparently on the advice of his defense experts within the Department of the Interior and directly against the Director of the OEP's advisory report to the President of February 13, 1963.

Who is better able to judge the effects on the national security of a program such as this? Let us take a look at the House report on the "national security amendment," section 8 of the Trade Agreements Extension Act of 1958—72 Stat. 678, 19 U.S.C. 135a—identical, except for conforming changes, to section 232 of the Trade Expansion Act of 1962. This report declared:

> Your committee was guided by the view that the national security amendment is not an alternative to the means afforded by the escape clause for providing industries which believe themselves injured a second court in which to seek relief. Its purpose is a different one—to provide those best able to judge national security needs, namely, the President and the Director of the Office of Defense Mobilization (now OEP) acting with the advice of such Cabinet officers as the Secretaries of Defense, Commerce, and State, a way of taking whatever action is needed to avoid a threat to the national security through imports.

What was the scope of the OEP investigation?

Over 130 statements containing expressions of views and factual information were filed. The OEP requested and received the views of the Departments of State, Defense, Treasury, Interior, Commerce, and Labor.

All in all, as the OEP Director stated: "A considerable body of material bearing on the issues" was developed.

An exhaustive, searching, complete investigation of almost 2 years is being ignored by Secretary Udall.

If such is the case, and the recommendations of the OEP bear no weight, obviously so insofar as Mr. Udall is concerned, perhaps the Interior Secretary should recommend to the President that the OEP be abolished and that Mr. Udall become the sole arbiter of what is in the interest of our national security.

Mr. Speaker, there is no reason on earth to continue these controls. The time has come—and it is long overdue—to act in the true interests of national security, in the interests of fairplay, in the interest of a sound economy, and remove the arbitrary and crippling restrictions on heavy fuel oil imports.

No longer should so many of us pay such high premiums for such an unneeded program which the Interior Department insists on perpetrating and perpetuating.

GET GOVERNMENT OUT OF BUSINESS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LANGEN. Mr. Speaker, I have introduced a bill today designed to get the Post Office Department out of the printing business.

Each year the Post Office Department handles hundreds of thousands of orders for printed envelopes in direct competition with private business. The sad part of this printing endeavor is that the Department prints these envelopes at a loss. It is time that the Government quit such attempts to compete with the lithographers, engravers and other printers who have to show a profit if they are going to continue in existence. It is unconscionable that the Post Office Department should be in the printing business, undercutting the going rates for such printing, and still suffer a postal deficit each year.

This bill states:

> That no stamped envelope or any other envelope furnished or sold to the public by the Post Office Department shall contain any lithographing or engraving, nor any printing or advertisement, nor request for return of the letter to the sender.

I request support from my colleagues of this bill so that we can return to private businessmen a function which is properly theirs and not the Government's. And by so doing, we can reduce the postal deficit.

INTRODUCTION OF A VICE-PRESIDENTIAL SELECTION BILL

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LINDSAY. Mr. Speaker, the inadequacy of our present machinery to handle important aspects of emergency transfer of Presidential power is in the spotlight once more. Since the death of President Kennedy there has been a flood of comment and proposals on disability and succession. Responsible groups and responsible citizens everywhere have shown their awareness and interest. The Congress has a clear justification to act—both from the climate of opinion and from the Constitution.

There are at least two important defects in our current setup:

First. Present law makes no provision to fill the office of Vice President when the occupant of that office must step into the President's chair. We have no Vice President now, and that office shall remain vacant until the November elections.

Second. Specific provision has not been made concerning transfer of power in case of Presidential disability. The Eisenhower-Nixon and Kennedy-Johnson agreements were a safeguard, but there is no guarantee that such pacts shall always be made, and because they are without congressional sanction they may be subject to question.

We are taking a great risk, I believe, when we leave the vice presidency unfilled. Executive branch responsibilities are such that the office of Vice President is of enormous importance. Presently, under congressional enactment, the Speaker of the House of Representatives is next in line to the President. The President pro tempore of the Senate is next, and the Cabinet follows.

Deficiencies in this situation are obvious and have been thoroughly discussed in recent months: a Speaker might well be of a different political party than his President; a Speaker who succeeded the President, even temporarily, would lose the speakership permanently; the concept of separation of powers is infringed on when a Speaker must be toned to executive as well as congressional business; a Speaker, though originally elected by the people, and though elevated to his post by elected Representatives of the people, is not elected with his possible qualifications for the Presidency in mind.

Lastly, provision for succession past the Speaker, President pro tempore, and so on, is meaningless. It would be a rare circumstance for succession to devolve past the Speaker. For example, if through unfortunate events, our present Speaker were required to step into the Presidency, the House would elect a new Speaker almost immediately—and he would be next in line.

Just recently, the house of delegates of the American Bar Association endorsed a proposal designed to erase the weakness of our succession machinery. The panel of respected lawyers which worked out this plan commented in January, "It is highly desirable that the office of Vice President be filled at all times."

A recent association newsletter carried a political cartoon which very aptly depicted feelings about today's dilemma. Two gentlemen, the President and Mr. U.S.A. were walking down the street. They were being followed by the empty shoes of Mr. Vice-Presidential vacancy. Mr. U.S.A. was commenting: "I don't know how you feel, but it's making me nervous."

The interest the American Bar Association has shown in this problem has certainly been an aid to Congress and a benefit to the public.

Mr. Speaker, today I am introducing a bill which proposes a constitutional change to provide for election of a new Vice President by the Congress, subject to Presidential veto, when an incumbent Vice President steps into the Presidency, or when, for any reason, the office of Vice President is vacated.

Under my proposal, the individual who has stepped into the office of the Presidency would convene the Senate and the House in joint session to select an acting Vice President. Selection would be by majority vote, with each Member of Congress having one vote. The President would have the power of veto and if he exercised it, Congress would propose another candidate.

The field of possible candidates would be limited to Members of Congress, heads of executive departments, or Governors of States. The person selected would vacate his current office.

This process would be followed when the office of Vice President became vacant more than 30 days before the end of the incumbent Vice President's term. It would also be followed if a Vice-President-elect might become permanently unable to take his office.

My proposal, which, as I noted, would be a constitutional amendment, is designed specifically to allow Congress to provide legislation to cover another succession circumstance—where vacancies might exist in the offices of both President and Vice President.

My legislation would give the same status, powers and duties to the acting Vice President as an elected Vice President would have. The acting officer would serve until the end of the term for which the individual he succeeds was elected.

This bill is similar to one introduced recently by my distinguished colleague from New York, Senator JACOB JAVITS. Senator BIRCH E. BAYH, of Indiana, distinguished chairman of the Senate's Constitutional Amendments Subcommittee, has also introduced a measure concerning succession and disability.

I believe the veto provision in my proposal goes far toward overriding a common objection that the Congress might pick someone who is not agreeable to the President. The objection is legitimate—if a majority in Congress were of the opposite party from the President, Congress very well might select a Vice President whose views and interests ran counter to those of the President. A veto right would prevent this.

It is important, of course, to have a Vice President who can work with his Chief Executive. The duties which the Vice President carries out demand essential agreement on his part with the general aims of his President.

The tradition of the presidential nominee selecting his running mate has been a good one, I believe. It is good insurance that this necessary partnership will be established. Of course, the nominee and his partner face the test of an election in ordinary circumstances. In an emergency, however, the process of a nationwide election—where a vice-presidential nominee would be submitted to the people—might result in dangerous delay.

My proposal, I believe, provides a speedy method of choosing a new Vice President, and at the same time, allows the President some choice—with his veto—and allows participation of the people, through the joint session of Congress. And it provides a source—Congress, the executive heads and the Governors of the several States—from which numerous qualified candidates should be available.

From the beginning, Congress has had a clear right to specify how succession

shall be accomplished While article II of the Constitution is mysterious as to specific provisions it makes, it is clear in the authority it grants Congress:

And the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President.

The Congress, has made three different attempts to provide a statutory line of succession. In 1792, it selected the President pro tempore of the Senate to be first in line, after the Vice President, with the Speaker to follow. A special election would be held, however, if the succession came during the first 2½ years of a presidential term. Here, no provision was made to fill the office of Vice President.

It has been argued that the Founding Fathers did not consider the Vice-Presidency, in itself, as important as we think of it now. The Constitution and this first legislation indicate that may have been so. And although four Presidents and five Vice Presidents died in office while the first Succession Act was in effect, no change was made until the assassination of President Garfield, in 1881, was followed only a few years later by the death of Grover Cleveland's Vice President, Thomas Hendricks.

Thus, in 1886, Congress shifted the line of succession to the Cabinet, and provided that only the powers and duties of the Presidency would devolve upon the successor, as in the first act. Here, the successor would act until the next regular election.

This act survived until 1947, when the Congress approved the complex Presidential Succession Act, which is presently in force. Here, of course, the Speaker succeeds if there is a double vacancy—then the President pro tempore, and then down through the Cabinet. As in the 1886 act, no provision is made for a special presidential election.

Since our Constitution was established, 8 Presidents have died in office, and the office of the Vice-Presidency has been vacated—either through death, resignation, or succession to the Presidency—16 times. And several times, this country has gone through the agony and uncertainty of having an ill or disabled chief of state.

History indicates that great public concern has accompanied each of these events. Each time a crisis has developed in the top offices of our Government, we have asked "What if—what if an orderly transition was not made, or what if we were thrust into the midst of an international conflict at a time when we had a weakened leadership structure?"

The concern is reasonable. The chances are slightly less than one in four that a particular presidential term shall not be completed, considering past records. And the odds are nearly even that a vice-presidential term shall not be completed: 16 of 37 have not.

Yet our concern has been only transitory. It has been like a little boy who stubs his toe on a doorstop and forgets 5 minutes later that the obstacle is there. Congress has felt moved only three times to write its ideas on the subject into law. Yet we have long realized that our protection in this crucial area has been weak. We cannot even be sure whether the Constitution directs a Vice President to assume the powers and duties of the Presidency when that office devolves on him or whether he assumes the office itself, as has been the practice.

Apt comment was made recently on another crucial question by two distinguished New York citizens, State Supreme Court Justice Samuel H. Hofstadter and Mr. Jacob M. Dinners of the New York bar, who said:

For 175 years the American people have depended upon a benign providence to protect them from executive paralysis should a President suddenly become disabled and find himself unable to perform his complex duties.

I introduced a bill last year which sets forth a proposal designed to correct this situation.

Admittedly, legislation has been difficult to formulate in the area of succession and disability. There are so many eventualities, both political and legal, which should be taken into account. This difficulty is underlined by the variety of proposals, all based on good intentions, that have been introduced during the past weeks.

But I am hopeful that the Congress will not back off from this problem, knotty though it is, and allow the Nation to sink back into an attitude of "it can't happen again." We have the opportunity and the impetus now to work out a solution. I am hopeful legislation can be drawn up and approved this session.

Mr. Speaker, I believe this proposal I am introducing today is a practical, workable approach to filling the office of the Vice President. I urge my colleagues to consider and study it carefully. I am inserting a copy of my proposal into the RECORD along with these remarks.

H.J. RES. —

Proposing an amendment to the Constitution to provide for the selection of a new Vice President whenever there is a vacancy in the office of Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, and shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. Whenever the office of Vice President becomes vacant at any time, more than thirty days before the expiration of the term for which the Vice President was elected, because of the death, removal from office, or resignation of the Vice President or the death of a Vice-President-elect before the time fixed for the beginning of his term, or because of the assumption by the Vice President or a Vice-President-elect of the powers and duties of President by reason of the death, removal from office, or resignation of the President or the death of a President-elect before the time fixed for the beginning of his term, the person discharging the powers and duties of President shall convene the Senate and the House of Representatives in joint session to select a person to act as Vice President. The person discharging the powers and duties of the President shall have the right to veto any selection made by the Senate and the House of Representatives acting in such joint session.

"SEC. 2. The Speaker of the House of Representatives shall preside over such joint session. A quorum of each House of the Congress being present at such joint session, such person shall be selected, subject to the right of veto by the person discharging the powers and duties of the President, by majority vote of the Members of the Senate and of the House of Representatives present and voting, each such Member having one vote. The selection under this article shall be made from persons who, at the time of such joint session, are heads of executive departments of the Government, Members of the Congress, or the Governors of the several States. The person so selected shall vacate his office as the head of an executive department, as a Member of the Congress, or as the Governor of a State.

"SEC. 3. In any case in which the person discharging the powers and duties of the President shall veto any selection made under this article, he shall again convene the Senate and the House of Representatives in joint session to make another selection in accordance with section 2 of this article, except that no person whose selection is vetoed shall again be eligible for selection so long as the person discharging the powers and duties of President is the same person who vetoed such selection.

"SEC. 4. A person selected under this article to act as Vice President shall act accordingly until the end of the term for which the Vice President or Vice-President-elect whom he succeeds was elected. While so acting he shall have in all respects the same status, powers, and duties as an elected Vice President.

"SEC. 5. Nothing contained in this article shall prevent the Congress from providing by law, consistent with the provisions of this article, for the designation of an officer who shall act as President at any time at which vacancies exist in the offices of both President and Vice President."

TEXAS INDEPENDENCE ANNIVERSARY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, today, March 2, is a very historic day for those who come from Texas. It is Texas Independence Day.

Some 128 years ago at a spot known as Washington-on-the-Brazos, a band of patriotic Texans got together and announced their historic statement of principle. They came from many States in the then existing Union, but their aims and directives were frankly those in conformity with men who seek liberty everywhere.

Washington-on-the-Brazos was only a village, less than 100 people lived there. The convention of some 59 delegates met in an unfinished frame cottage—it had neither doors nor windows. Even as the delegates gathered, Santa Ana and his army were across the Rio Grande, heading for San Antonio to put down the Texas revolt.

Thus it was that on March 2, 1836, the Texans declared this independence

of Mexico. They declared their beliefs in the same freedoms we all hold dear.

It is easier to remain silent than to proclaim a principle; it is easier to proclaim a principle than to risk life and limb for it. Yet, these brave men, like the founders of our country, were willing to declare their beliefs and to fight for them.

Texas had not been independent more than 3 days before the Alamo fell. Yet, the Texans persevered, and won their independence. There were certain conditions prevailing in Texas. These men were defending the rights and the basic principles of liberty, such things as the heritage of the common law tradition, religious liberty, the basic principles of the Magna Carta, as was announced and was declared. It is only fitting and proper that we pause here today in the Nation's Capital and mark this event which back home in Texas is today considered an official State holiday.

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

Mr. GONZALEZ. I yield to the gentleman from Texas.

Mr. PATMAN. I commend the gentleman for mentioning our Texas Independence Day. My distinguished friend Congressman GONZALEZ is always very thoughtful. Today we have a historic decision in the Supreme Court. In an effort to reach the Governor and attorney general of our State, we were reminded that there is a holiday in Texas today—Independence Day—and, of course, they were not expected to be in their offices as they were celebrating March 2 "Independence Day" as our distinguished Gov. John Connally and our distinguished Attorney General Waggoner Carr should celebrate it. They are to be praised for doing so. I predict they will give the Supreme Court decision proper consideration in plenty of time. I appreciate the statement the gentleman has made. He is always very thoughtful about the traditions of our State and the history of our great State.

The Texas Declaration of Independence and its signers is inserted herewith as it appears in the Texas Almanac.

It is as follows:

TEXAS DECLARATION OF INDEPENDENCE—SIGNERS

The Declaration of Independence of the Republic of Texas was adopted by the delegates of the people of Texas, in general convention at the town of Washington-on-the-Brazos, March 2, 1836. (See p. 61.) The author of the declaration of independence was George C. Childress. The text follows, with the names of the signers at the end of the text:

When a government has ceased to protect the lives, liberty, and property of the people from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted, and so far from being a guarantee for the enjoyment of their inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression; when the Federal Republican constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed without their consent, from a restricted Federative Republic, composed of sovereign States, to a consolidated central military despotism, in which every interest is disregarded but that of the army and the priesthood, both the eternal enemies of civil liberty, the ever-ready minions of power, and the usual instruments of tyrants; when, long after the spirit of the constitution has departed, moderation is at length so far lost by those in power, that even the semblance of freedom is removed, and the forms themselves of the constitution discontinued; and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons and mercenary armies sent forth to force a new government upon them at the point of the bayonet; when, in consequence of such acts of malfeasance and abdication on the part of the government, anarchy prevails, and civil society is dissolved into its original elements in such a crisis, the first law of nature, the right of self-preservation, the inherent and inalienable right of the people to appeal to first principles, and take their political affairs into their own hands in extreme cases, enjoins it as a right toward themselves, and a sacred obligation to their posterity, to abolish such government, and create another in its stead, calculated to rescue them from impending dangers, and to secure their future welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is therefore submitted to an impartial world, in justification of the hazardous but unavoidable step now taken, of severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican Government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness, under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by Gen. Antonio Lopez de Santa Anna, who, having overturned the Constitution of his country, now offers us the cruel alternative, either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the State of Coahuila, by which our interests have been continually depressed, through a jealous and partial course of legislation, carried on at a far-distant seat of government, by a hostile majority, in an unknown tongue; and this, too, notwithstanding we have petitioned in the humblest terms for the establishment of a separate state government, and have, in accordance with the provisions of the National Constitution, presented to the General Congress, a Republican Constitution, which was without just cause, contemptuously rejected.

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed and refused to secure, on a firm basis, the right of trial by jury, that palladium of civil liberty and only safe guarantee for the life, liberty, and property of the citizen.

It has failed to established any public system of education, although possessed of almost boundless resources (the public domain), and although it is an axiom in political science that, unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government.

It has suffered the military commandants stationed among us to exercise arbitrary acts of oppression and tyranny, thus trampling upon the most sacred rights of the citizens, and rendering the military superior to the civil power.

It has dissolved by force of arms the State Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government, thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the interior for trial, in contempt of the civil authorities, and in defiance of the laws and the Constitution.

It has made piratical attacks upon our commerce by commissioning foreign desperadoes, and authorizing them to seize our vessels and convey the property of our citizens to far distant ports for confiscation.

It denies us the right of worshiping the Almighty according to the dictates of our own consciences, by the support of a national religion calculated to promote the temporal interests of its human functionaries rather than the glory of the true and living God.

It has demanded us to deliver up our arms, which are essential to our defense, the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country, both by sea and by land, with intent to lay waste our territory, and drive us from our homes; and has now a large mercenary army advancing to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers.

It hath been, during the whole time of our connection with it, the contemptible sport and victim of successive military revolutions, and hath continually exhibited every characteristic of a weak, corrupt, and tyrannical government.

These and other grievances were patiently borne by the people of Texas, until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defense of the National Constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain; though months have elapsed, no sympathetic response has yet been heard from the interior. We are, therefore, forced to the melancholy conclusion that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government—that they are unfit to be free, and incapable of self-government.

The necessity of self-preservation, therefore, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connection with the Mexican nation has forever ended, and that the people of Texas do now constitute a free, sovereign and independent Republic, and are fully invested with all the rights and attributes which properly belong to independent nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbiter of the destinies of nations. Richard Ellis, president of convention; Charles B. Stewart, Thomas Barnett, James Collinsworth, Edwin Waller, John S. D. Byrom, Francisco Ruiz, Jose Antonio Navarro, Jesse B. Badgett, William D. Lacey, William Menefee, John Fisher, Mathew Caldwell, J. William Mottley, Lorenzo de Zavala, Stephen H. Everitt, George W. Smyth, Elijah Stapp, Claiborne West, William B. Scates, M. B. Menard, A. B. Hardin, J. W. Bunton, Thomas J. Gazlev, R. M. Coleman, Sterling C. Robertson, George C. Childress, Bailey Hardeman, Robert Potter, Thomas Jefferson Rusk, Charles S. Taylor, John S. Roberts, Robert Hamilton, Collin

McKinney, Albert H. Latimer, James Power, Sam Houston, David Thomas, Edward Conrad, Martin Parmer, Edwin O. LeGrand, Stephen W. Blount, James Gaines, William Clark Jr., Sydney O. Penington, William Carroll Crawford, John Turner, Benjamin B. Goodrich, G. W. Barnett, James G. Swisher, Jesse Grimes, S. Rhoads Fisher, John W. Moore, John W. Bower, Samuel A. Maverick, Sam P. Carlson, A. Briscoe, James B. Woods, and Asa Brigham.

The president of the Convention is from the district I have the honor to represent and from my home county Bowie, which is named for the hero of the Alamo, James Bowie.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

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

Mr. GONZALEZ. I yield to the gentleman from South Carolina.

Mr. DORN. I should like to remind the distinguished gentleman from Texas that William Barrett Travis, who was born in my congressional district, Col. Jim Bonham, Benjamin Rusk, Samuel Maverick, Bernard Bee, and a lot of other men who sought the independence of Texas, are from South Carolina so, of course, I congratulate the gentleman from Texas and the State of Texas.

Mr. GONZALEZ. I congratulate the gentleman from South Carolina. The State he comes from is one that supplied many of the splendid, heroic men we read about in history.

HIGH INTEREST RATES—4¼-PERCENT RATE IN EFFECT OVER 45 YEARS SHOULD NOT BE RAISED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the question of high interest rates is before the Congress and the country. There is much talk about action being taken by our monetary authorities that will offset the good that will be accomplished in our $11.5 billion tax reduction act passed last week. The President has warned the authorities in a nice way that he does not believe that any action should be taken that would be detrimental to the expanding economy that we are likely to have because of that tax cut, and interest rate increases were mentioned.

STEERING COMMITTEE

I know that when these questions of raising interest rates come up they come up quickly, and one Member or one committee is powerless to stop it. So I think those of us who are against increasing interest rates on long-term Government bonds should get together and form an unofficial steering committee, and have an organization to be ready, to be on the alert in order to stop or prevent any attempt to break the line on this 4¼-percent interest rate that was fixed back over 45 years ago, during Woodrow Wilson's time. We have lived under that 4¼-percent rate for over 45 years, in the worst depression in history, in the greatest wars of all history, sometimes when we had 10 million unemployed and sometimes when we were shooting away a quarter of a billion dollars a day on the battlefield. We have lived through all those times of deflation, inflation, and everything else under this 4¼-percent rate. If we can do it for 45 years under conditions like that, we can do it in the future.

So I hope all Members who are interested will help us get together and form a group for the purpose of stopping such an effort, if and when it is made; and it does look like it might be made in the foreseeable future.

FOOD STAMP PROGRAM

Mr. DORN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in a very short time I am hopeful that we will consider legislation to extend the food stamp program. This program has become quite controversial. It is not perfect but it is one of the better programs which we have underway today.

There are many reasons and arguments for the extension of the food stamp plan. Some of these have been outlined in a recent editorial in the Chattanooga Times which I commend to my distinguished colleagues for their consideration and study.

[From the Chattanooga (Tenn.) Times, Feb. 24, 1964]

(FOOD) STAMP OF APPROVAL

In the years to come, where will our families that find themselves in difficult circumstances go for the food they need and the food our Nation can supply for all in such great abundance? Will they go once or twice a month to some Government warehouse for a supply from surplus commodity stocks or will they have a means whereby they, too, can plan their diets around the many sound nutritional items available through our retail grocery stores?

Of course the ideal solution would be creation of those conditions under which no family would need help in meeting the minimum food requirements. We must work toward such full employment conditions but in the meantime keep in mind that we have the means to help those among us who are less fortunate.

It is the search for that "meantime" solution that has led to the Federal food stamp plan in four Chattanooga area counties and to efforts to expand that plan to other areas of the country.

The conditions which make the food stamp program successful in this and other pilot areas are not confined to the areas now under the program. The Nashville area in our own State, for example, has many families that could have better health through improved nutrition if the less fortunate were not tied to the surplus commodity program diets that make the dried bean king.

Fresh fruit, milk, vegetables and meat are beyond the reach of many.

In the first 8 months of its operation in Hamilton, Grundy, Marion, and Sequatchie Counties, plan participants put up $449,828 in cash to purchase $1,062,688 in food stamps. This represented a bonus of $612,860 in food purchasing power in our lowest income and nonincome families. The fact that this bonus moved quickly into retail grocery channels can be attested to by the 420 stores authorized to redeem the stamps for domestically produced foods for human consumption. Studies in pilot areas have shown that more than 80 percent of the increased consumption by food coupon recipients was for animal products (such as meat, poultry, fish, milk and eggs) and fruits and vegetables. Any increased sale in these foods will help to relieve the general problem of overcapacity in agriculture.

Such statistics are important, of course. But the important testimony in support of the pilot program comes continually from the 11,811 families in this four-county area who have participated in the program here for periods of varying length since it was begun last June. These people will attest to the value of better diets and to the improved conditions under which they now can purchase products directly through our privately owned food stores.

The food store operators see the advantages not only to their customers but to themselves in the form of the increased business. Of course the increased business is then passed on to the suppliers and on to the farmer.

It is a sound program which should be expanded. A proposal to do that died in the House Agriculture Committee last month where, as one member put it: "It was fallout from the civil rights fight."

But Representative LENOR SULLIVAN, Democrat, of Missouri, has indicated only disappointment and not defeat at the pigeonhole fate of her proposal. She plans to introduce another bill with minor amendments later this year. Perhaps then, with the heat of the rights bill behind them and the needs of the Nation's less fortunate more clearly before them, the House will see fit to expand a most beneficial program.

TEXAS INDEPENDENCE DAY

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

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

There was no objection.

Mr. PICKLE. Mr. Speaker, Texans throughout America and around the world pause today to observe the anniversary of the Texas Declaration of Independence.

One hundred and twenty-eight years ago today our proud forebears gathered in a dilapidated blacksmith shop in Washington-on-the-Brazos in Texas to declare their independence from Mexico, while Santa Anna's army of some 5,000 then had the Alamo besieged. While this group of great patriots were holding this momentous meeting couriers were coming in and telling of the course of the siege that had been going on at the Alamo for some 7 days before Texas de-

clared its independence. They signed a document proclaiming that:

The people of Texas do now constitute a free, sovereign and independent republic, and are fully invested with all the rights and attributes which properly belong to independent nations * * * we fearlessly and confidently commit the issue of the decision to the Supreme Arbiter of the destinies of nations.

This date is a holiday in our State—and we Texans try to make it one wherever we are by gathering together to renew our ties with our great heritage. The ex-students of the University of Texas traditionally gather throughout the world on this date to proclaim our loyalty to this great institution as well as our pride in our independence proclaimed by these early Texas heroes.

Yesterday, on the eve of March 2, here in Washington 800 Texans and their friends including our great President of the United States the Honorable Lyndon B. Johnson, attended a brunch given jointly by the Texas Ex-Students Association of Washington and the Texas State Society. The honored guest was Prof. Darrell Royal of the University of Texas—and coach of the Nation's No. 1 football team for 1963—the Texas Longhorns. On this independence day I think it is well for this body to hear again the message of fortitude which Coach Royal told this group. Coach Royal emphasized that the important thing with his 1963 Longhorns was that they never knew defeat. No matter how great the odds or how short the time these young men knew in their hearts that they could achieve victory. In several contests this victory was not realized until the fading seconds of the contest and in each of these instances only the stoutest of hearts could have achieved victory. Coach Royal emphasized that the encouraging thing about American youth he has coached is that they are fighters.

In one game last year the opposing team had the ball on the Texas 2-yard line with less than 2 minutes to play. The captain of his team called his men together and said:

Fellows, we've got them exactly where we want them. They have run out of passing and running room—the only way they can come now is straight ahead.

In the next play their vicious attack gave Texas a recovered fumble and they marched down the field to victory. These were the same kind of odds that faced the Texas patriots back in 1836. They knew the odds were against them but in their hearts they knew they could win.

It was a great tribute to the Texans in Washington to have their outstanding and nationally recognized coach with us for this momentous occasion. It enabled us to again renew our pledge to maintain our independence—and never give up.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FLOOD, for 60 minutes, on Monday, March 9, 1964, on the subject of Panama.

Mr. HALPERN (at the request of Mr. BEERMANN), for 15 minutes, on March 3.

Mr. SCHWENGEL (at the request of Mr. BEERMANN), for 1 hour, on March 4.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROGERS of Colorado.

Mr. WHITENER and to include extraneous matter.

Mr. WILLIAMS and to revise and extend his remarks.

(The following Members (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. BARRY.

Mr. Jensen.

Mr. PELLY.

Mr. ALGER.

(The following Members (at the request of Mr. DORN) and to include extraneous matter:)

Mr. CORMAN.

Mr. BENNETT of Florida.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 944. An act to provide for the presentation by the United States to the people of Mexico of a monument commemorating the independence of Mexico, and for other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. DORN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 3, 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:

1757. A letter from the Comptroller General of the United States, transmitting a report on impairment of combat capability of M–60 tanks deployed with the U.S. Army, Europe, during 1961 and 1962 due to an insufficient supply of armor defeating ammunition, Department of the Army; to the Committee on Government Operations.

1758. A letter from the Secretary of the Treasury, transmitting the Eighth Annual Report on the Financial Condition and Results of the Operations of the Highway Trust Fund, as required by section 209(e)(1) of the Highway Revenue Act of 1956 (H. Doc. No. 235); to the Committee on Ways and Means and ordered to be printed.

1759. A letter from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting the 24th Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, pursuant to the provisions of section 201(c) of the Social Security Act, as amended (H. Doc. No. 236); to the Committee on Ways and Means and ordered to be printed.

1760. A letter from the Deputy Secretary of Defense, transmitting reports for calendar year 1963 relating to special pay for duty subject to hostile fire, pursuant to section 306 and section 310, title 37, United States Code; to the Committee on Armed Services.

1761. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting the semiannual report of the Department of the Navy relating to certain military construction contracts for the period July 1 to December 31, 1963, pursuant to Public Law 88–174; to the Committee on Armed Services.

1762. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to amend the Agricultural Adjustment Act of 1938, as amended, so as to make uniform for all commodities, for which a marketing quota program is in effect, provisions for reducing farm acreage and producer allotments for falsely identifying, failing to account for disposition, filing a false acreage report, and for marketing two crops of the same commodity which were produced on the same acreage in a calendar year"; to the Committee on Agriculture.

1763. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes"; to the Committee on Agriculture.

1764. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to provide for a uniform rule regarding preservation of crop history under agricultural programs"; to the Committee on Agriculture.

1765. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to amend section 202 of the Agricultural Act of 1949, as amended, in order to continue the veterans and Armed Forces dairy program"; to the Committee on Agriculture.

1766. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report by the Export-Import Bank of Washington, on February 19 and 24, 1964, respectively authorizing its guarantees with respect to certain transactions with the country of Hungary, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1964, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

1767. A letter from the Director, U.S. Information Agency, transmitting a draft of a proposed bill entitled "A bill to amend further the U.S. Information and Educational Exchange Act of 1948, as amended; to the Committee on Foreign Affairs.

1768. A letter from the Comptroller General of the United States, transmitting a report on the overpricing of CAX–12 aerial reconnaissance cameras by Fairchild Camera & Instrument Corp., Syosset, N.Y., under negotiated fixed-price contract AF 33(600)–38860 with the Department of the Air Force; to the Committee on Government Operations.

1769. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report covering personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations for the period October 1 through December 31, 1963, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

1770. A letter from the Chairman, Federal Communications Commission, transmitting a draft of a proposed bill entitled "A bill to amend the Communications Act of 1934,

as amended, to give the Federal Communications Commission certain additional regulatory authority over communications common carriers"; to the Committee on Interstate and Foreign Commerce.

1771. A letter from the Secretary of Commerce, transmitting an interim report relating to research progress and plans of the U.S. Weather Bureau, fiscal year 1963, pursuant to Public Law 657, 80th Congress; to the Committee on Interstate and Foreign Commerce.

1772. A letter from the Secretary of the Air Force, transmitting a report of claims settled and not settled relating to the crash of a U.S. Air Force aircraft at Midwest City, Okla., on August 25, 1961, pursuant to Public Law 87-393; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of February 27, 1964, the following bill was reported on February 28, 1964:

Mr. NATCHER: Committee on Appropriations. H.R. 10199. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1965, and for other purposes; without amendment (Rept. No. 1160). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of February 27, 1964, the following bill was introduced on February 28, 1964:

By Mr. NATCHER:

H.R. 10199. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1965, and for other purposes.

[*Introduced and referred March 2, 1964*]

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WILLIS:

H.R. 10200. A bill to enact part III of the District of Columbia Code, entitled "Decedents' Estates and Fiduciary Relations," codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia; to the Committee on the Judiciary.

By Mr. WEAVER:

H.R. 10201. A bill granting the consent of Congress to an amendment to the compact between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake; to the Committee on the Judiciary.

By Mr. WINSTEAD:

H.R. 10202. A bill to restrict imports of meat and meat products into the United States; to the Committee on Ways and Means.

By Mr. OLIVER P. BOLTON:

H.R. 10203. A bill granting the consent of Congress to an amendment to the compact between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 10204. A bill to extend the Osage mineral reservation for an indefinite period; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H.R. 10205. A bill to permit local public agencies to ignore any diminution of value of land occasioned by mine subsidence, underground mine fires or collapse in determining the price to be paid for the acquisition of the land; to the Committee on Banking and Currency.

By Mr. FUQUA:

H.R. 10206. A bill to provide for the conveyance to Taylor County, Fla., of all right, title, and interest of the United States in and to certain real property heretofore conditionally conveyed to such county by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. GRABOWSKI:

H.R. 10207. A bill to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War II; to the Committee on Veterans' Affairs.

By Mr. HARSHA:

H.R. 10208. A bill to restrict the imports of beef, veal, and mutton into the United States; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 10209. A bill to restrict imports of meat and meat products into the United States; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 10210. A bill to provide that certain expenses shall not be allowable costs under certain contracts with the Federal Government; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 10211. A bill to provide for a comprehensive study and investigation of the adequacy of the present system of compulsory military training under the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. HARRISON:

H.R. 10212. A bill to authorize the Secretary of the Interior to acquire lands, including farm units and improvements thereon, in the Eden Valley project, Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANGEN:

H.R. 10213. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCLORY:

H.R. 10214. A bill to establish a U.S. mint in Lake County, Ill.; to the Committee on Public Works.

By Mr. McMILLAN:

H.R. 10215. A bill relating to sick leave benefits for officers and members of the Metropolitan Police force of the District of Columbia, the Fire Department of the District of Columbia, and the U.S. Park Police force, and the White House Police force; to the Committee on the District of Columbia.

MEMORIALS

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

By the SPEAKER: Memorial of the Legislature of the State of Delaware, memorializing the President and the Congress of the United States relative to advocating the location of the National Aeronautics and Space Administration's Electronics Research Center in the Delaware Valley area; to the Committee on Science and Astronautics.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States relative to proposing an amendment to the Constitution making lawful the requirement of offering a daily prayer to Almighty God in the public schools; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to urging Congress to enact civil rights legislation; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ALBERT:

H.R. 10216. A bill for the relief of Dr. Miguel de Socarraz; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 10217. A bill to authorize the Secretary of the Interior to convey certain real property to J. E. Bashor and Marie J. Bashor; to the Committee on Interior and Insular Affairs.

By Mr. BYRNES of Wisconsin:

H.R. 10218. A bill for the relief of Zofia Jakusz-Gostomska; to the Committee on the Judiciary.

By Mr. GILL:

H.R. 10219. A bill for the relief of Benjamin A. Rameib; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 10220. A bill for the relief of Dr. Maurice Cohen; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 10221. A bill for the relief of Bienvenido Tan; to the Committee on the Judiciary.

PETITIONS, INC.

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

727. By the SPEAKER: Petition of the Board of Aldermen, City of St. Louis, Mo., petitioning consideration of their resolution with reference to initiating all necessary steps and actions toward having the fourth Sunday in November of every year declared to be observed as John Fitzgerald Kennedy Day; to the Committee on the Judiciary.

728. Also, petition of the Chairman, Urasoeson Assembly, Kosuke, Matayoshi, petitioning consideration of their resolution with reference to asking Congress for legislation satisfying the problem of pretreaty claims of the people of Urasoe-son (municipality); to the Committee on Foreign Affairs.

729. Also, petition of the mayor, Koza City, Okinawa, Ryukyu Islands, petitioning consideration of their resolution with reference to asking Congress for early enactment of a bill providing compensation for use of private property and damage to persons and property arising from acts of the U.S. Forces before the entry into force of the Japanese Peace Treaty; to the Committee on Foreign Affairs.

730. Also, petition of the president, American National Cattlemen's Association, Denver, Colo., petitioning consideration of their resolution with reference to the increased concern on the part of the domestic beef cattle business of the alarmingly increasing amounts of beef and veal coming into the country, and suggesting relief therefrom; to the Committee on Ways and Means.

731. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to repeal its action in passing H.R. 3005, an act to remove

the requirement that an alien must make a declaration of intention to become a citizen of the United States before he may be enlisted or appointed in a Reserve component; to the Committee on Armed Services.

732. Also, petition of Henry Stoner, Avon Park, Fla., asking the Speaker to request a Member to insert into the CONGRESSIONAL RECORD an article from February 29, 1964, Saturday Evening Post, entitled "America's Neglected Colonial Paradise," by Don Oberdorfer; to the Committee on House Administration.

733. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to repeal the 12th article of amendment, and enact the Kefauver amendment idea of abolishing the electoral college system; to the Committee on the Judiciary.

734. Also, petition of Henry Stoner, Avon Park, Fla., requesting Congress to require an appropriate standing committee to investigate professional boxing and establish regulations; to the Committee on Rules.

735. Also, petition of Henry Stoner, Avon Park, Fla., asking Congress to require its Committee on Banking and Currency to make a study, to be made public, of the vast amount of money laying unused in banks of the Nation; to the Committee on Rules.

SENATE

MONDAY, MARCH 2, 1964

(Legislative day of Wednesday, February 26, 1964)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. METCALF].

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

O God, who art the hope of all the ends of the earth, amid the tragedy of a broken, divided world, in deep humility of spirit at another week's beginning we ascend the altar stairs of this hallowed wayside shrine of our faith and hope.

As for this dedicated moment we blot out all but Thee in a world of rising and falling empires; we crave the strengthening vista of Thine eternal Kingdom whose sun never sets and for whose coming we daily pray.

Grant unto us the greatness of spirit which will match the vast patterns of this creative day. In these testing times, establish Thou our hearts as, marching with other freedom-loving nations, we battle, not in enmity against men, but against the evil which degrades and enslaves them.

Beyond the strategy of an armed peace—which is war against the forces which stifle the human spirit—may we see clearly the depth and scope of the historic drama of the centuries in which we are called to play our part; and may that vision help to turn its blood and sweat and tears into final glory for all mankind.

We ask it in Thine ever blessed name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 28, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On February 28, 1964:

S. 298. An act to amend the Small Business Investment Act of 1958.

On February 29, 1964:

S. 573. An act for the relief of Elmer Royal Fay, Sr.;

S. 1206. An act for the relief of Georgie Lou Rader;

S. 1488. An act for the relief of Alessandro A. R. Cacace;

S. 1518. An act for the relief of Mary G. Eastlake;

S. 2064. An act to relieve the Veterans' Administration from paying interest on the amount of capital funds transferred in fiscal year 1962 from the direct loan revolving fund to the loan guarantee revolving fund; and

S. 2317. An act to amend the provisions of section 15 of the Shipping Act, 1916, to provide for the exemption of certain terminal leases from penalties.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

TRANSACTION OF ROUTINE BUSINESS

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Indian Affairs and the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

COMMMITTEE MEETING DURING SESSION OF THE SENATE TOMORROW

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Commerce was authorized to meet during the session of the Senate tomorrow.

EXECUTIVE COMMUNICATIONS, ETC.

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

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938, RELATING TO MARKETING QUOTA PROGRAM

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Agricultural Adjustment Act of 1938, as amended, so as to make uniform for all commodities, for which a marketing quota program is in effect, provisions for reducing farm acreage and producer allotments for falsely identifying, failing to account for disposition, filing a false acreage report, and for marketing two crops of the same commodity which were produced on the same acreage in a calendar year (with an accompanying paper); to the Committee on Agriculture and Forestry.

DONATION OF FOOD GRAIN PRODUCTS FOR CERTAIN DOMESTIC AND FOREIGN PURPOSES

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

UNIFORM RULE REGARDING PRESERVATION OF CROP HISTORY

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for a uniform rule regarding preservation of crop history under agricultural programs (with an accompanying paper); to the Committee on Agriculture and Forestry.

CONTINUATION OF VETERANS AND ARMED FORCES DAIRY PROGRAM

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 202 of the Agricultural Act of 1949, as amended, in order to continue the veterans and Armed Forces dairy program (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORTS ON SPECIAL PAY TO CERTAIN MEMBERS OF THE ARMED FORCES

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, on special pay to certain members of the Armed Forces, one such report covering the calendar year 1963, and the other report covering the period October 1 to December 31, 1963 (with an accompanying paper); to the Committee on Armed Services.

REPORT ON RESEARCH PROGRESS AND PLANS OF THE U.S. WEATHER BUREAU

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on research progress and plans of the U.S. Weather Bureau, fiscal year 1963 (with an accompanying report); to the Committee on Commerce.

REPORT ON FINANCIAL CONDITION AND RESULTS OF OPERATIONS OF THE HIGHWAY TRUST FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the financial condition and results of the operations of the highway trust fund, dated June 30, 1963 (with an accompanying report); to the Committee on Finance.

REPORT OF BOARD OF TRUSTEES OF FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND FEDERAL DISABILITY INSURANCE TRUST FUND

A letter from the Managing Trustee of the Trust Funds and members of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Finance.

REPORT ON OVERPRICING OF CERTAIN CAMERAS BY FAIRCHILD CAMERA & INSTRUMENT CORP.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overpricing of CAX–12 aerial reconnaissance cameras by Fairchild Camera & Instrument Corp., Syosset, N.Y., under negotiated fixed-price contract AF 33(600)–38860, Department of the Air Force, dated February 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON DEVELOPMENT, PROCUREMENT, AND EMPLOYMENT OF AN UNSATISFACTORY MISSILE SYSTEM BY DEPARTMENT OF THE ARMY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report relating to the development, procurement and employment of an unsatisfactory missile system by the Department of the Army (with an accompanying report); to the Committee on Government Operations.

REPORT ON U.S. AIR FORCE AIRCRAFT CRASH, MIDWEST CITY, OKLA.

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on the U.S. Air Force aircraft crash, Midwest City, Okla., August 25, 1961 (with an accompanying report); to the Committee on the Judiciary.

FINANCIAL STATEMENT OF BOYS' CLUBS OF AMERICA

A letter from the president and national director, Boys' Clubs of America, New York, N.Y., transmitting, pursuant to law, an audited financial statement of that organization, for the calendar year ended December 31, 1963 (with an accompanying statement); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Hawaii; ordered to lie on the table:

"HOUSE CONCURRENT RESOLUTION 3

"Whereas our Nation was founded on the concept of equal rights for all; and

"Whereas racial discrimination and oppression has resulted in depriving a significant segment of our Nation of their equal rights; and

"Whereas this racial discrimination and oppression has caused and will cause great dissension, discord, and disturbance throughout our Nation; and

"Whereas the elimination of this racial discrimination and oppression would strengthen our Nation and improve our image abroad; and

"Whereas the various States in our Nation have been unwilling or unable to eliminate this racial discrimination and oppression; and

"Whereas civil rights legislation presently before Congress would aid in the elimination of this racial discrimination and oppression: Now, therefore, be it

"Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, budget session of 1964 (the Senate concurring), That the Congress of the United States be and it is hereby respectfully requested to enact the civil rights legislation before it; and be it further

"Resolved, That duly certified copies of this concurrent resolution be sent to the President pro tempore of the Senate, Speaker of the House of Representatives, and to the Honorable DANIEL K. INOUYE and the Honorable HIRAM L. FONG, U.S. Senators from the State of Hawaii, and to the Honorable THOMAS P. GILL and the Honorable SPARK M. MATSUNAGA, U.S. Representatives from the State of Hawaii.

"ELMER F. CRAVALHO,
"Speaker, House of Representatives.
"NELSON K. DOI,
"President of the Senate."

Petitions signed by Chojo Oyama, mayor, Koza City, Okinawa, and Kosuke Matayoshi, chairman, Urasoe-son Assembly, both of the Ryukyu Islands, praying for the enactment of legislation to provide a solution of the problem of pretreaty claims; to the Committee on Armed Services.

A resolution adopted by the Borough of Dumont, Bergen County, N.J., favoring the enactment of legislation to provide hospital care treatment and rehabilitation of drug addicts; to the Committee on Labor and Public Welfare.

A resolution adopted by the Board of City Commissioners of the City of Fargo, N. Dak., expressing thanks and appreciation to Senators YOUNG and BURDICK, of North Dakota, for their efforts in obtaining the passage through the Senate of the Garrison diversion authorization bill; ordered to lie on the table.

The memorial of Mary Koehler, of Mobile, Ala., remonstrating against the enactment of the civil rights bill by the House of Representatives; ordered to lie on the table.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. THURMOND. Mr. President, on behalf of my colleague [Mr. JOHNSTON] and myself, I send to the desk a concurrent resolution approved by the General Assembly of the State of South Carolina and request that the resolution be appropriately referred.

The resolution memorializes the Congress of the United States to propose an amendment to the U.S. Constitution making lawful the requirement of offering a daily prayer to Almighty God in the public schools. This resolution was offered in the State senate on February 25, 1964, by Senator Frank Timmerman, a distinguished lawmaker who represents my native county of Edgefield, which I also had the honor to serve in the State senate during the period of 1933–38.

I am particularly pleased, Mr. President, that the South Carolina General Assembly has taken such a strong stand in favor of an amendment to the Constitution which would overrule recent U.S. Supreme Court decisions against prayers and which would have the salutary effect of bringing a halt to the secularist drive to make America a godless nation. I commend Senator Timmerman for introducing this resolution and the general assembly for giving its full concurrence to this important proposal.

I ask unanimous consent, Mr. President, that the full text of this resolution be printed at this point in my remarks in the RECORD.

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

CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE U.S. CONSTITUTION MAKING LAWFUL THE REQUIREMENT OF OFFERING A DAILY PRAYER TO ALMIGHTY GOD IN THE PUBLIC SCHOOLS

Whereas the people of the State of South Carolina and of the entire United States are shocked and dismayed over a recent decision of the Supreme Court of the United States declaring that the requirement of offering a daily prayer to Almighty God in the public schools is unconstitutional; and

Whereas the elected representatives of the people of this State cannot believe that this represents the true intent of those who drafted the original Constitution which has served us so well during perilous times of the past; and

Whereas the general assembly believes that this matter should be resolved by inserting into the U.S. Constitution a mandate in unequivocal language that a daily prayer may be required in the public schools in all of the States; and

Whereas the general assembly believes that the question should be presented to the legislatures of the several States for their consideration in accordance with the provisions of the Federal Constitution providing for amendment: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That the Congress is hereby memorialized to propose an amendment to the U.S. Constitution, which shall be amendment XXIV, as follows:

"AMENDMENT XXIV

"Notwithstanding any statute of the Congress or of any State of the United States or of any decision of any court to the contrary, it shall be lawful to require the offering of a daily prayer to Almighty God in the public schools throughout the United States."

Be it further resolved, That a copy of this resolution be forwarded to the President of the Senate of the Congress, to the Speaker of the House of Representatives of the Congress, to each U.S. Senator from South Carolina, and to each Member of the House of Representatives in the Congress from South Carolina.

The ACTING PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of South Carolina, identical with the foregoing, which was referred to the Committee on the Judiciary.

REPORT ENTITLED "1964 JOINT ECONOMIC REPORT"—REPORT OF A COMMITTEE—MINORITY, AND ADDITIONAL VIEWS (S. REPT. NO. 931)

Mr. DOUGLAS. Mr. President, the Employment Act of 1946, section 5(b)(3), requires that the Joint Economic Committee, not later than March 1 of each year shall file a report containing its

findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report. This year March 1 was a Sunday so I believe I am complying with the law in filing the report today, March 2.

I therefore submit, from the Joint Economic Committee, a report entitled "1964 Joint Economic Report," and ask unanimous consent that this report may be printed, together with the minority views of the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. MILLER], and the Senator from Idaho [Mr. JORDAN], and the additional views of the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from New York [Mr. JAVITS].

The ACTING PRESIDENT pro tempore. The report will be received, and, without objection, the report will be printed, as requested by the Senator from Illinois.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of January 1964. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

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

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, JANUARY 1964 AND DECEMBER 1963, AND PAY, DECEMBER 1963 AND NOVEMBER 1963

PERSONNEL AND PAY SUMMARY

(See table I, this page.)

Information in monthly personnel reports for January 1964 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In January, numbered—	In December, numbered—	Increase (+) or decrease (−)	In December, was—	In November, was—	Increase (+) or decrease (−)
Total [1]	2,473,534	2,487,856	−14,322	$1,417,716	$1,280,688	+$137,028
Agencies exclusive of Department of Defense	1,431,636	1,444,409	−12,773	851,876	738,377	+113,499
Department of Defense	1,041,898	1,043,447	−1,549	565,840	542,311	+23,529
Inside the United States	2,304,766	2,319,679	−14,913			
Outside the United States	168,768	168,177	+591			
Industrial employment	549,762	552,852	−3,090			
Foreign nationals	156,627	158,342	−1,715	28,692	28,554	+138

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during January 1964, and comparison with December 1963, and pay for December 1963, and comparison with November 1963*

Department or agency	Personnel				Pay (in thousands)			
	January	December	Increase	Decrease	December	November	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	98,397	102,579		4,182	$54,018	$51,275	$2,734	
Commerce	30,678	30,865		187	18,995	19,529		$534
Health, Education, and Welfare	81,893	82,057		164	44,810	42,382	2,428	
Interior	63,896	[1] 67,394		3,498	37,120	36,749	371	
Justice	31,611	31,682		71	21,661	20,636	1,025	
Labor	9,212	9,272		60	6,004	5,759	245	
Post Office	589,794	595,571		5,777	[2] 373,210	277,891	95,319	
State [3 4]	42,274	42,358		84	22,700	22,128	572	
Treasury	86,196	84,783	1,413		51,741	49,573	2,168	
Executive Office of the President:								
White House Office	364	376		12	265	246	19	
Bureau of the Budget	478	487		9	456	429	27	
Council of Economic Advisers	51	58		7	42	36	6	
Executive Mansion and Grounds	78	77	1		50	53		3
National Aeronautics and Space Council	28	27	1		27	26	1	
National Security Council	43	43			36	35	1	
Office of Emergency Planning	354	407		53	373	365	8	
Office of Science and Technology	64	48	16		34	35		1
Office of the Special Representative for Trade Negotiations	30	30			26	27		1
President's Commission on Registration and Voting Participation	6	14		8	5	4	1	
President's Commission on the Assassination of President Kennedy	4	4			1		1	
President's Committee on Equal Opportunity in Housing	5	5			4	3	1	
Independent agencies:								
Advisory Commission on Intergovernmental Relations	33	28	5		24	21	3	
American Battle Monuments Commission	413	415		2	95	93	2	
Atomic Energy Commission	7,249	7,239	10		5,617	5,374	243	
Board of Governors of the Federal Reserve System	619	622		3	425	405	20	
Civil Aeronautics Board	841	851		10	672	643	29	
Civil Service Commission	3,967	3,984		17	2,432	2,355	77	
Civil War Centennial Commission	5	5			4	4		
Commission of Fine Arts	6	6			5	5		
Commission on Civil Rights	65	59	6		40	40		
Delaware River Basin Commission	2	2			2	2		
Export-Import Bank of Washington	289	293		4	212	201	11	
Farm Credit Administration	239	236	3		194	170	24	
Federal Aviation Agency	45,464	45,539		75	33,836	32,189	1,647	
Federal Coal Mine Safety Board of Review	7	7			5	4	1	
Federal Communications Commission	1,457	1,461		4	1,057	1,014	43	
Federal Deposit Insurance Corporation	1,255	1,246	9		846	804	42	
Federal Home Loan Bank Board	1,241	1,249		8	820	838		18
Federal Maritime Commission	240	243		3	189	179	10	
Federal Mediation and Conciliation Service	397	402		5	362	353	9	
Federal Power Commission	1,083	1,120		37	840	799	41	
Federal Radiation Council	4	4			4	4		
Federal Trade Commission	1,147	[1] 1,145	2		845	802	43	
Foreign Claims Settlement Commission	171	160	11		85	83	2	
General Accounting Office	4,385	4,387		2	2,999	2,885	114	
General Services Administration	33,186	33,142	44		16,616	16,197	419	

See footnotes at end of table.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during January 1964, and comparison with December 1963, and pay for December 1963, and comparison with November 1963*—Continued

Department or agency	Personnel				Pay (in thousands)			
	January	December	Increase	Decrease	December	November	Increase	Decrease
Independent agencies—Continued								
Government Printing Office	7,240	7,292		52	$4,537	$4,367	$170	
Housing and Home Finance Agency	13,930	13,994		64	8,926	8,616	310	
Indian Claims Commission	21	21			27	21	6	
Interstate Commerce Commission	2,396	2,388	8		1,709	1,632	77	
National Aeronautics and Space Administration	30,211	30,075	136		23,372	21,930	1,442	
National Capital Housing Authority	434	445		11	177	203		$26
National Capital Planning Commission	61	59	2		42	42		
National Capital Transportation Agency	62	62			54	51	3	
National Gallery of Art	311	312		1	144	138	6	
National Labor Relations Board	1,978	1,972	6		1,445	1,383	62	
National Mediation Board	140	142		2	124	126		2
National Science Foundation	957	1,024		67	627	690		63
Panama Canal	14,966	15,051		85	5,361	5,479		118
President's Committee on Equal Employment Opportunity	54	54			37	35	2	
Railroad Retirement Board	1,894	1,893	1		1,104	1,060	44	
Renegotiation Board	209	214		5	178	179		1
St. Lawrence Seaway Development Corporation	158	158			108	98	10	
Securities and Exchange Commission	1,366	1,377		11	975	931	44	
Selective Service System	6,955	6,981		26	2,303	2,168	135	
Small Business Administration	3,333	3,369		36	2,266	2,172	94	
Smithsonian Institution	1,506	1,523		17	830	774	56	
Soldiers' Home	1,070	1,077		7	389	363	26	
South Carolina, Georgia, Alabama, and Florida Water Study Commission					11	3	8	
Subversive Activities Control Board	27	27			23	21	2	
Tariff Commission	274	274			209	201	8	
Tax Court of the United States	154	153	1		135	129	6	
Tennessee Valley Authority	16,063	16,372		309	9,846	9,749	97	
U.S. Arms Control and Disarmament Agency	166	169		3	156	133	23	
U.S. Information Agency	11,995	11,980	15		5,738	4,994	744	
Veterans' Administration	173,378	173,473		95	81,082	77,900	3,182	
Virgin Islands Corporation	1,106	496	610		137	144		7
Total, excluding Department of Defense	1,431,636	1,444,409	2,300	15,073	851,876	738,377	114,273	774
Net change, excluding Department of Defense			12,773				113,499	
Department of Defense:								
Office of the Secretary of Defense	2,122	2,125		3	1,791	1,686	105	
Department of the Army	[5] 368,542	371,637		3,095	191,435	186,738	4,697	
Department of the Navy	336,488	338,072		1,584	192,959	[1] 185,555	7,404	
Department of the Air Force	299,182	299,260		78	162,450	151,696	10,754	
Defense Atomic Support Agency	1,973	1,957	16		1,019	982	37	
Defense Communications Agency	752	703	49		448	426	22	
Defense Supply Agency	[5] 29,539	26,407	3,132		13,290	12,978	312	
Office of Civil Defense	1,047	1,050		3	891	855	36	
U.S. Court of Military Appeals	40	39	1		34	33	1	
Interdepartmental activities	9	8	1		6	8		2
International military activities	58	60		2	51	47	4	
Armed Forces information and education activities	422	425		3	221	215	6	
Classified activities	1,724	1,704	20		1,245	1,092	153	
Total, Department of Defense	1,041,898	1,043,447	3,219	4,768	565,840	542,311	23,531	2
Net change, Department of Defense			1,549				23,529	
Grand total, including Department of Defense [6 7]	2,473,534	2,487,856	5,519	19,841	1,417,716	1,280,688	137,804	776
Net change, including Department of Defense			14,322				137,028	

[1] Revised on basis of later information.
[2] Includes pay for temporary Christmas employees.
[3] January figure includes 16,798 employees of the Agency for International Development, as compared with 16,932 in December, and their pay. These AID figures include employees who are paid from foreign currency deposited by foreign governments in a trust fund for this purpose. The January figure includes 4,461 of these trust fund employees, and the December figure includes 4,559.
[4] January figure includes 1,057 employees of the Peace Corps as compared with 1,049 in December and their pay.
[5] In January 3,271 employees and their functions were transferred from the Department of the Army to the Defense Supply Agency.
[6] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.
[7] Includes employment by Federal agencies under the Public Works Acceleration Act (Public Law 87-658) as follows:

Agency	January	December	Change
Agriculture Department	880	4,153	−3,273
Interior Department	2,804	5,400	−2,596
Total	3,684	9,553	−5,869

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during January 1964, and comparison with December 1963*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	97,227	101,369		4,142
Commerce	30,021	30,198		177
Health, Education, and Welfare	81,251	81,410		159
Interior	63,266	[1] 66,778		3,512
Justice	31,260	31,326		66
Labor	9,131	9,198		67
Post Office	588,246	594,045		5,799
State [2 3]	10,609	10,624		15
Treasury	85,567	84,153	1,414	
Executive Office of the President:				
White House Office	364	376		12
Bureau of the Budget	478	487		9
Council of Economic Advisers	51	58		7
Executive Mansion and Grounds	78	77	1	
National Aeronautics and Space Council	28	27	1	
National Security Council	43	43		
Office of Emergency Planning	354	407		53
Office of Science and Technology	64	48	16	
Executive Office of the President—Continued				
Office of the Special Representative for Trade Negotiations	30	30		
President's Commission on Registration and Voting Participation	6	14		8
President's Commission on the Assassination of President Kennedy	4	4		
President's Committee on Equal Opportunity in Housing	5	5		
Independent agencies:				
Advisory Commission on Intergovernmental Relations	33	28	5	
American Battle Monuments Commission	7	7		
Atomic Energy Commission	7,214	7,206	8	
Board of Governors of the Federal Reserve System	619	622		3
Civil Aeronautics Board	841	851		10
Civil Service Commission	3,963	3,980		17
Civil War Centennial Commission	5	5		
Commission of Fine Arts	6	6		

See footnotes at end of table.

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during January 1964, and comparison with December 1963*—Continued

Department or agency	January	December	Increase	Decrease
Independent agencies—Continued				
Commission on Civil Rights	65	59	6	
Delaware River Basin Commission	2	2		
Export-Import Bank of Washington	289	293		4
Farm Credit Administration	239	236	3	
Federal Aviation Agency	44,372	44,475		103
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,455	1,459		4
Federal Deposit Insurance Corporation	1,253	1,244	9	
Federal Home Loan Bank Board	1,241	1,249		8
Federal Maritime Commission	240	243		3
Federal Mediation and Conciliation Service	397	402		5
Federal Power Commission	1,083	1,120		37
Federal Radiation Council	4	4		
Federal Trade Commission	1,147	[1] 1,145	2	
Foreign Claims Settlement Commission	132	120	12	
General Accounting Office	4,303	4,305		2
General Services Administration	33,161	33,117	44	
Government Printing Office	7,240	7,292		52
Housing and Home Finance Agency	13,730	13,798		68
Indian Claims Commission	21	21		
Interstate Commerce Commission	2,396	2,388	8	
National Aeronautics and Space Administration	30,197	30,061	136	
National Capital Housing Authority	434	445		11
National Capital Planning Commission	61	59	2	
National Capital Transportation Agency	62	62		
National Gallery of Art	311	312		1
National Labor Relations Board	1,945	1,939	6	
National Mediation Board	140	142		2
National Science Foundation	943	1,011		68
Panama Canal	158	163		5
President's Committee on Equal Employment Opportunity	54	54		
Railroad Retirement Board	1,894	1,893	1	
Renegotiation Board	209	214		5
St. Lawrence Seaway Development Corporation	158	158		
Securities and Exchange Commission	1,366	1,377		11
Selective Service System	6,805	6,832		27
Small Business Administration	3,277	3,313		36
Smithsonian Institution	1,488	1,504		16
Soldiers' Home	1,070	1,077		7
Subversive Activities Control Board	27	27		
Tariff Commission	274	274		
Tax Court of the United States	154	153	1	
Tennessee Valley Authority	16,062	16,371		309
U.S. Arms Control and Disarmament Agency	166	169		3
U.S. Information Agency	3,398	3,405		7
Veterans' Administration	172,386	172,472		86
Total, excluding Department of Defense	1,366,587	1,379,848	1,675	14,936
Net decrease, excluding Department of Defense			13,261	
Department of Defense:				
Office of the Secretary of Defense	2,069	2,074		5
Department of the Army	[4] 317,086	320,382		3,296
Department of the Navy	312,138	313,618		1,480
Department of the Air Force	271,383	271,461		78
Defense Atomic Support Agency	1,973	1,957	16	
Defense Communications Agency	713	670	43	
Defense Supply Agency	[4] 29,539	26,407	3,132	
Office of Civil Defense	1,047	1,050		3
U.S. Court of Military Appeals	40	39	1	
Interdepartmental activities	9	8	1	
International military activities	36	36		
Armed Forces information and education activities	422	425		3
Classified activities	1,724	1,704	20	
Total, Department of Defense	938,179	939,831	3,213	4,865
Net decrease, Department of Defense			1,652	
Grand total including Department of Defense	2,304,766	2,319,679	4,888	19,801
Net decrease, including Department of Defense			14,913	

[1] Revised on basis of later information.
[2] January figure includes 2,860 employees of the Agency for International Development as compared with 2,884 in December.
[3] January figures includes 667 employees of the Peace Corps as compared with 699 in December.
[4] In January 3,271 employees and their functions were transferred from the Department of the Army to the Defense Supply Agency.

TABLE III.—*Federal personnel outside the United States employed by the exectuive agencies during January 1964, and comparison with December 1963*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,170	1,210		40
Commerce	657	667		10
Health, Education, and Welfare	642	647		5
Interior	630	616	14	
Justice	351	356		5
Labor	81	74	7	
Post Office	1,548	1,526	22	
State [1] [2]	31,665	31,734		69
Treasury	629	630		1
Independent agencies:				
American Battle Monuments Commission	406	408		2
Atomic Energy Commission	35	33	2	
Civil Service Commission	4	4		
Federal Aviation Agency	1,092	1,064	28	
Federal Communications Commission	2	2		
Federal Deposit Insurance Corporation	2	2		
Foreign Claims Settlement Commission	39	40		1
General Accounting Office	82	82		
General Services Administration	25	25		
Housing and Home Finance Agency	200	196	4	
National Aeronautics and Space Administration	14	14		
National Labor Relations Board	33	33		
National Science Foundation	14	13	1	
Panama Canal	14,808	14,888		80
Selective Service System	150	149	1	
Independent agencies—Continued				
Small Business Administration	56	56		
Smithsonian Institution	18	19		1
Tennessee Valley Authority	1	1		
U.S. Information Agency	8,597	8,575	22	
Veterans' Administration	992	1,001		9
Virgin Islands Corporation	1,106	496	610	
Total, excluding Department of Defense	65,049	64,561	711	223
Net increase, excluding Department of Defense			488	
Department of Defense:				
Office of the Secretary of Defense	53	51	2	
Department of the Army	51,456	51,255	201	
Department of the Navy	24,350	24,454		104
Department of the Air Force	27,799	27,799		
Defense Communications Agency	39	33	6	
International military activities	22	24		2
Total, Department of Defense	103,719	103,616	209	106
Net increase, Department of Defense			103	
Grand total, including Department of Defense	168,768	168,177	920	329
Net increase, including Department of Defense			591	

[1] January figure includes 13,938 employees of the Agency for International Development as compared with 14,048 in December. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The January figure includes 4,461 of these trust fund employees and the December figure includes 4,559.
[2] January figure includes 390 employees of the Peace Corps as compared with 380 in December.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during January 1964, and comparison with December 1963*

Department or agency	January	December	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,978	3,905	73	
Commerce	5,547	5,612		65
Interior	8,843	8,692	151	
Post Office	264	264		
Treasury	5,285	5,252	33	
Independent agencies:				
Atomic Energy Commission	268	258	10	
Federal Aviation Agency	2,856	2,884		28
General Services Administration	1,914	1,765	149	
Government Printing Office	7,240	7,292		52
National Aeronautics and Space Administration	30,211	30,075	136	
Panama Canal	7,405	7,443		38
St. Lawrence Seaway Development Corporation	157	157		
Tennessee Valley Authority	12,844	13,159		315
Virgin Islands Corporation	1,106	496	610	
Total, excluding Department of Defense	87,918	87,254	1,162	498
Net increase, excluding Department of Defense			664	
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 132,632	[2] 134,015		1,383
Outside the United States	[1] 4,333	[2] 4,317	16	
Department of the Navy:				
Inside the United States	191,257	193,621		2,364
Outside the United States	1,269	1,273		4
Department of the Air Force:				
Inside the United States	129,634	129,618	16	
Outside the United States	1,011	1,028		17
Defense Supply Agency:				
Inside the United States	1,708	1,726		18
Total, Department of Defense	461,844	465,598	32	3,786
Net decrease, Department of Defense			3,754	
Grand total, including Department of Defense	549,762	552,852	1,194	4,284
Net decrease, including Department of Defense			3,090	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of January 1964, and comparison with December 1963*

Country	Total		Army		Navy		Air Force	
	January	December	January	December	January	December	January	December
Canada	9	9					9	9
Crete	85	85					85	85
England	2,947	2,880			121	124	2,826	2,756
France	19,917	20,421	16,269	16,703	10	11	3,638	3,707
Germany	77,447	77,821	65,374	[1] 65,748	84	84	11,989	11,989
Greece	295	290			32	[1] 28	263	262
Japan	48,554	49,413	16,746	17,151	14,045	14,244	17,763	18,018
Korea	6,155	6,190	6,155	6,190				
Morocco	737	750			696	708	41	42
Netherlands	55	55					55	55
Trinidad	426	428			426	[1] 428		
Total	156,627	158,342	104,544	105,792	15,414	15,627	36,669	36,923

[1] Revised on basis of later information.

STATEMENT BY SENATOR BYRD OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of January totaling 2,473,534 as compared with 2,487,856 in December. This was a net decrease of 14,322 including a net reduction of 5,869 in temporary employment under the public works acceleration program authorized by Public Law 87-658.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1964, which began July 1, 1963, follows:

Month	Employment	Increase	Decrease
July 1963	2,518,857	9,149	
August	2,515,033		3,824
September	2,492,170		22,863
October	2,494,175	2,005	
November	2,493,379		796
December	2,487,856		5,523
January 1964	2,473,534		14,322

Total Federal employment in civilian agencies for the month of January was 1,431,636, a decrease of 12,773 as compared with the December total of 1,444,409. Total civilian employment in the military agencies in January was 1,041,898, a decrease of 1,549 as compared with 1,043,447 in December.

Civilian agencies reporting larger decreases were Post Office Department with 5,777, Agriculture Department with 4,182, and Interior Department with 3,498. Larger increases were reported by Treasury Department with 1,413 and Virgin Islands Corporation with 610.

In the Department of Defense decreases in civilian employment were reported by the Department of the Army with 3,095 and the Department of the Navy with 1,584. The largest increase was reported by the Defense Supply Agency with 3,132.

Inside the United States, civilian employment decreased 14,913 and outside the United States, civilian employment increased 591. Industrial employment by Federal agencies in January totaled 549,762, a decrease of 3,090.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction, of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,473,534 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 156,627 foreign nationals working for U.S. agencies overseas during January who were not counted in the usual personnel reports. The number in December was 158,342. A breakdown of this employment for January follows:

Country	Total	Army	Navy	Air Force
Canada	9			9
Crete	85			85
England	2,947		121	2,826
France	19,917	16,269	10	3,638
Germany	77,447	65,374	84	11,989
Greece	295		32	263
Japan	48,554	16,746	14,045	17,763
Korea	6,155	6,155		
Morocco	737		696	41
Netherlands	55			55
Trinidad	426		426	
Total	156,627	104,544	15,414	36,669

FEDERAL PAYROLL

(There is a lag of a month between Federal employment and Federal payroll figures in order that actual expenditures may be reported. Payroll expenditure figures in the committee report this month are for December.)

Payroll expenditure figures in the executive branch during the first 6 months of the current fiscal year 1964 totaled $8.1 billion. These payroll expenditures for the first half of the fiscal year, July–December 1963, exclusive of $170 million of U.S. pay for foreign nationals not on the regular rolls, follow:

	Payroll (in millions)
July	$1,370
August	1,341
September	1,276
October	1,393
November	1,281
December	1,418
Total	8,079

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BARTLETT, from the Committee on Commerce:

Jimmie D. Woods, to be a member of the permanent commissioned teaching staff of the U.S. Coast Guard Academy;

Marshall K. Phillips, and sundry other persons, for appointment in the U.S. Coast Guard;

Charles K. Townsend, and sundry other persons, for appointment in the Coast and Geodetic Survey; and

Lavon L. Posey, and sundry other persons, for appointment in the Coast and Geodetic Survey.

BILLS INTRODUCED

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

By Mr. CASE:

S. 2577. A bill for the relief of Mrs. June Cuthbertston Shaw; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2578. A bill for the relief of M. Sgt. Richard G. Smith, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2579. A bill for the relief of Alredo D. Racelis; to the Committee on the Judiciary.

By Mr. HILL:

S. 2580. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to extend and clarify existing inspection and investigative powers, require a premarketing showing of the safety of cosmetics, assure the safety, efficacy, and reliability of therapeutic, diagnostic, and prosthetic devices, improve the statutory coordination between that act and the biological-drug provisions of the Public Health Service Act, provide for cautionary labeling of articles where needed to prevent accidental injury, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. MONRONEY (for himself and Mr. EDMONDSON):

S. 2581. A bill to extend the Osage mineral reservation for an indefinite period; to the Committee on Interior and Insular Affairs.

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

By Mr. NELSON:

S. 2582. A bill for the relief of Ilias Stilianidis; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 2583. A bill for the relief of Ivan Radic, his wife, Ester Radic, and their daughter, Olivera Radic; and

S. 2584. A bill for the relief of Frantisek Vohryzka; to the Committee on the Judiciary.

OSAGE MINERAL TRUST

Mr. MONRONEY. Mr. President, on behalf of myself and my colleague, the junior Senator from Oklahoma [Mr. EDMONDSON], I introduce, for appropriate reference, a bill to extend the Osage mineral reservation for an indefinite period.

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

The bill (S. 2581) to extend the Osage mineral reservation for an indefinite period, introduced by Mr. MONRONEY (for himself and Mr. EDMONDSON), was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

Mr. MONRONEY. Mr. President, the eastern half of Oklahoma was known as Indian Territory before statehood in 1907. Here is located Oklahoma's largest county. It is Osage County, but to us in Oklahoma it is known as the Osage Nation. It is the land of one of our finest and most aggressive Indian tribes, the Osages.

Formerly this land belonged to the Cherokee Tribe, but on June 14, 1883, the Osages bought and paid for their nation and turned it over to the United States to hold in trust "for the use and benefit of the Osage Indians." They paid $1,099,137.41 for this fabulously rich country. The moneys used came from the sale of their property in Kansas.

This places the Osages in a very different status than that of the large majority of Indian tribes in that they bought and paid for their land.

The Osages are self-supporting and have never been recipients of Government grants or financial aid aside from small health and welfare programs and participation in the soil conservation program.

The Osages are governed by the Osage Tribal Council, which is made up of 10 members elected by the tribe. From this number a principal chief and assistant principal chief are elected. These men, with the least interference in the private lives of the tribe members, look after and govern the tribal business, which is a very sizable business. Since 1901 the mineral income of the tribe has been $437,258,000. The nation has produced over 877 million barrels of oil, and through the frugality of the council management they have insisted on the best conservation measures being used in the recovery of this fabulous oil from the known reserves underlying the 1.5 million acres of proven production.

Water-flood operations were commenced for secondary recovery in 1949 and now account for 70 percent of production. It is estimated that future recovery will be 280 million barrels by 1983 and 387 million barrels by 2016. From that point, it is estimated that production will be about 1 million barrels a year.

The Osage Tribal Council has demonstrated beyond a doubt their ability to look after their business in a business-like manner. Because of the nature of the secondary recovery of oil and the long term leases that will be required, it is generally agreed by the tribe and the Department of the Interior that instead of extending the Osage mineral reservation at 25-year intervals as has been done in the past, an extension to an indefinite period will provide even a better opportunity to manage the affairs of the Osages in connection with the recovery of mineral resources under their reservation. It should be noted that this is actually an extension of the trust period since all revenues are deposited in trust funds with the U.S. Government to the credit of the tribe.

I believe these fine citizens of ours, on the basis of their performance, are entitled to the cooperation of the Federal Government by being permitted an extension of the trust in perpetuity.

AGRICULTURAL ACT OF 1964—AMENDMENTS

Mr. MILLER submitted an amendment (No. 444), intended to be proposed by him, to the bill (H.R. 6196) to encourage increased consumption of cotton, to maintain the income of cotton producers, to provide a special research program designed to lower costs of production, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. WILLIAMS of Delaware submitted an amendment (No. 445), intended to be proposed by him, to House bill 6196, supra, which was ordered to lie on the table and to be printed.

Mr. YOUNG of North Dakota submitted an amendment (No. 446), intended to be proposed by him, to House bill 6196, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY (for himself and Mr. BURDICK) submitted an amendment (No. 447), intended to be proposed by them, jointly, to House bill 6196, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted an amendment (No. 448), intended to be proposed by him, to House bill 6196, supra, which was ordered to lie on the table and to be printed.

Mr. WILLIAMS of Delaware (for himself and Mr. LAUSCHE) submitted an amendment (No. 449), intended to be proposed by them, jointly, to House bill 6796, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted two amendments (Nos. 450 and 451) intended to be proposed by him, to House bill 6196, supra, which were ordered to lie on the table and to be printed.

EXTENSION OF PROVISIONS OF AUTOMOBILE DEALERS DAY IN COURT ACT—EXTENSION OF TIME FOR ADDITION OF COSPONSORS

Mr. MORSE. Mr. President, on February 27, I introduced the bill (S. 2572) to extend the provisions of the Automobile Dealers Day in Court Act to manufacturers of and dealers in tractors, farm equipment, farm implements, and for other purposes.

By unanimous consent of the Senate, the bill was to remain at the desk until the end of the session, Monday, March 2.

I ask unanimous consent that the period during which the bill may remain at the desk be extended until the end of the session on Friday, March 6.

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

ADDITIONAL COSPONSOR

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor of Senate Joint Resolution 139, which is proposed to the Constitution of the United States, dealing with presidential inability and the filling of vacancies in the Office of Vice President. I do this on behalf of the distinguished Senator from Indiana [Mr. BAYH].

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

PROUTY SPONSORS BILL PROVIDING RIGHT OF COURT APPEAL IN VETERAN CASES

Mr. PROUTY. Mr. President, I am happy to join the distinguished junior Senator from Michigan in sponsoring S. 2509, which would establish a Court of Veterans Appeals and prescribe its jurisdictions and functions.

Under existing law, when a veteran files a claim alleging service connection of his disability, the claim is decided by the Veterans' Administration and regardless of the merits of his case, the veteran has no right of appeal to the courts.

The theory behind the present law is not too sound in my judgment. It is founded on the notion that payments for service connection are in the nature of a gratuity. Such a theory fails to take into account the service rendered by the veteran and the fact that were it not for such service, the former serviceman might be sound of wind and limb.

I think in the interest of equity and justice it is time that we afford the veteran an impartial review of the legal facets of his claim. S. 2509 would do just that and I am glad to have the opportunity to cosponsor it.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 17, 1964:

S. 2509. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions: Mr. BARTLETT, Mr. BIBLE, Mr. COOPER, Mr. EDMONDSON, Mr. ERVIN, Mr. GRUENING, Mr. HARTKE, Mr. HUMPHREY, Mr. INOUYE, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCGEE, Mr. MORSE, Mr. PROUTY, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, and Mr. YARBOROUGH.

Authority of February 20, 1964:

S. 2528. A bill to amend Public Law 874, 81st Congress, in order to provide assistance to local educational agencies in the education of children of needy families and children residing in areas of substantial unemployment with unemployed parents: Mr. JAVITS, Mr. LONG of Missouri, Mr. RANDOLPH, and Mr. YARBOROUGH.

AGRICULTURAL ACT OF 1964—ADDITIONAL COSPONSORS OF AMENDMENT NO. 434

Under authority of the order of the Senate of February 26, 1964, the names of Mr. HOLLAND and Mr. KUCHEL were added as additional cosponsors of Amendment No. 434 to the bill (H.R. 6196) to encourage increased consumption of cotton, to maintain the income of cotton producers, to provide a special research program designed to lower costs of production, and for other purposes, submitted by Mr. HRUSKA (for himself and other Senators) on February 26, 1964.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the President pro tempore, announces the appointment of Senators SPARKMAN, MONRONEY, and ALLOTT as members on the part of the Senate to the Interparliamentary Union Conference to be held in Lucerne, Switzerland, from March 30 through April 5, 1964.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 721) to amend section 124 of title 28, United States Code, to transfer Austin, Fort Bend, and Wharton Counties from the Galveston division to the Houston division of the southern district of Texas.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 9637) to authorize appropriations during fiscal year 1965 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON, Mr. PRICE, Mr. STRATTON, Mr. COHELAN, Mr. PIKE, Mr. ARENDS, Mr. BECKER, Mr. HALL, and Mr. STAFFORD were appointed managers on the part of the House at the conference.

THE 128TH ANNIVERSARY OF INDEPENDENCE OF TEXAS FROM MEXICO

Mr. TOWER. Mr. President, today, March 2, marks the 128th anniversary of the independence of Texas from Mexico. On this day 128 years ago, a group of Texans, delegates from various parts of Texas, met at Washington on the Brazos. For many months Texas had chafed under the excesses of Santa Anna's military dictatorship, which had been established in violation of and in violence to the liberal Mexican Constitution of 1824. Because their position had become intolerable, these men on that date finally decided by formal document to separate Texas from the Republic of Mexico. At that time the Alamo was already under siege, and several battles in the war for independence had already been fought. This is an important American historical document; therefore, Mr. President, I ask unanimous consent that the Texas Declaration of Independence, signed by Richard Ellis, the chairman of the convention, and the remainder of the delegates, be printed at this point in the RECORD. The document was largely authored by George Childress.

There being no objection, the Texas Declaration of Independence was ordered to be printed in the RECORD, as follows:

THE TEXAS DECLARATION OF INDEPENDENCE

When a government has ceased to protect the lives, liberty and property of the people from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted; and so far from being a guarantee for the enjoyment of those inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression; when the Federal Republican Constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded but that of the army and the priesthood—both the eternal enemies of civil liberty, and the ever-ready minions of power, and the usual instruments of tyrants; When, long after the spirit of the constitution has departed, moderation is at length, so far lost, by those in power that even the semblance of freedom is removed, and the forms, themselves, of the constitution discontinued; and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons; and mercenary armies sent forth to force a new government upon them at the point of the bayonet: When in consequence of such acts of malfeasance and abdication, on the part of the government, anarchy prevails, and civil society is dissolved into its original elements: In such a crisis, the first law of nature, the right of self-preservation—the inherent and inalienable right of the people to appeal to first principles and take their political affairs into their own hands in extreme cases—enjoins it as a right towards themselves and a sacred obligation to their posterity, to abolish such government and create another in its stead, calculated to rescue them from impending dangers, and to secure their future welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is, therefore, submitted to an impartial world, in justification of the hazardous but unavoidable step now taken of severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by General Antonio Lopez de Santa Anna, who, having overturned the constitution of his country, now offers us the cruel alternative either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed, through a jealous and partial course of legislation carried on at a far distant seat of government, by a hostile majority, in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest terms, for the establishment of a separate state government, and have, in accordance with the provisions of the national constitution, presented to the general Congress, a republican constitution which was without just cause contemptuously rejected.

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed and refused to secure on a firm basis, the right of trial by jury; that palladium of civil liberty, and only safe guarantee for the life, liberty, and property of the citizen.

It has failed to establish any public system of education, although possessed of almost boundless resources (the public domain) and, although, it is an axiom, in political science, that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government.

It has suffered the military commandants stationed among us to exercise arbitrary acts of oppression and tyranny; thus trampling upon the most sacred rights of the citizen and rendering the military superior to the civil power.

It has dissolved by force of arms, the state Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government; thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the Interior for trial; in contempt of the civil authorities, and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce; by commissioning foreign desperadoes, and authorizing them to seize our vessels, and convey the property of our citizens to far distant ports of confiscation.

It denies us the right of worshiping the Almighty according to the dictates of our own consciences, by the support of a national religion calculated to promote the temporal interests of its human functionaries rather than the glory of the true and living God.

It has demanded us to deliver up our arms; which are essential to our defense, the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country, both by sea and by land, with intent to lay waste our territory and drive us from our homes; and has now a large mercenary army advancing to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers.

It hath been, during the whole time of our connection with it, the contemptible sport and victim of successive military revolutions and hath continually exhibited every characteristic of a weak, corrupt, and tyrannical government.

These, and other grievances, were patiently borne by the people of Texas until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defense of the national constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain. Though months have elapsed, no sympathetic response has yet been heard from the Interior. We are, therefore, forced to the melancholy conclusion that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government—that they are unfit to be free and incapable of self-government.

The necessity of self-preservation, therefore, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connection with the Mexican nation has forever ended; and that the people of Texas do now constitute a free, sovereign and independent republic, and are fully invested with all the rights and attributes which properly belong to the independent nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbiter of the destinies of nations.

Richard Ellis, president of the convention and delegate from Red River, Charles B. Stewart, Thos. Barnet, John S. D. Byrom, Franco Ruiz, J. Antonio Navarro, Jesse B. Badgett, Wm. D. Lacey, William Menefee, Jno. Fisher, Mathew Caldwell, William Mottley, Lorenzo de Zavala, Stephen H. Everitt, Geo W Smyth, Elijah Stapp, Claiborne West, Wm B Scates, M. B. Menard, A. B. Hardin, J. W. Bunton, Thos. J. Gazley, R. M. Coleman, Sterling C. Robertson, Jas Collinsworth, Edwin Waller, Asa Brigham, Geo. C. Childress, Bailey Hardeman, Rob. Potter, Thomas Jefferson Rusk, Chas. S. Taylor, John S. Roberts, Robert Hamilton, Collin McKinley, Albert H. Latimer, James Power, Sam Houston, David Thomas, Edwd. Conrad, Martin Parmer, Edwin O. LeGrand, Stephen W. Blount, Jas. Gaines, Wm. Clark, Jr., Sydney O. Pennington, Wm. Carrol Crawford, Jno Turner, Benj. Briggs Goodrich, G. M. Barnett, James G. Swisher, Jesse Grimes, S. Rhoads Fisher, John W. Moore, John W. Bower, Saml. A. Maverick (from Bejar), Sam P Carson, A. Briscoe, JB Woods.

Attest:

H. S. KEMBLE,
Secretary.

Mr. TOWER. Only 4 days after the meeting at Washington on the Brazos, at which Sam Houston had been selected general of the army, the Alamo, under the command of William Barret Travis, fell to a vastly superior army under Santa Anna. This holding action gave Houston the opportunity to move his army to a favorable spot for the decisive battle that won Texas her independence the following month. The letter from William Barret Travis, commandant of the Alamo, to the world typifies the courage characteristic of the pioneer spirit of the men who built America.

On March 6, every Texan in the Alamo—Texans accumulated from all parts of the United States—perished, because they had resolved that they would prefer to die as freemen, rather than live as slaves.

I wish to read into the CONGRESSIONAL RECORD Colonel Travis' letter:

LETTER FROM WILLIAM BARRET TRAVIS, COMMANDER OF THE ALAMO, BEJAR, FEBRUARY 24, 1836

To the People of Texas and All Americans in the World, Fellow Citizens and Compatriots:

I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, and our flag still waves proudly from the walls—I shall never surrender or retreat. Then, I call on you in the name of liberty, of patriotism and everything dear to the American character, to come to our aid, with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in 4 or 5 days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country—victory or death.

WILLIAM BARRET TRAVIS,
Lieutenant Colonel, Commandant.

P.S.—The Lord is on our side—when the enemy appeared in sight we had not 3 bushels of corn—we have since found in deserted houses 80 or 90 bushels and got into the walls 20 or 30 heads of beeves.

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM—AMENDMENT

Mr. MILLER. Mr. President, to House bill 6196, I submit an amendment, and ask that it be printed and also be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 32, after line 13, add a new section as follows:

"SEC. 205. (a) The Secretary of Agriculture shall, within thirty days after the date of enactment of this title, conduct a referendum of producers of wheat in 1963 to determine whether such producers favor a voluntary wheat certificate program for the 1964 and 1965 crops of wheat as provided for by the amendments made by this Act, or whether such producers favor the program for wheat which would be in effect but for the enactment of this title.

"(b) Notwithstanding any other provision of law, if less than a majority of the producers voting in the referendum conducted pursuant to subsection (a) of this section favor the voluntary wheat certificate program provided for by the amendments made by this title, such amendments shall not become effective and the provisions of law in effect for wheat on the day before the date of enactment of this Act shall continue in effect, to the maximum extent practicable, as if the provisions of this title had not been enacted."

Mr. MILLER. Mr. President, this amendment to the wheat and cotton bill affects only title II, the wheat section. It provides that the Secretary of Agriculture shall within 30 days after the enactment of this title conduct a referendum of wheat producers to determine whether the producers actually favor the certificate program for the 1964 and 1965 crops. If less than a majority of the producers voting in the referendum favor the wheat program set up in this bill, it will not become effective, and the present laws shall continue in effect.

It is my thinking that since this wheat program is not really voluntary, but in fact is compulsory, the persons affected by it—the wheat producers—should have an opportunity to accept or reject it, the same as they would if the Secretary were to proclaim a national marketing quota under the compulsory program. It is my belief that the farmers should once again have a chance to decide for themselves whether they want a Government-managed agriculture or, rather, whether they want to have a market system that emphasizes individual opportunity.

It should be pointed out that although the program proposed under title II of this bill is in fact compulsory and is not a great deal different from the program which was defeated in the last referendum, this referendum would be decided by a majority vote, not a two-thirds vote, as was necessary last May.

In conclusion, I should like to point out a precedent for this amendment. The Agricultural Act of 1958 provided

for a referendum of corn producers to determine whether they favored a price support program, as provided in that act, in lieu of price support, as provided in the old act, and acreage allotments. A majority of the producers voted for the program provided in the 1958 act; and, beginning with the 1959 crop, price support was made available thereunder; and acreage allotments and a commercial corn-producing area were not established under the old law.

Mr. President, in the Wall Street Journal for February 26 there was published an editorial entitled "Soybean Solicitude", which points out the intention of the Secretary of Agriculture to increase price supports on soybeans. The editorial very properly indicates the undesirability of such a proposal. 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:

SOYBEAN SOLICITUDE

If we were growing soybeans, we think we'd be writing to our Congressmen asking them to please do something to keep Agriculture Secretary Freeman from making a mess out of our business.

Through the years, soybean growers have done a good job of farming. The soybean carryover from one crop year to the next rarely exceeds 60 million bushels, and it's been as low as 5 million—which is very nice estimating of the market indeed. And prices are strong, about 40 cents above present Federal price supports.

In fact, soybeans are in such good shape that larger acreage and production are going to be needed to maintain domestic and export markets. Now soybean farmers know this and many of them are bringing land, which the Government has been paying them to keep idle, back into production.

However, it seems the farmers are not doing this fast enough to suit the Agriculture Department. For along comes Secretary Freeman telling them that higher price supports are necessary to stimulate planting of more soybeans. True, no one knows what the future will be, but it would be strange if higher supports at $2.35 a bushel turned out to be a bigger inducement to increased plantings than a market price about 40 cents higher, which is where the cash market is now.

At any rate, the overly solicitous Department thinks last season's 15-million-bushel carryover was far too small, and would like to see the next one raised to 100 million. What possible use so massive a carryover could be, except to serve as a price depressant and perhaps bring a lot of soybeans into Federal storage, is hard to see.

In theory at least, a rise in support prices wouldn't cost anything. Mr. Freeman figures that the cost of raising them would be more than offset by the savings resulting when farmers start growing soybeans on the land the Government now pays them to keep idle.

Yet so far from reality has the farm program gone that no one seems concerned about the possible cost of making a muddle out of the soybean business, except the soybean farmer. After all, it's his business.

THE PANAMA CANAL

Mr. MILLER. Mr. President, in the same issue of the Wall Street Journal, the lead editorial, entitled "No Place for Pettiness," points out that we would do well to consider carefully the possibility of some change in our policy with respect to renegotiation of the Panama Canal Treaty. This comes following the revelation of a secret memorandum—signed by officials of this administration in 1962 and officials of the Republic of Panama—in which it was stated that a new treaty would have to be negotiated.

I recognize that State Department spokesmen have said that this was not a commitment, but merely a memorandum of discussions. But I suggest that the people of Panama think that it was more than a memorandum of discussions. In light of that fact, 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:

NO PLACE FOR PETTINESS

Anyone who spends a little time in Panama, and will look about him with clear eyes, would certainly agree that the Panamanian people have some understandable grievances.

They are not, to be sure, all properly directed at the U.S. Government or the Americans who live there. A good many of them should be laid at the door of their own political leaders. For 60 years the country has been run by a handful of families, and though the land is no stranger to revolutions they are like a game of musical chairs, with power being shifted back and forth among the same people.

As a not surprising consequence, a good part of the wealth of the country—including the money paid to the Panamanian Government for the rent of the canal—is likewise concentrated in a few hands. A casual tourist on an afternoon's stroll can see extremes of great wealth and grinding poverty.

Nor are all the complaints against the United States as grievous as they sound in demagogic speeches.

In the first place, without the United States there would be no canal, and without the canal the poverty would be far worse than it is. Quite apart from the rental payment to the government, U.S. troops and canal workers provide millions annually for the national income; the Panamanians themselves have discovered that in the past few weeks as violence has disrupted commerce.

In the second place, it is not true, as is often alleged, that the United States has been unreceptive to voluntary adjustments in its relation with Panama. As late as 1955 the United States completely rewrote the canal treaty when it was under no legal compulsion to do so. The rental paid to the Panamanian Government was more than quadrupled and several million dollars of real estate and buildings were given to Panama.

Moreover, we agreed to put Panamanian workers on an equal pay and opportunity basis with Americans. This has not yet had its full effect because there have been few Panamanians with the education and skills for top jobs but it has already done much to lift wage levels among unskilled labor.

All this being the case, President Johnson has been right, we think, to refuse to negotiate with Panama under duress. In any event, the operation and control of the canal cannot be a subject of negotiation.

Yet when all this has been said, it does seem to us that the United States ought to take another look at its position in Panama. If for no other reason, simply because we are too big a country to be petty in our dealings with smaller countries whose friendship we value. And not all the Panamanian complaints are unreasonable.

Take the canal rental. While the $1.9 million is quadruple the earlier figure, it is small compared to what we have paid other countries for bases of less extent or importance, and it is minuscule compared to the sums—measured in billions—which we have simply thrown around the world as gifts to less deserving friends.

If we were a Panamanian looking at these comparative sums, we too might feel that the real estate of the Canal was worth somewhat more.

But as so often happens in the relations between friends and nations, sometimes the small grievances are the more important. In Panama, just to pick one illustration, an American in the Canal Zone with several times the income of a Panamanian worker pays an auto license fee less than half that of the Panamanian for the privilege of driving on Panama roads. This is also true of many other things, from the price of a can of beans to movie tickets.

This business about the flag—the Panamanians want their flag flown alongside ours even in the zone—may also seem a petty complaint. Yet what American, were the situation reversed, would not feel some like annoyance?

It's not a question of "blaming" anybody. Most of the extraterritorial privileges (only Americans of all foreigners are exempt from Panamanian income taxes) came about out of necessity. Years ago the zone was a primitive place for American workers. The U.S. Government had to create and subsidize all the facilities, from grocery stores to movie theaters, because there were none other.

What we need to recognize now is that the situation has changed, and that many of the special arrangements which were once necessary are today needless sources of irritation. Once we do so, we can then sit down with the Panamanians and work out something suitable for today and not yesterday.

We should do this not under duress but simply because it is the right thing to do. And because if we don't we may find that the irritations will fester until, as in so many other places in the world, they erupt into sores past curing.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 856, the bill (S. 2455), and that the calendar be called in sequence.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered. The clerk will state the various measures on the calendar, commencing with Order No. 856.

AMENDMENT TO PEACE CORPS ACT

The Senate proceeded to consider the bill (S. 2455) to amend further the Peace Corps Act (75 Stat. 612), as amended.

Mr. MANSFIELD. Mr. President, the Committee on Foreign Relations, having having had under consideration the bill (S. 2455) to amend further the Peace Corps Act, reported the bill favorably. It is my recollection that the bill was reported unanimously to the Senate without amendment and the committee has recommended that the bill be passed.

I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 881), explaining the purposes of the bill.

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

I. PURPOSE OF THE BILL

The purpose of S. 2455 is to authorize an appropriation of $115 million for Peace Corps

activities in fiscal year 1965. This sum would make it possible for the Peace Corps to finance 14,000 volunteers through the end of the summer of 1965. Under the fiscal year 1964 appropriation—close to $96 million—the Peace Corps is programing 10,500 volunteers for service abroad by the end of the summer of 1964.

II. COMMITTEE ACTION

Draft legislation to amend further the Peace Corps Act was transmitted to the Senate on January 16 by the President and referred to the Committee on Foreign Relations. The draft legislation was introduced as S. 2455 by Senator Fulbright (by request) on January 22. The committee held a public hearing on the bill on February 24, receiving supporting testimony from Mr. Sargent Shriver, Director of the Peace Corps. The following day, in executive session, the committee without objection, ordered S. 2455 favorably reported to the Senate, without amendments. The committee is unaware of any opposition to the bill.

III. EXPLANATION OF COSTS

The $115 million authorized for Peace Corps activities in fiscal year 1965 would enable the Peace Corps to have 14,000 volunteers either in training or overseas by August 31, 1965. Of this amount, $94,100,000 would be spent for volunteer and project costs and $20,900,000 for administration and program support. Of total obligations, the percentage allocated for administrative costs by the Peace Corps declined from 28 percent in fiscal year 1963 to 21 percent in fiscal year 1964, and is expected to move downward to 18 percent in fiscal year 1965.

As the number of planned volunteers increases, the average cost, calculated on a per capita volunteer basis, is expected to decline from $9,000—the figure maintained since the inception of the Peace Corps—to $8,560 in fiscal year 1965. The proportion of administrative personnel to volunteers is expected to decline in fiscal year 1965 to a ratio of 1 to 11.

Overall, experience gained through the years of its existence has enabled the Peace Corps to effect certain economies in its operations. For example, there are fewer employees in the Washington office today than there were a year ago. Supplies and equipment furnished to initial volunteers for their work overseas are being reused by other volunteers. Printing, telephone, and travel costs have been reduced. Through contracts for the year-round training of volunteers, savings in per-week training costs have been achieved. Moreover, it has been possible to cut back certain oversea costs—on baggage, shipment, and storage, for instance. And the Peace Corps expects host country contributions to projects to continue to increase.

On the other hand, the Peace Corps has deemed it essential to incur additional costs in the training area, thus offsetting some savings achieved. The average span of a volunteer's initial training program has been lengthened—from 8 to 10 weeks to 10 to 12 weeks—and language instruction has been intensified.

The financing of the Peace Corps since it began is shown in the table below:

Authorizations and appropriations for the Peace Corps

Fiscal year 1962:	
Authorization (Public Law 87-293, Sept. 22, 1961)	$40,000,000
Appropriation (Public Law 87-329, Sept. 30, 1961)	30,000,000
Returned to Treasury (including obligated balances of $1,436,000 as of June 30, 1962, deobligated after close of fiscal year 1962)	1,940,000
Total appropriated and obligated	28,060,000

Authorizations and appropriations for the Peace Corps—Continued

Fiscal year 1963:	
Authorization (Public Law 87-442, Apr. 27, 1962)	$63,750,000
Appropriation (Public Law 87-872, Oct. 23, 1962)	[1] 59,000,000
Returned to Treasury as of June 30, 1963	3,863,971
Total appropriated and obligated	55,136,029
Fiscal year 1964:	
Authorization (Public Law 88-200, Dec. 13, 1963)	102,000,000
Appropriation (Public Law 88-258, Jan. 6, 1964)	92,100,000
Plus unobligated balance of fiscal year 1963 appropriation (shown above as having been returned to Treasury)	3,863,971
Total appropriated	[2] 95,963,971

Authorizations and appropriations for the Peace Corps—Continued

Recapitulation:	
Total appropriated and obligated fiscal year 1962	28,060,000
Total appropriated and obligated fiscal year 1963	55,136,029
Total appropriated fiscal year 1964	95,963,971
Total	179,160,000

[1] Not to exceed $15,000,000 of this amount was specified available for administration and program support costs.

[2] Not to exceed $19,000,000 of this amount was specified available for administration and program support costs.

A detailed breakdown of Peace Corps budgetary figures for fiscal year 1965 appears in the printed hearings on S. 2455.

IV. VOLUNTEERS

On January 15, 1964, the Peace Corps had 6,976 volunteers and trainees serving overseas in 46 countries. The following table shows the distribution of these volunteers:

Peace Corps on-board strength as of Jan. 15, 1964

Region and country	Number of countries	In training	In country	Total
All regions	46	458	6,518	6,976
Africa	17	7	2,250	2,257
Cameroon			89	89
Ethiopia			415	415
Gabon		1	74	75
Ghana			139	139
Guinea			54	54
Ivory Coast			56	56
Liberia			283	283
Morocco			103	103
Niger			14	14
Nigeria		1	476	477
Nyasaland		5	96	101
Senegal			66	66
Sierra Leone			130	130
Somali Republic			29	29
Tanganyika			97	97
Togo			37	37
Tunisia			92	92
Far East	4		1,187	1,187
Indonesia			31	31
Malaysia			345	345
Malaya			(210)	(210)
Sabah/Sarawak			(135)	(135)
Philippines			546	546
Thailand			265	265
Near East and south Asia	8	39	786	825
Afghanistan		36	34	70
Ceylon			34	34
Cyprus			22	22
India			168	168
Iran			45	45
Nepal			101	101
Pakistan			240	240
Turkey		3	142	145
Latin America	17	412	2,295	2,707
Bolivia		67	121	188
Brazil		50	214	264
British Honduras			27	27
Chili		1	107	108
Colombia		131	477	608
Costa Rica			68	68
Dominican Republic		2	172	174
Ecuador		67	261	328
El Salvador		28	32	60
Guatemala			114	114
Honduras		1	60	61
Jamaica		1	62	63
Panama			57	57
Peru		61	390	451
Santa Lucia			17	17
Uruguay			18	18
Venezuela		3	98	101

By August 31, 1965, the Peace Corps expects to have either in training or overseas the following number of volunteers for service in the following areas:

Latin America	5,900
Africa	4,250
Far East	2,150
Near East and south Asia	1,700
Total	14,000

Approximately 40 percent of the current volunteers are women; 60 percent men.

Most volunteers are teachers and community development workers.

The committee closely questioned Mr. Shriver about developments relating to the performance and quality of volunteers. Roughly 7.3 percent of the volunteers have not completed their scheduled tours of duty. For compassionate reasons, 1.6 percent have returned to the United States. For medical reasons another 1.1 percent have failed to complete their tours of duty. Eight volunteers—0.1 percent of the total—have died. The remaining 4.5 percent have been selected out because of inability to adjust to their living conditions abroad, because they have presented behavioral problems, or because of other reasons.

With respect to the quality of volunteers, Peace Corps experience to date has indicated several factors bearing on the failure or success of a volunteer in his work. Mr. Shriver, in his testimony before the committee, pointed out that applicants who do very well on the modern language aptitudes test generally turn out to be very good volunteers. Often letters of reference serve as valid indicators in predictability of success. And Mr. Shriver noted the age group 20 to 30 on college campuses in the United States has actually produced about 85 to 90 percent of the most successful volunteers.

Originally, enlistment in the Peace Corps was restricted to a 2-year term. However, a volunteer may now extend his enlistment for a period of up to 1 year provided the host country requests the particular volunteer's continued services and the Peace Corps representative in the area involved approves. In addition, volunteers may be permitted to reenlist for 2 years either in the country in which they have been serving or in a different country.

The following table shows the activities in which 545 volunteers who returned to the United States in 1963 are now engaged:

Post-Peace Corps status of 545 volunteers who returned in 1963

Continuing education [1]	266
Undergraduate	53
Nondegree programs	14
Teacher certification	7
Graduate	192
Employed (nonteaching)	151
Business and private industry	82
Federal Government	69
Teaching	70
College and university	5
Elementary and secondary	65
Married women (not working)	26
Traveling en route to United States	26
Military service	6
Total	545

[1] These volunteers are attending 113 different colleges and universities. Among this group, 99 have assistantships, fellowships, or scholarships totaling $214,000.

V. COMMITTEE CONCLUSIONS AND RECOMMENDATION

Fiscal year 1965 will mark the fourth full operational year for the Peace Corps. The committee is well satisfied with the progress of the Peace Corps to date.

The general performance and quality of the volunteers deserves commendation. The volunteers have contributed useful talents and skills to the countries and areas where they have been serving. And the committee believes there has been efficient administration both here and abroad of operations of the Peace Corps.

Foreign countries and areas are continuing to maintain a large degree of interest in receiving Peace Corps help. Citizens of the United States continue to be willing and desirous of applying to serve in the Peace Corps. It might be noted, in this connection, that the number of applications received by the Peace Corps this month may reach a record high for the third successive month.

The $115 million request for fiscal year 1965 Peace Corps activities—to make possible an increase in the number of volunteers to 14,000—seems to the committee justified and desirable. The committee therefore strongly recommends Senate approval of the full amount.

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

Mr. MANSFIELD. I yield.

Mr. CARLSON. As a member of the Senate Committee on Foreign Relations, and one who heard the testimony of Mr. Sargent Shriver, who appeared in behalf of the requested authorization of $115 million, I wish to state that the report from the committee was unanimous.

I am very pleased that we are able to increase the authorization for the agency. The first appropriation made for the agency was $29 million. Since that time the amount has increased annually. At the same time, it should be pointed out that the agency is rendering outstanding service.

I should like to state for the record that when Sargent Shriver first approached me and other members of the committee on the type of program proposed, I called attention to the fact that I had some question as to its probable effectiveness, for the reason that a Peace Corps volunteer would be signed up for 1 year, asked to remain a year, and could stay but 3 years. I argued with him that in the mission fields, both Protestant and Catholic, all over the world, there are missionaries who give a lifetime to a cause and to a program. I had some question as to the relationship of the two, although I favored the Peace Corps program from the start.

Mr. Shriver stated at the hearings that while they do not expect to extend greatly the Peace Corps volunteer services, there are some volunteers available who become particularly qualified in a community or in a country, and additional extensions of time will be granted in such cases. That speaks well in favor of the program. It is a change that is in the interest of our own country and the country that those volunteers serve. I heartily endorse the program and hope that the Senate will approve the bill unanimously.

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

Mr. MANSFIELD. I yield.

Mr. ELLENDER. Can the Senator tell us the extent to which the program would provide additional teachers for the various countries involved in the program?

Mr. CARLSON. I sincerely regret that I do not have the printed record of hearings. That point was brought out in the hearings. We have sent teachers to a great number of countries. Teachers are in demand, and they are rendering a great service. There was a thorough hearing on that subject. I regret that the hearings are not in the Chamber.

Mr. MANSFIELD. Mr. President, neither can I give an extract figure to the distinguished senior Senator from Louisiana. But it appears there has been a sizable increase in that particular field. I believe it is good because of the fact that it is far better to send our teachers over there to teach people in various countries so that their good people can remain there, rather than bringing students from those countries over here to the degree that we have, many of whom desire to stay here and not return to help their own people.

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

Mr. MANSFIELD. I yield.

Mr. ELLENDER. Mr. President, when this program started 3 or 4 years ago, the idea was to enable Americans to live and work abroad on a level of the natives of the various countries.

On my recent trip to Africa, I found that we had sent over 300 Peace Corps volunteers to Ethiopia, and all of them were teachers. The expenses paid to those teachers by the Ethiopian Government amounted, as I remember, to $72 per month. It costs the Federal Government in the neighborhood of $9,000 to process a volunteer. That amount would include all administrative expenses, transportation, and everything else.

We sent approximately 300 teachers to Ghana. Ghana paid as much as $152 a month, as I remember, in order to help pay the expenses of those teachers.

In my judgment, we are veering away from the original intent of Congress in our performance of the service. It is true that when Mr. Shriver appeared before the committee at the time the program was proposed, a provision for teachers was contemplated. The teachers were supposed to work in the jungle or in the country. But we find that many or most are located in large cities.

The thing that I do not like is that the volunteers work under the jurisdiction of the Department of Education of Ghana or Ethiopia, for example.

What this means is that we are extending this program into areas not originally intended by Congress. We are furnishing those countries with teachers that cost us a great deal of money to prepare. In turn they would teach in the various countries for a salary as low as $72 a month. In reality, we are actually subsidizing a foreign school system.

I express the hope that as the program proceeds, we shall return as nearly as possible to the original plan. The volunteers should be allowed to work directly with the people in the back country in helping them to render a better service than they can now render with facilities at hand. That is what made the Peace Corps so attractive to the Congress—not the idea of another foreign subsidy.

It is true that some of the teachers are able to work after school hours and do some of the extra work that we had in mind. But after working 5 or 6 hours a day teaching in school, it is rather difficult for teachers to go out and do other work of the type we had in mind originally.

It seems to me that we ought to look into that subject. I shall try to do it as well as I can when the item comes up for consideration by the Appropriations Committee.

Mr. MANSFIELD. Mr. President, both of us will look into that subject. I believe the idea is a good and sound one, and we shall mention it when Mr. Shriver appears before our committee.

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

Mr. MANSFIELD. I yield.

Mr. CARLSON. The Senator from Louisiana has called attention to an item which should and will have consideration when we examine into the use of Peace Corps volunteers. But I am glad to state that in the hearings—and again I am sorry that the record of the hearings is not available—the subject was brought up and discussed with Sargent Shriver. He not only recognizes the problem, but he will urge that we devise a plan. The wives of some of the Peace Corps workers might get out and work with the citizens. After all, that type of approach is basic in a program of the kind in which we are engaged.

The Senator from Louisiana, who has a very good knowledge of Government expenditures, was correct when he stated that the average cost was $9,000 per volunteer. In the report of the committee, it is stated that it is hoped to reduce this amount to an average cost of $8,560 per Peace Corps volunteer.

In view of the statement made with regard to the number of volunteers and the cost, I ask unanimous consent to have printed at this point in the RECORD page 4 of the report, which shows the number of Peace Corps volunteers in the various countries.

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

Peace Corps on-board strength as of Jan. 15, 1964

Region and country	Number of countries	In training	In country	Total
All regions	46	458	6,518	6,976
Africa	17	7	2,250	2,257
Cameroon			89	89
Ethiopia			415	415
Gabon		1	74	75
Ghana			139	139
Guinea			54	54
Ivory Coast			56	56
Liberia			283	283
Morocco			103	103
Niger			14	14
Nigeria		1	476	477
Nyasaland		5	96	101
Senegal			66	66
Sierra Leone			130	130
Somali Republic			29	29
Tanganyika			97	97
Togo			37	37
Tunisia			92	92
Far East	4		1,187	1,187
Indonesia			31	31
Malaysia			345	345
Malaya			(210)	(210)
Sabah/Sarawak			(135)	(135)
Philippines			546	546
Thailand			265	265
Near East and south Asia	8	39	786	825
Afghanistan		36	34	70
Ceylon			34	34
Cyprus			22	22
India			168	168
Iran			45	45
Nepal			101	101
Pakistan			240	240
Turkey		3	142	145
Latin America	17	412	2,295	2,707
Bolivia		67	121	188
Brazil		50	214	264
British Honduras			27	27
Chili		1	107	108
Colombia		131	477	608
Costa Rica			68	68
Dominican Republic		2	172	174
Ecuador		67	261	328
El Salvador		28	32	60
Guatemala			114	114
Honduras		1	60	61
Jamaica		1	62	63
Panama			57	57
Peru		61	390	451
Santa Lucia			17	17
Uruguay			18	18
Venezuela		3	98	101

By August 31, 1965, the Peace Corps expects to have either in training or overseas the following number of volunteers for service in the following areas:

Latin America	5,900
Africa	4,250
Far East	2,150
Near East and south Asia	1,700
Total	14,000

Mr. ELLENDER. Mr. President, I again state the hope that when the matter comes up again, attention will be given to the point I have raised. It is true that when Mr. Shriver appeared before the committee the first time, he made mention of the fact that teachers would be made available through the Peace Corps. In certain areas some of the teachers are doing a good job, not so much in teaching students at particular schools, but in assisting to build self-help schools. I ran across two or three places where that was done. They were doing yeoman work in that direction, and I was proud to be able to see our young people in this type of work. What I have been complaining about is the practice of sending teachers to work under the jurisdiction of the departments of education in various countries where they are not free to act as they choose, but are under the jurisdiction of the departments of education in those particular countries.

The ACTING PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1964" and "$102,000,000" and substituting "1965" and "$115,000,000", respectively.

KALOYAN D. KALOYANOFF

The bill (S. 1237) for the relief of Kaloyan D. Kaloyanoff was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Kaloyan D. Kaloyanoff has resided in the United States since his lawful admission for permanent residence on November 10, 1958, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 882), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary, who was lawfully admitted to the United States for permanent residence on November 10, 1958, to file a petition for naturalization.

STATEMENT OF FACTS

The beneficiary of the bill is a 54-year-old native of Bulgaria who claims to be stateless. He went to West Germany in 1955 and remained and has been employed by Radio Free Europe in Munich since 1957. He was admitted to the United States on November 10, 1958, as a refugee-escapee. He has been unable to satisfy the residence and physical presence requirements of section 316 of the Immigration and Nationality Act because of his absences abroad in connection with his employment by Radio Free Europe.

* * * * *

MRS. KAYO FUJIMOTO HOWARD

The bill S. 1525 for the relief of Mrs. Kayo Fujimoto Howard was considered,

ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That, in the administration of the Immigration and Nationality Act, Mrs. Kayo Fujimoto Howard, the widow of a United States citizen who served honorably in the Armed Forces of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of that Act shall not be applicable in this case.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of a nonquota immigrant to Mrs. Kayo Fujimoto Howard which is the status she would be entitled to were it not for the death of her husband. She is the widow of a U.S. citizen who served honorably in the U.S. Air Force in Japan.

JULIANO BARBOZA AMADO AND MANUEL SOCORRO BARBOZA AMADO

The bill (S. 1597) for the relief of Juliano Barboza Amado and Manuel Socorro Barboza Amado was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 203(a)(4) of the Immigration and Nationality Act, Leo Barboza Amado, a citizen of the United States, shall be held and considered to be the legitimate half-brother of Juliano Barboza Amado and Manuel Socorro Barboza Amado.

LILLIAN P. JOHNSON

The bill (S. 1978) for the relief of Lillian P. Johnson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Lillian P. Johnson shall be held and considered to have been lawfully admitted to the United States for permanent residence in the month of June 1928.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 885), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Lillian P. Johnson as of June 1928, when she first entered the United States as a visitor. No provision is made for the payment of a visa fee, since her status was adjusted to that of permanent residence on November 15, 1961.

GIUSEPPE CACCIANI

The bill (S. 1985) for the relief of Giuseppe Cacciani was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Giuseppe Cacciani may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

HATTIE LU

The bill (S. 1986) for the relief of Hattie Lu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Hattie Lu, fiancee of Airman First Class Ronald E. Payne, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months, if the administrative authorities find (1) that the said Hattie Lu is coming to the United States with a bona fide intention of being married to the said Airman First Class Ronald E. Payne and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Hattie Lu, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Hattie Lu, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Hattie Lu as of the date of the payment by her of the required visa fee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 887), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the fiancee of a U.S. citizen serviceman to enter the United States. If the marriage between the beneficiary and her citizen fiance is contracted within 3 months after her entry as a nonimmigrant, the Attorney General may adjust her status to that of a lawful permanent resident.

MISS WLADYSLAWA KOWALCZYK

The Senate proceeded to consider the bill (S. 473) for the relief of Miss Wladyslawa Kowalczyk, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Miss Wladyslawa Kowalczyk shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

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

GLENDA WILLIAMS

The Senate proceeded to consider the bill (S. 1966) for the relief of Glenda Williams, which had been reported from the Committee on the Judiciary with an amendment in line 6, after the word "behalf", to strike out "of" and insert "by"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Glenda Williams may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Hercules Ellis, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 889), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States.

FRANCESCO MIRA AND MARIA MIRA

The bill (S. 1982) for the relief of Francesco Mira and his wife, Maria Mira, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the first section of the Act entitled "An Act to facilitate the entry of alien skilled specialists and certain relatives of United States citizens, and for other purposes", approved October 24, 1962 (76 Stat. 1247), Francesco Mira shall be held and considered to be an alien registered on a consular waiting list pursuant to section 203(c) of the Immigration and Nationality Act under a priority date earlier than March 31, 1954.

The title was amended, so as to read: "A bill for the relief of Francesco Mira."

FOTINI DIMANTOPOULOU

The Senate proceeded to consider the bill (S. 1684) for the relief of Fotini Dimantopoulou, which had been reported from the Committee on the Judiciary with amendments in line 10, after the word "the", to strike out "appropriate", and in line 11, after the word "quota", to

insert "for the Union of Soviet Socialist Republics"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Fotini Dimantopoulou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for the Union of Soviet Socialist Republics for the first year that such quota is available.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 891) explaining the purposes of the bill.

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

STATEMENT OF FACTS

The beneficiary of the bill is an unmarried 22-year-old native and citizen of Greece, who entered the United States on May 19, 1960, at the age of 19 as a visitor to help care for an ill cousin. She subsequently changed her status to that of a student in September 1960, and presently resides in Brighton, Mass., with her parents and a sister. Her parents, who were chargeable to the quota for the U.S.S.R., entered the United States for permanent residence on November 19, 1962. The beneficiary could not use the quota of her parents for the purpose of an adjustment of status because she was over 21 at the time their visas were issued and they entered the United States. She is the beneficiary of a third preference petition which was approved on July 14, 1963, but has been unable to adjust her status because of the oversubscription of the Greek quota.

BILL PASSED OVER

The bill (H.R. 1174) for the relief of Elfriede Unterholzer Sharble was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

WILLY SAPUSCHNIN

The bill (H.R. 1182) for the relief of Willy Sapuschnin was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 893), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to enjoy the status of one who was paroled into the United States as provided in the act of July 14, 1960.

EDITH AND JOSEPH SHARON

The bill (H.R. 1295) for the relief of Edith and Joseph Sharon was considered, ordered to a third reading, read the third time, and passed.

STANISLAWA OUELLETTE

The bill (H.R. 1355) for the relief of Stanislawa Ouellette was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of the alien daughter adopted by a citizen of the United States.

ARETI SIOZAS PAIDAS

The bill (H.R. 1384) for the relief of Areti Siozas Paidas was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 896), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of the alien child adopted by Mr. and Mrs. James Paidas, citizens of the United States.

EWALD JOHAN CONSEN

The bill (H.R. 1455) for the relief of Ewald Johan Consen was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 897), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Ewald Johan Consen as of March 3, 1957. The bill does not provide for payment of a visa fee or deduction of a quota number, inasmuch as the beneficiary was previously lawfully admitted for permanent residence.

JOZIFA TRZCINSKA BISKUP AND IVANKA STALCER VLAHOVIC

The bill (H.R. 1520) for the relief of Jozifa Trzcinska Biskup and Ivanka Stalcer Vlahovic was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 898), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of two beneficiaries who have been adopted by U.S. citizens.

LAVORKO LUCIC

The bill (H.R. 1521) for the relief of Lavorko Lucic was considered, ordered to a third reading, read the third time, and passed.

AGNESE BRIENZA

The bill (H.R. 1723) for the relief of Agnese Brienza was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 900), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to enjoy the benefits of section 25(a) of the act of September 26, 1961, notwithstanding the fact that the petition approved in her behalf was revoked upon the death of her father.

BILL PASSED OVER

The bill (H.R. 1761) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of R. Gordon Finney, Jr., was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

VALERIANO T. EBREO

The bill (H.R. 1886) for the relief of Valeriano T. Ebreo was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 902), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child to be adopted by citizens of the United States.

BILL PASSED OVER

The bill (H.R. 4085) for the relief of Tibor Horcsik was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

CHRYSANTHOS KYRIAKOU

The bill (H.R. 4284) for the relief of Chrysanthos Kyriakou was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 904), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission to the United States in a nonquota status of the minor child to be adopted by U.S. citizens.

MR. AND MRS. FRED T. WINFIELD

The bill (H.R. 4682) for the relief of Mr. and Mrs. Fred T. Winfield was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 4972) for the relief of Robert E. McKee, General Contractor, Inc., and Kaufman and Broad Building Co., a joint venture, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

DOYLE A. BALLAU

The bill (H.R. 5144) for the relief of Doyle A. Ballau was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 882), explaining the purposes of the bill.

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

PURPOSE

The purpose of this legislation is to relieve Doyle A. Ballou from the necessity of repaying to the Government amounts paid to him as salary while employed by the Federal Aviation Agency in violation of the dual employment statute (5 U.S.C. 62). It would also entitle him to receipt of salary not yet paid and compensation for his unused annual leave based upon work performed by him in good faith during the period of his employment. In addition, Mr. Ballou would become entitled to amounts withheld for retirement purposes.

STATEMENT

The Federal Aviation Agency favors enactment of this proposed legislation. In its report to the Committee the agency says:

"Doyle Ballou, Navy CWO–2, was released to inactive duty on August 31, 1956, and placed on the retired list of the U.S. Navy after 20 years of active service. He began to receive retired pay under 34 U.S.C. 430 (a) and (d). Because he was considering Federal employment, Mr. Ballou inquired of the U.S. Navy Finance Center on November 4, 1958, as to his status under the Dual Compensation and Dual Employment Acts (5 U.S.C. 59(a) and 62). The Finance Center's letter advised Mr. Ballou that the Dual Employment Act generally precluded him from taking a Government position but noted that this determination was the responsibility of the employing agency. On March 25, 1959, Mr. Ballou applied for a position with the FAA in Minnesota. His form 57 stated the following information:

"Released to inactive duty August 31, 1956 and placed on the retired list of the U.S. Navy with the rank of CHELEC/W–2 and with the retired pay of that rank, pursuant to the provisions of United States Code, title 34, sections 430 (a) and (d).

"On April 6, 1959, Mr. Ballou was informed by FAA central region that his application for employment had been accepted. The letter did not refer to the Dual Employment Act. In 1960 Mr. Ballou was transferred to a similar position with the FAA in Miami and the Agency again accepted Mr. Ballou's form 57 without mentioning a possible dual employment problem.

"A telegram from the Navy Finance Center, Norfolk, Va., April 12, 1962, notified the FAA that Mr. Ballou's employment with the FAA was precluded by the Dual Employment Act (5 U.S.C. 62) and he was thereafter so notified. Mr. Ballou remarked that he had worried about the problem when the job was offered to him but said that since his form 57 stated his retired status so clearly he assumed he had fulfilled his obligation in the matter.

"From these facts it is apparent that it was due to an error on the part of this Agency that Mr. Ballou was hired. It further appears that while Mr. Ballou had some misgivings about the propriety of his appointment, these were dispelled by this Agency's willingness to employ him knowing of his retired status.

"His services with this Agency were satisfactory as evidenced by his receiving a promotion. It would seem a most inequitable result that the Government should profit from the services of Mr. Ballou, at his expense, when the reason for his loss was due to an error on the part of the Government and through no apparent fault on the part of Mr. Ballou."

ELIZABETH RENEE LORLISE GABRIELLE HUFFER

The bill (H.R. 5617) for the relief of Elizabeth Renee Lorlise Gabrielle Huffer was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 908), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to retain her U.S. citizenship, provided that she establishes residence in this country prior to her 26th birthday.

STATEMENT OF FACTS

The beneficiary of the bill is a 24-year-old native of France, who acquired U.S. citizenship at birth through her U.S. citizen father. Her parents are divorced, and the beneficiary resides in Paris with her mother. The beneficiary desires to complete her college education before returning to the United States and the instant bill will permit her to establish such residence prior to her 26th birthday. Under the law, the beneficiary would have been required to establish residence in the United States prior to her 23d birthday.

BILL PASSED OVER

The bill (H.R. 5728) for the relief of the county of Cuyahoga, Ohio, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

PASQUALE FIORICA

The bill (H.R. 5982) for the relief of Pasquale Fiorica was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 910), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status, of an alien child to be adopted by citizens of the United States.

ALEXANDER HAYTKO

The bill (H.R. 6092) for the relief of Alexander Haytko was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 911), explaining the purposes of the bill.

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

PURPOSE

The purpose of H.R. 6092 is to provide that the time limit within which an application for disability retirement must be filed shall be waived in favor of Alexander Haytko, a former employee of the Department of the Air Force. This would in effect determine that the case be considered on its merits, with resulting allowance of disability annuity if it can be established that he was totally disabled for useful and efficient service in his grade or class of position at the time of his separation. Annuity payments, if authorized, would accrue from the bill's enactment date.

STATEMENT

As pointed out in the report of the House Judiciary Committee, the Department of the Air Force has deferred to the Civil Service Commission as to the merits of H.R. 6092, and that agency has indicated that it has no objection to determining annuity entitlement in this case on its merits.

The facts and circumstances surrounding this claim are set forth in House Report No. 984 on H.R. 6092, as follows:

"On August 28, 1959, Mr. Haytko was separated from his position of warehouse foreman at the Cheli Air Force Depot, in Maywood, Calif., because of a reduction in force. At the time of Mr. Haytko's separation from the Air Force, his supervisor suggested that he file an application for disability retirement since he had undergone surgery for a duodenal ulcer in May of the same year, approximately 3 months earlier. Mr. Haytko indicated that he considered his illness to be of a temporary nature, and he declined to

apply for disability retirement at the time of separation. Mr. Haytko's own statement to the Civil Service Commission regarding this matter reads:

" 'During the latter part of 1958, I was advised by my supervisor that I should apply for a disability retirement. I stated at that time, to my supervisor, that I felt that I was still capable of performing my duties and did not desire to retire. My supervisor then informed me that he would take the necessary action. I persuaded him to withhold such action since I would be terminated by a reduction in force in the very near future. He consented to do this.

" 'Upon my termination of employment by RIF, I was advised by my supervisor to again consider disability retirement. I felt that after a few months' rest I would then seek employment.'

"Mr. Haytko executed an application for disability retirement on September 12, 1962, more than 3 years after separation from his Air Force position on August 28, 1959. The claim was disallowed by the Civil Service Commission as not being timely filed. The Civil Service Retirement Act of May 29, 1930, as amended, specifies the time limit for filing applications for disability retirement as follows:

" 'No claim shall be allowed under this section unless the application is filed with the Commission prior to separation of the employee or member from the service or within 1 year thereafter.'

"The Department of the Air Force has deferred to the Civil Service Commission as to the merits of H.R. 6092 and that agency has indicated that it has no objection to determining annuity entitlement in this case on its merits. An examination of the events leading up to Mr. Haytko's separation reveals that he had been for some time on light duty as the result of instructions from his doctor because of a previous accident which occurred during the course of his employment. His supervisor has stated in writing that during the latter part of 1958 Mr. Haytko was using more and more sick leave due to an arthritic and ulcer condition. While he repeatedly recommended to Mr. Haytko that he apply for disability retirement, he was not aware of the time restriction that applied to applications for disability retirement and reported that the civilian personnel office gave employees little or no information regarding regulations governing retirement, rights, etc. As the result of the failure of his supervisor to advise him of this time limitation, Mr. Haytko chose to continue looking for work during the next 3 years. Separated from his position on August 28, 1959, at the age of 53, he decided to wait until he was 56, when he was under the impression he would be able to receive regular retirement benefits. He was not aware that 30 years of service is required in order to retire at 56.

"The record before the committee reveals that Mr. Haytko has exhausted his unemployment insurance and his personal savings while his deteriorating health has prevented him from obtaining employment. His only income is disability compensation based upon 40-percent disability due to loss of one eye in service during World War II.

"Consideration of the facts and circumstances in this case lead to the conclusion that Mr. Haytko was a proud man who did not wish to apply for a disability pension; an optimistic man who was hopeful that his health would permit him to secure other employment; and a misinformed man who was not aware that his clear intention to apply for disability retirement in the event he was unable to secure and effectively perform employment was subject to a time restriction. The committee concludes that this is a case where the equitable considerations justify waiver of the time limitation so that Mr. Haytko's application for disability retirement may be examined on its merits."

STANISLAW KURYJ

The bill (H.R. 6313) for the relief of Stanislaw Kuryj was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 912), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable Stanislaw Kuryj to enjoy the status of an alien who was paroled into the United States under the provisions of the act of July 14, 1960.

STATEMENT OF FACTS

The beneficiary of the bill is a 41-year-old native and citizen of Poland, who was admitted to the United States as a crewman on April 24, 1961. He left his vessel and applied for a stay of deportation on the ground that his deportation to Poland would cause him to be subject to physical persecution. This application was granted. The beneficiary was a member of the Communist Party from 1947 to 1950, when he resigned due to disillusionment and mistreatment of himself and his family. From 1950 to 1957, the beneficiary was employed in a soap factory and thereafter as a fisherman. As a union delegate on his vessel, the beneficiary complained to the captain about conditions on board, and he was threatened with bodily harm by various Communist crewmembers. The beneficiary is presently employed as a stock clerk in Boston, Mass.

WALTER L. MATHEWS AND OTHERS

The bill (H.R. 6320) for the relief of Walter L. Mathews and others was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 913), explaining the purposes of the bill.

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

PURPOSE

This bill would relieve Walter L. Mathews and 20 other civilian employees and former civilian employees of the Naval Ordnance Plant, Macon, Ga., of all liability to repay to the United States the overpayment of salary received by them during the periods set out in the bill as a result of administrative errors.

STATEMENT

The House of Representatives, in its favorable consideration of H.R. 6320, sets forth the facts and justification for this legislation, as follows:

"This bill was introduced after a General Accounting Office audit in 1962 during which the auditors questioned three groups of pay actions. The Department of the Navy recognized that the employees concerned were in no way at fault, and thus reported no objection to enactment of H.R. 6320 if amended to correct several errors in the bill as to the dates involved. The Comptroller General indicated that ordinarily relief legislation in such cases is not favored, but that whether the facts and circumstances are of such a nature as to warrant relief is a matter of policy for determination by the Congress.

"The pay actions ultimately held to be erroneous, following the audit in 1962, resulted from a misinterpretation by administrative personnel of the provisions of law concerning step increases in pay. The largest group of individuals named were promoted from ungraded to graded positions and granted scheduled step increases in the grade positions prior to eligibility thereto. The errors resulted from failure of administrative officers to consider pay adjustments received in ungraded positions as equivalent increases when counting step increase waiting periods in the graded positions.

"The second group, affecting two employees, consisted of overpayments made when their salaries were retroactively changed to higher rates. The two employees had held higher grades and were changed to lower grades during a reduction in force. Later they were prompted to higher grade positions at which time, through error, their salaries were not adjusted based upon their previously held higher rates. When this mistake was discovered, a retroactive adjustment was made under regulations authorizing retroactive correction of administrative errors. The General Accounting Office auditor, however, maintained that there was no evidence of administrative error in the original salary determination so that no subsequent correction could be properly made.

"The third group, affecting one employee, consisted of overpayments made as a result of administrative error with respect to reinstatement in grade GS–5 of an employee who had been a GS–3. Through error the employee was given an additional step within the grade GS–5 to which she was not entitled.

"The amounts of overpayments set forth in the Navy report are not precise determinations because the errors go back so many years; however, the Comptroller General has reviewed the records and reported exact figures which total $7,785.33 for all 21 employees. The committee has been given to understand that none of the employees had any idea that they had been overpaid. The overpayments were obviously the result of administrative error and not the result of negligence of the employees. The administrative errors themselves appear to have been not the result of negligence, but of an honest misinterpretation of the regulations. The committee is also informed that the administrative actions which resulted in these overpayments have now been emphatically brought to the attention of the responsible authorities, and corrective action has been taken to prevent their repetition in the future. It is also reported that the employee and morale problems caused by these administrative errors have created such concern at the Macon Ordnance Plant that it should preclude similar unfortunate errors in the future.

"For the most part the amounts involved are relatively small and have extended over a long period of time. Under the circumstances resulting from administrative interpretations about which there still appears to be some difference of opinion, it does not seem equitable to assess liability to the employees who were without knowledge of the errors and without negligence."

CAPT. OTIS R. BOWLES

The bill (H.R. 6477) for the relief of Capt. Otis R. Bowles was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to relieve Capt. Otis R. Bowles, U.S. Army, retired, of Keokuk, Iowa, of liability in the amount of $6,933.34 which was paid him for services he rendered the United States as a civilian employee from June 20, 1960, to December 15, 1961, and January 29 to May 18, 1962, before it was found that his employment was barred by the act of July 31, 1894. The bill would also authorize the payment of any amounts refunded by Captain Bowles or withheld from amounts due him.

STATEMENT

The Committee on the Judiciary of the House of Representatives reports the facts and circumstances surrounding this claim as follows:

"Capt. Otis R. Bowles retired from the Army in 1958 after more than 30 years' active duty. He was retired as a chief warrant officer (W–4) and receives the retired pay of a chief warrant officer. However, upon retirement, he was advanced on the retired list to the grade of captain, the highest commissioned grade he held while on active duty.

"Nearly 2 years after his retirement on June 20, 1960, he was employed as a civilian by the Army and worked until December 15, 1961. He was again employed by the Army on January 29, 1962, and worked until May 18, 1962, when he finally was informed that he should not have been hired, because his employment was barred by the dual office provisions of the act of July 31, 1894. The net result of this chain of events is that all of the money earned by Mr. Bowles in his civilian capacity has been ruled to have been paid him without authority, hence must be repaid by him to the Government. The amount earned by Mr. Bowles totaled $6,933.34 and, since November of 1962, $45 a month has been taken out of his retired pay to satisfy this liability.

"The committee finds that the facts of this case provide a clear basis for legislative relief. It is obviously unfair for the United States to benefit from this man's services for extended periods of time and then to require him to pay back the money he earned. In addition, the Army report states that he had no notice of any question of his eligibility for Federal employment, and was actually misled by an Army pamphlet on this very point. In this connection, the Army report stated:

" 'It is noted that until the termination of his civilian employment, no one informed Captain Bowles that he was subject to the provisions of the Dual Office Act, in spite of the fact that as early as January 1, 1961, the U.S. Army Finance Center was aware of his civilian employment. Captain Bowles honestly believed that he was not subject to the act as he relied upon paragraph 83 of Department of the Army Pamphlet 600–5, dated August 1957, which was given to him at the time of retirement. That paragraph stated: "It (the Dual Office Act) does not apply to Regular Army warrant officers whose retired pay is based upon a commissioned grade or who are subsequently advanced to a commissioned grade on the Army of the United States retired list." The above statement is an erroneous interpretation of applicable law and has been changed in later publications. It is clear that Captain Bowles justifiably relied upon its accuracy.' "

The Army report further notes that this liability is causing Captain Bowles an unfair financial hardship. The Army concluded that it had no objection to relief and stated:

" 'The Department of the Army generally does not oppose legislation of this type when it appears that the recipient of erroneous or illegal payments from the United States received such funds in good faith and, in addition, it would impose a financial hardship on the recipient if repayment were required. It is evident in this case that Captain Bowles received the amounts in question for valuable services which he performed for the Government and that he reasonably believed that he was entitled to the compensation. It has been established that to require repayment imposes a financial hardship upon him. Captain Bowles must not only support his own family which includes his wife, who is presently an invalid, and a teenage daughter, but has also assumed the additional burden of helping to support his recently deceased brother's large family. Under the circumstances here present it would accord with equitable principles to relieve Captain Bowles of his existing indebtedness to the United States and repay him the amount withheld from his retirement since November 1962. Accordingly, this Department is not opposed to the enactment of this bill.' "

CONSTANTINE THEOTHOROPOULOS

The bill (H.R. 6591) for the relief of Constantine Theothoropoulos was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 915), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States.

BILL PASSED OVER

The bill (H.R. 6748) for the relief of the J. D. Wallace & Co., Inc., was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

TERESA ELLIOPOULOS
ANASTASIA ELLIOPOULOS

The bill (H.R. 7347) for the relief of Teresa Elliopoulos and Anastasia Elliopoulos was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 917), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of two alien children to be adopted by citizens of the United States.

BILL PASSED OVER

The bill (H.R. 7491) for the relief of William L. Berryman, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

WLADYSLAWA PYTLAK JAROSZ

The bill (H.R. 7821) for the relief of Wladyslawa Pytlak Jarosz was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 919), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to provide for restoration of U.S. citizenship to Wladyslawa Pytlak Jarosz, which was lost by voting in a foreign political election.

ROY W. FICKEN

The bill (H.R. 8085) for the relief of Roy W. Ficken was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to relieve Roy W. Ficken of Hayward, Calif., of liability to the United States in the amount of $7,941.60 representing the compensation received by him from February 9, 1961, to January 6, 1962, while employed at the Military Sea Transportation Service, San Francisco, Calif., on the basis of a subsequent determination that his employment was barred by the act of July 31, 1894 (5 U.S.C. 62). The bill would also authorize the refund of any amounts repaid or withheld by reason of this liability.

STATEMENT

The Department of the Navy is of the opinion that the proposed legislation has sufficient merit that the Department would interpose no objection to enactment.

The Comptroller General states that whether this case warrants "relief legislation is a matter of policy for determination by the Congress."

The Committee on the Judiciary of the House of Representatives reports the facts and circumstances surrounding this claim as follows:

"The Department of the Navy in its report to the committee on the bill, after reviewing

the particular circumstances of the case, stated that it has no objection to its enactment.

"The amount stated in the bill, $7,941.60, is the total of amounts paid to Mr. Ficken for services to the Government as a civilian employee. He was employed by the Military Sea Transportation Service as an inspector and earned $3.25 an hour. In considering this matter the committee noted that the Government itself misled Mr. Ficken by indicating that while subject to the restrictions of section 212 of the act of June 30, 1932 (5 U.S.C. 59a, 47 Stat. 406, as amended), he was not subject to section 2 of the act of July 31, 1894, "the Dual Office Act" (5 U.S.C. 62, 28 Stat. 205, as amended). The Navy report itself details these facts for it states that:

" 'It appears from the records of this Department that Mr. Ficken was approved for appointment through a misinterpretation of the multitude of decisions on the dual employment and dual compensation laws. The commander, Military Sea Transportation Service (Pacific), San Francisco, Calif. (COMSTSPAC) believed that Mr. Ficken was not subject to the dual employment law, the act of July 31, 1894 (5 U.S.C. 62), although he concluded Mr. Ficken was subject to the dual compensation law, the act of June 30, 1932 (5 U.S.C. 59a). Only after an exchange of communications with the Navy Finance Center did COMSTSPAC recognize that Mr. Ficken's appointment was a violation of the dual employment law. It is the opinion of this Department that Mr. Ficken did not knowingly contribute to the violation. A chronological history of the facts in this case follows:

" '"(a) On February 9, 1961, Mr. Ficken was appointed by COMSTSPAC as an inspector (ship's mechanical systems), $3.25 per hour, after having been advised that he was eligible for Federal employment, subject only to the dual compensation law.

" '"(b) On February 28, 1961, COMSTSPAC notified the Navy Finance Center, Cleveland, Ohio, of Mr. Ficken's employment. (Mr. Ficken was a Navy enlisted man from February 1934 to April 1945, and an officer from April 1945 until his retirement in April 1958.)

" '"(c) On December 4, 1961, COMSTSPAC notified the Navy Finance Center of a wage increase given Mr. Ficken.

" '"(d) On December 22, 1961, the Navy Finance Center notified COMSTSPAC that Mr. Ficken's employment was a violation of the dual employment law since he retired under 10 U.S.C. 6323. The Comptroller General has held, 35 COMPGEN 657, that persons retiring under the authority of section 6, act of February 21, 1946 (10 U.S.C. 6323) hold office within the meaning of the dual employment law, and thus are not eligible for Federal employment.

" '"(e) On March 16, 1962, Mr. Ficken's employment was terminated. As of this date he had received $7,813.26; pay for his last week of employment was withheld ($218.37), as was payment for accumulated leave ($444.81)." '

"The actual status of Mr. Ficken's employment was not clarified until the Navy Finance Center was called upon to make a further reduction in his retired pay because his hourly wage had been increased to $3.52 an hour and the Economy Act placed a ceiling upon the combined amount of civilian compensation and retired pay. There is, therefore, no question but the Navy was fully advised of Mr. Ficken's retired status. This is noted in the report of the General Accounting Office which states:

" 'It appears that the Department of the Navy was aware of the possibility that Mr. Ficken's employment as a civilian might be prohibited by the 1894 act at the time he was employed, but that the Department erroneously determined that he was not subject to that prohibition. Thus, it appears that Mr. Ficken relied upon the Department's erroneous determination in accepting Federal employment.'

"The unfairness to this retired navyman is obvious. Not only did his reliance upon the Government work to his detriment, but the Government received the benefit of his services for more than 1 year and now is in the position of demanding that he refund the money he earned for those services. This places an unfair burden upon a man who acted in complete good faith. The committee recommends that the bill be amended to correct the amount shown in the bill to $7,941.60 as suggested by the General Accounting Office, and that the amended bill be considered favorably."

JOHN GEORGE KOSTANTOYANNIS

The bill (H.R. 8322) for the relief of John George Kostantoyannis was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 921), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant to the adopted son of a U.S. citizen the status of a second preference immigrant, which is the status normally enjoyed by the alien sons and daughters of citizens of the United States.

CERTAIN MEDICAL AND DENTAL OFFICERS OF THE AIR FORCE

The bill (H.R. 8507) for the relief of certain medical and dental officers of the Air Force was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 922), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to relieve certain medical and dental officers of the Air Force or former medical or dental officers of that service who were credited with an erroneous amount of service for pay purposes because of paragraph 5 of Personnel Orders No. 193 of the National Guard Bureau for any amounts received by them as a result of erroneous credit.

STATEMENT

The Department of the Air Force recommends the enactment of the bill.

The General Accounting Office advises the Congress that the question of whether relief should be granted is a matter for the determination of Congress.

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The provisions of this bill embody the recommendations of the Air Force which were sent to the committee in connection with a supplemental report on a private bill for an individual officer who was affected by the error referred to in the bill. The private bill, H.R. 1408, was the subject of a report by the Department of the Air Force dated April 30, 1963. That report detailed the history of the matter and noted that an investigation had disclosed that 15 other officers were affected in the same manner as the beneficiary of H.R. 1408. The Air Force indicated that it was preparing a suggested draft of legislation which would cover all 16 of the officers who were affected by the erroneous credit of service. The supplemental report was sent to the committee on September 4, 1963, and the draft enclosed with that report was introduced as H.R. 8507 as noted above.

"The case of the beneficiary of the private bill, H.R. 1408, Col. Theodore C. Marrs, U.S. Air Force, Medical Corps, illustrates the problem which would be corrected by the enactment of H.R. 8507. Colonel Marrs was commissioned in the Air Force Reserve as a major on March 28, 1953. He was designated as a medical officer, placed on extended active duty on January 11, 1954, and served on continuous active duty through January 10, 1956. He joined the Alabama Air National Guard on July 5, 1956, and was a member of that organization until September 30, 1961, when he was recalled to extended active duty with the Air Force on October 1, 1961, remaining in that status until August 31, 1962. On September 1, 1962, Colonel Marrs returned to duty as a member of the Alabama Air National Guard and on September 4, 1962, he was assigned to a 90-day tour of active duty with headquarters in Washington, D.C. At the present time, he is serving on extended active duty. During the entire period, he has been designated as a medical officer, entitled to the special pay authorized by section 302, title 37, United States Code (formerly sec. 203(b) of the Career Compensation Act of 1949, as amended (37 U.S.C. 234 (b)). Beginning in June 1958, he was also designated as a "flight surgeon" and entitled, when he met the basic requirements to incentive pay as a crewmember involving frequent and regular participation in aerial flights.

"At the time Colonel Marrs was commissioned in the Air Force Reserve, the law (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947 (61 Stat. 777)) authorized the President to make original appointments in commissioned grades from qualified civilian doctors of medicine. They were entitled to be credited, for purposes of promotion, with the minimum number of years service required in that grade. In addition, the Officer Personnel Act of 1947 (61 Stat. 892) provided that for purposes of determining grade, position on the promotion list, permanent grade seniority, and eligibility for promotion, each person appointed or commissioned an officer in the Medical Corps was entitled to credit of an amount of service equal to 4 years. No law authorized inclusion of 4 years' credit or credit granted for promotion purposes in the computation of creditable service for pay purposes.

"Public Law 497, 84th Congress, effective May 1, 1956, authorized the Secretary concerned to prescribe the amount of service credit to which a doctor, commissioned as medical officer, was entitled for purposes of determining lineal position, permanent grade, position on the promotion list, seniority in permanent grade, and eligibility for promotion. However, a doctor of medicine who had completed 1-year internship was entitled to not less than 5 years' creditable service for this purpose. This law also authorized 5 years' service credit for pay purposes for members designated as medical officers who had completed 1 year of medical internship.

"Under Air Force regulations, doctors commissioned in the Medical Corps were given

credit for civilian professional service for promotion purposes but not for pay purposes. Entirely separate regulations applied in computing creditable service for pay purposes. Some time after he joined the Air National Guard, Colonel Marrs' service was computed to give him the benefits of Public Law 497. He was given credit for 4 years medical school; 1 year medical internship; 11 years, 6 months, 3 days professional service; and 2 years, 9 months, 13 days credit for prior service in the Air Force—a total of 19 years, 3 months, 16 days. Based on this computation his 'total years service' was established as March 19, 1937. This was erroneously announced as his 'pay date' by Personnel Orders No. 193, issued on October 4, 1957, by the National Guard Bureau, Washington, D.C. It was also published as his pay date in the National Guard registers for 1958, 1959, 1960, and 1961. Beginning in October 1957, his pay was based on a pay date of March 19, 1937.

"On September 4, 1962, Colonel Marrs reported to the Pentagon for a 90-day tour of active duty. At that time he visited the National Guard Bureau to verify the service credited to him for pay purposes. The National Guard Bureau showed him a copy of Personnel Orders No. 195, dated October 8, 1957, revoking the previous order (No. 193) which established Colonel Marrs' pay date as March 19, 1937. Colonel Marrs advised the National Guard Bureau he had never seen nor been aware of orders revoking the orders which established his pay date as March 19, 1937. Colonel Marrs discussed the matter with officials in the Department of the Air Force. No information could be located to substantiate the pay date of March 19, 1937, established by Personnel Orders No. 193. Neither could any information be located to establish that the Alabama Air National Guard had been furnished a copy of the orders revoking Personnel Orders No. 193.

After publication of Personnel Orders No. 193 (October 4, 1957, through September 19, 1961) he was paid by the National Guard on the basis of the erroneous pay date of March 19, 1937. This resulted in overpayments of basic pay and flight pay during this period which totaled $2,876.06. From September 19, 1961, through August 31, 1962, Colonel Marrs was paid by the Air Force. His basic pay and flight pay were based on the erroneous "pay date" established by Personnel Orders No. 193, published while he was a member of the Alabama Air National Guard. He was paid as a lieutenant colonel with 'over 24 years' service' when in fact he was entitled and should have been paid as a lieutenant colonel with 'over 12 years' service.' During this time he was overpaid a total of $2,592.66.

"The Department of the Air Force in its report to the committee on the private bill indicated that there are no administrative procedures under which Colonel Marrs can be relieved of the indebtedness. Of course, the same holds true as to the other similarly situated officers. The same order which covered Colonel Marrs also announced 'pay dates' for the following 15 medical and dental officers of the National Guard Bureau based, apparently, on the same formula used in computing the erroneous pay date for Colonel Marrs: Col. David A. McCoy, Col. William H. Beard, Col. Sam Lemkin, Col. Seymour B. Goston, Lt. Col. Louis M. Cuvillier, Maj. Frank J. Ditraglia, Capt. David Lewis, Capt. Lawrence V. Phillips, Capt. Alan E. Lowerstein, Capt. John F. Flood, Capt. John R. Vincent, Capt. Seth H. Barovich, Capt. Edward H. Brazell, Capt. Walter L. Washburn, and Capt. Earl L. Masters, Jr. A review of the pay accounts of the officers listed in paragraph 5 of Personnel Orders No. 193 was being made on the date of the supplemental report. No discrepancies were found in the pay accounts of 7 of the 16 officers, but the audit of the pay accounts of 4 of the officers had not been completed. The Air Force review of that date revealed that in addition to Colonel Marrs, four other officers were overpaid a total of $510.61. The total overpayments identified amounted to $5,881.25. While a small amount had been collected, collection action had not been initiated pending completion of the audit. The supplemental report together with the results of the review are set forth at the end of this report.

"In view of the technicalities evident in the history outlined above and the evident good faith of the officers concerned, this committee believes that this is an appropriate case for legislative relief. Clearly there is no recourse for these officers other than an appeal to the Congress. In view of the position of the Department of the Air Force that it has no objection to relief in this instance and the circumstances of the overpayment, this committee recommends that the bill be considered favorably."

BILL PASSED OVER

The bill (H.R. 4361) for the relief of the estate of Paul F. Ridge, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

DEMETRIOS DOUSOPOULAS

The Senate proceeded to consider the bill (H.R. 7533) for the relief of Demetrios Dousopoulas, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 7, after the word "Act", to strike out the comma and "under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose", and on page 2, line 1, after the word "That", to strike out the comma and "unless the beneficiary is entitled to care under chapter 55 of title 10 of the United States Code,".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (S. 935) to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT TO THE INTERNAL SECURITY ACT OF 1950

The Senate proceeded to consider the bill (H.R. 950) to amend the Internal Security Act of 1950, which had been reported from the Committee on the Judiciary, with an amendment, on page 5, after line 8, to insert:

(c) Nothwithstanding section 133(d) of title 10, United States Code, any authority vested in the Secretary of Defense by subsection (a) may be delegated only to the Deputy Secretary of Defense or the Director of the National Security Agency, or both.

The amendment was agreed to.

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

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 926), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to establish a legislative base for enforcing a strict security standard for the employment and retention in employment of persons of the National Security Agency and to achieve maximum security for the activities of the Agency, to strengthen the capability of the Secretary of Defense and the Director of the National Security Agency and to provide for such by authorizing the Secretary of Defense summarily to terminate the employment of any officer or employee of the Agency wherever he considers that action to be in the interest of the United States, and by expressly excepting appointments to the Agency positions from the Civil Service Act of 1883 and from provisions of the Performance Rating Act of 1950.

STATEMENT

H.R. 950 has five main provisions:

1. It provides that no person shall be employed in, or detailed or assigned to the National Security Agency and given access to classified information unless such employment, detail or access is "clearly consistent with the national security." The power of Congress to legislate standards and qualifications for Federal employment is not without precedent. For example, section 145(b) of the Atomic Energy Act of 1946 prescribes security standards for employment in that Agency.

2. It prohibits the employment of any person in the Agency unless he or she has been cleared for access to classified information after a full field investigation. It is generally known that the activities and responsibilities of the National Security Agency are highly classified. In view of these responsibilities, strict security practices are an absolute necessity in the interest of our national security.

3. It provides for one or more boards of appraisal to be appointed by the Director of the Agency to assist him in discharging his personnel security responsibilities. Each member of such a board shall be specially qualified and trained for his duties as such a member. The Director will refer to such boards doubtful cases which, in his opinion, warrant further inquiry as to the suitability of the employee's appointment to, or retention in, employment. If this bill is enacted, no one at the National Security Agency may be given access to classified information contrary to the recommendations of these boards, unless the Secretary of Defense or his designee states in writing that such access is "in the national interest."

4. It gives to the Secretary of Defense in a limited class of cases the summary power,

when the national security requires such action, to terminate the employment of any employee of the Agency. The Secretary is to exercise this power only "in the interests of the United States" and after determining that procedures prescribed in other laws governing termination of Government service cannot be invoked "consistently with the national security." Such a determination by the Secretary shall be final. Such termination of employment, however, will not prevent the employee from seeking or accepting employment with any other department or agency of the United States if he or she is declared eligible for such employment by the U.S. Civil Service Commission.

It is not novel for Congress to legislate the power of summary dismissal. In fact, Congress granted this same power to the Director of the Central Intelligence Agency in the National Security Act of 1947. The responsibilities assigned to the National Security Agency are so great, and the consequences of error so devasting, that authority to deviate from a proposed uniform loyalty program for Federal employees should be granted to this Agency. This committee specifically approves and affirms the statement of the committee which handled this bill in the other body, that: "This grant of authority recognizes the principle that the responsibility for control of those persons who are to have access to highly classified information should be accompanied by commensurate authority to terminate their employment when their retention and continued access to extremely sensitive information is not clearly consistent with the national security."

5. The bill excepts appointments to the Agency from the provisions of the Civil Service Act of 1883 and from provisions of the Performance Rating Act of 1950. These exceptions are now administratively executed but it is deemed desirable to give statutory exemption to preclude the withdrawal of the authority. Other sensitive agencies are already excepted by statute from the requirement of similar disclosures.

It is to be recalled that in June 1960, Bernon F. Mitchell and William H. Martin, two employees of the National Security Agency who had access to top secret cryptologic information, defected to the Soviet Union. Shortly thereafter, the House Committee on Un-American Activities conducted an extensive investigation of the circumstances surrounding the defection, along with a detailed examination of the personnel security regulations and procedures in effect at the time of the defection, and of subsequent measures taken by the Agency to resolve any weaknesses in its procedures. A report of the investigation, "Security Practices in the National Security Agency—Defection of Bernon F. Mitchell and William H. Martin," was presented to the House of Representatives on August 13, 1962. As a result of the investigation and after hearings were held in executive session, at which appeared representatives of the Departments of Defense and Justice, the National Security Agency, and the Civil Service Commission, the then chairman of the House Committee on Un-American Activities, the late Francis E. Walter, introduced H.R. 12082, a bill identical in scope and purpose to that now under consideration, H.R. 950. Defense, Justice, and the National Security Agency all concurred in the necessity of such legislation. The Civil Service Commission voiced no objection to enactment of the bill.

In the light of overriding security considerations it was not, and is not deemed appropriate to set forth in detail the matters presented by the witnesses at the executive hearing referred to above. Congress was careful to provide, in section 6 of Public Law 36, 86th Congress, that no law shall be construed to require the disclosure of an activity or function of the Agency. This committee blieves it sufficient to say that all inquiries were met with the full cooperation of the witnesses.

H.R. 12082 passed the House on September 19, 1962. However, because of the lateness of the session, the Senate did not have time to act on the bill prior to adjournment of the 87th Congress. On January 9, 1963, shortly after the 88th Congress convened, Mr. Walter again introduced his proposal, the present H.R. 950. The bill passed in the House on May 9, 1963 by a vote of 340 to 40.

As recently as July 1963, it was announced that another former employee of the National Security Agency, Victor Norris Hamilton, had also defected to the Soviet Union. This latest defection illustrates once again the vital importance of early Senate action on H.R. 950. The committee believes that passage of the bill will plug the loopholes which made possible the employment of such individuals as Hamilton, Mitchell, and Martin by the National Security Agency.

AMENDMENT

The committee amendment is intended to insure that the Secretary of Defense will not delegate widely the authority granted to him to terminate the employment of an officer or employee of the Agency when he considers that action to be in the interest of the United States and determines that the procedures prescribed in other provisions of law that authorize termination of employment of that officer or employee cannot be invoked consistently with the national security. The amendment would confine any possible delegation of this authority to the Deputy Secretary of Defense or the Director of the National Security Agency, or both.

Text of the proposed amendment, which would be inserted in the bill at the end of section 303 on page 5, as a new subsection, is as follows: "(c) Notwithstanding section 133(d) of title 10, United States Code, any authority vested in the Secretary of Defense by subsection (a) may be delegated only to the Deputy Secretary of Defense or the Director of the National Security Agency, or both."

CLERK AND MARSHAL OF THE SUPREME COURT

The bill (H.R. 7235) to amend sections 671 and 672 of title 28, United States Code, relating to the Clerk and the Marshal of the Supreme Court was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 930), explaining the purposes of the bill.

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

PURPOSE

The purpose of H.R. 7235 is to amend sections 671 and 672 of title 28, United States Code, to provide that henceforth the office of the Clerk of the Supreme Court of the United States shall be financed from appropriated funds rather than from the Court's fees and that the fees currently used to finance the Clerk's Office shall be paid into the Treasury of the United States. All offices of the Supreme Court, with the exception of the Clerk's Office, are paid by the Marshal of the Supreme Court from appropriated funds. H.R. 7235 would remove this exception and would authorize payment by the Marshal to the Clerk, his deputies, and employees.

A House amendment, approved by this committee, provides further that the Clerk of the Court will be required to certify the vouchers which he would forward to the Marshal for payment of the expenses of printing briefs and traveling expenses of attorneys who appear in behalf of persons whose motions to appear in forma pauperis in the Supreme Court have been approved and counsel has been appointed. This will provide the same procedure which the law requires for disbursement of costs regarding the librarian of the Court, which law requires certified vouchers by the librarian of the Court. In both of these instances the individuals—namely, the Clerk and the librarian—provide bond as required by the Court.

STATEMENT

The statutes covering the establishment and duties of the Clerk's Office are found in section 671 of the Judicial Code. Basically, the law provides that the Court may appoint and compensate a Clerk who shall be subject to removal by the Court. Provisions are included for the appointment of deputies and assistants, and for bonding the Clerk.

Subsection (c) of the statutes provides in part: "Compensation of the clerk, his deputies, assistants, and messengers, and the necessary expenses of his office shall be disbursed by the clerk from the fees collected by him, upon allowance and approval by the Chief Justice of the United States."

The provisions of section 672(c), authorizing the Marshal to pay salaries of the Court from appropriated funds, excludes the Clerk, his deputies and employees.

H.R. 7235 provides that section 671 (c) and (d) be amended to eliminate the provisions for the payment of salaries and expenses from fees and to provide that the Clerk be required to pay into the Treasury all moneys collected. In addition, the exception of the Clerk's Office from the Marshal's authority to pay salaries from appropriated funds would be eliminated. It is further provided that the Marshal be specifically authorized to pay the expenses and printing and travel in in forma pauperis cases. These expenses have been met for years from the Clerk's funds.

The amendments are to be effective only when appropriations become available, since otherwise the Clerk's Office would be without funds in the interim between the passage of the act and the passage of the appropriations.

Historically, since the Court was first established in 1790, the salaries and miscellaneous expenses of the Clerk's Office in the Supreme Court have been met from fees paid by litigants appearing before the Court and from admission fees paid by attorneys being admitted to practice. Until 1883, the funds received were treated as money belonging to the Clerk, and after paying his necessary expenses, he retained any surplus as his compensation. At the present time the law provides for payment into the Treasury of the United States of fees from litigants not utilized in running the Clerk's Office and the Clerk and his assistants are compensated on the basis of salaries fixed by the Court or by the Chief Justice.

The expense of operating the Clerk's Office has increased over the years, by reason of a general increase in expenses in line with the reduced purchasing power of the dollar, by reason of salary increases equivalent to those granted by Congress to Government personnel generally, and by reason of a greatly increased volume of work. Insofar as the increased workload has paid for itself in increased fees, no problem is created, but a very large part of the increased workload has taken the form of in forma pauperis cases which have paid no fees and have imposed an ever-increasing burden on the Clerk's Office. The number of individual cases in this category has increased from

526 new cases filed in the 1952 term to 1,414 in the 1962 term just ended. All of these factors together have resulted in an increase in the total expense of the Clerk's Office from $130,000 in 1952 to $227,000 in 1963.

The steadily increasing cost of operating the Clerk's Office in the past has been met in two ways. First, the Court from time to time has adjusted its fee schedule to meet increased costs. The last general increase in Court fees took place in 1950 and the last adjustment in the fee for admission, now $25, took place in 1943. Second, there has been a steadily increasing number of attorneys seeking admission and the funds from these admissions have in part, at least, met the vastly increased expenses of handling in forma pauperis cases. Total revenues of the office had increased from $127,000 in 1953 to $198,000 in 1963.

Since revenues have not kept pace with expenses, the Clerk's Office has incurred deficits in 4 out of the last 5 years. In the last fiscal year this deficit amounted to $29,000. It is clear that the office cannot continue on its present method of financing without increasing its fees materially.

In recent years the practice of financing public services through a fee system has practically disappeared from operations of the Federal Government. By and large, governmental services are today financed by general taxation rather than by special fees imposed on the persons affected. This is true of the Federal courts generally, where, although fees are charged, they are not relied upon to support the clerical activities with the exception, of course, of the Clerk's Office of the Supreme Court.

The Supreme Court is reluctant to adjust its fee schedule upward sufficiently to continue the Clerk's Office on a self-sustaining basis. There is a conviction that justice should be dispensed equally to the rich and the poor alike and that to raise fees substantially might impose a deterrent on persons of limited means seeking justice in the Supreme Court. Paupers can be taken care of, though, at the expense of other litigants, but the problem is far greater with respect to persons of moderate means. In this respect the Judicial Conference of the United States has made every effort not to increase the court fees in the Federal court system, generally.

The justification for the proposed legislation is, therefore, that it is good policy to follow the current governmental trend of financing public services by general taxation rather than by special fees imposed upon the individuals concerned since to increase the fees sufficiently to provide for the future solvency of the Clerk's Office might well impose such costs on litigants that the rich would receive a preference in the administration of justice in the Supreme Court. The administration of justice is a public benefit and its costs should be met by the public.

COST

It is estimated that on the basis of current costs in the Clerk's Office an appropriation of about $250,000 a year will be necessary. However, the net cost for the U.S. Treasury would be much less. The income of the Clerk's Office in the past 5 years has varied between $160,000 and $233,000 so that it can be anticipated that the net cost to the Government would amount to only about $50,000 to $60,000 a year. However, it should be anticipated that this figure will increase in the future since the salary costs of the Clerk's Office, in line with those of other Government services, will rise from year to year.

OPERATING COSTS

Following is a table showing the costs of operating the office of the Clerk of the Supreme Court for fiscal years 1953 through 1962:

Statutory fund	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962
Salaries [1]	$96,924	$98,594	$97,199	$112,273	$130,096	$146,117	$157,117	$168,610	$193,050	$193,276
Supplies [2]	7,172	6,930	11,391	13,244	11,291	10,670	16,483	18,428	22,997	19,817
Expenses	104,096	105,524	108,590	125,517	141,387	156,787	173,600	187,038	216,047	213,093

[1] Includes agency contribution for retirement, health, and life insurance.
[2] Includes printing, telephone, travel, repairs, equipment, furnishings, and postage.

VIEWS OF THE CHIEF JUSTICE

A letter from the Honorable Earl Warren, Chief Justice of the United States, to Senator OLIN D. JOHNSTON, chairman of the Committee on Post Office and Civil Service, with regard to H.R. 7235 follows:

SUPREME COURT OF THE UNITED STATES,
Washington, D.C., February 27, 1964.

HON. OLIN D. JOHNSTON,
Chairman, Senate Committee on Post Office and Civil Service, New Senate Office Building, Washington, D.C.

DEAR SENATOR JOHNSTON: In view of the reference to your committee on H.R. 7235, a bill to amend the provisions of the Judiciary Act relating to the Clerk of the Supreme Court, I wish to advise you that the Court is of the opinion that the bill is a desirable one and should be enacted into law.

The purpose of this legislation is to change the practice under which the Clerk's Office has been financed out of court fees and to provide that these fees be paid into the Treasury and the Clerk's expenses be met out of appropriated funds. The occasion for the change is that increasing costs, due in part to the burden of in forma pauperis cases, have made it necessary either to increase the Court's fees or to change the law. The Court was reluctant to increase the cost of litigating before it and believed that it was more consistent with present legislative policy to finance public service out of general funds raised by taxation than by a fee system. It, therefore, requested the pending legislation.

I refer you to the report of the House Committee on the Judiciary for a statment of the details of the legislation. If the bill is enacted, the Court would continue to follow its established practice of compensating personnel in the Clerk's Office on the same salary classifications established for the Federal civil service.

I shall be glad to provide any further information you may desire and I have requested the Clerk to make himself available to you for that purpose.

Verly truly yours,

EARL WARREN.

The ACTING PRESIDENT pro tempore. Is there further morning business?

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM

Mr. LAUSCHE. Mr. President, there has been a great deal of talk about the purpose to reduce the cost of Government so as to justify the tax cut that was made. Yesterday I had occasion to read the testimony given on the cotton bill, and I read the comments made by the Senator from Louisiana [Mr. ELLENDER] concerning the purpose of subsidizing the processors of cotton in the United States in an amount equal to the difference between what cotton is being sold for in our country and what it is being sold for in the world markets. I find that this is a new program of subsidy. It will cost $312 million. I wish to read for a moment remarks made by the Senator from Louisiana [Mr. ELLENDER]:

> We used 8,600,000 bales of cotton at home without a subsidy such as we have on the export of cotton. It is now proposed to subsidize on the same basis the cotton sold domestically which is at the rate of $30 a bale, or at a total cost of $258 million.

This cost of $258 million results from a completely new program not heretofore in force. The cost of the export subsidies under existing law in 1964 will be $54 million; thus bringing this part of the cotton subsidy program up to $312 million.

I cannot see it. In the past year, 600,000 bales of cotton were reflected in the manufactured cotton products sent by foreign countries into the United States. The domestic processor is complaining that foreign-made cotton commodities have been sent into our country in an amount totaling 600,000 bales and, therefore, these domestic——

The ACTING PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Ohio may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized for 2 additional minutes.

Mr. LAUSCHE. Therefore, it is suggested that domestic processors be subsidized not only on the basis of the 600,000 bales that are being converted into manufactured goods in foreign countries, but also on the 8,600,000 bales which have been normally used in the United States.

These processors have a rich market in our country. We are living in an era of abundance. They have no trouble selling the products made from the 8,600,000 bales. They are selling these products at a price that produces a profit. But, that is not enough; they now wish to be subsidized to the full quantity of 9,700,000 bales, at a cost of $312 million.

Mr. President, I respectfully submit that this is an example of profligacy. It will set the example whereby other domestic producers, using other raw materials, will be asking Congress for a subsidy; and I suppose, because of the way Congress has acted in the past, it will give them what they want. Congress will keep on giving until the time comes when the whole management collapses.

Mr. TALMADGE. Mr. President, will the Senator from Ohio yield at that point?

Mr. LAUSCHE. I yield.

Mr. TALMADGE. I hold in my hand a letter dated February 24, 1964, signed by Orville Freeman, the Secretary of Agriculture, in response to an inquiry of mine about the cost of the present pro-

gram and the cost if the Senate committee version becomes law.

I point out to the Senator from Ohio that the Secretary of Agriculture estimates that under present legislation, if it continues in full force and effect, even if the price is reduced by 2.47 cents per pound, in accordance with the ideas of the able Senator from Louisiana, the cost under his program would be $452 million for the year 1964–65; whereas the cost under the Senate committee version would be $4 million less, or $448 million. For the fiscal year 1965–66——

The ACTING PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Georgia may proceed for an additional 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 2 additional minutes.

Mr. TALMADGE. Under the Senate bill, the cost would be $514 million. Under the program as advanced by the Senator from Louisiana, it would be $521 million. For the year 1966–67, the cost under the Senate committee version would be $509 million; whereas the cost under the program advanced by the Senator from Louisiana would be $607 million. For the year 1967–68, the cost under the Senate bill would be $489 million; whereas the cost under the program advanced by the Senator from Louisiana would be $681 million.

I should like to point out that while the cost would be increased under the program advanced by the Senator from Louisiana, the CCC stocks will likewise be going up.

The bill reported by the Senate Committee on Agriculture and Forestry is not what I would consider an ideal bill by any means. It is patching up existing law.

I would change the program. If I had the votes, I would pay the subsidy to the farmers, and to the farmers only. This bill does not provide for that, so it does not comport with my ideas, but I believe it is a better alternative than the existing law.

Mr. LAUSCHE. The Senator from Georgia is discussing a subject different from the one that I am talking about. The Senator is talking about the entire bill. I am pointing out that it is proposed to provide a subsidy not to the farmer, but to some processor, vendor, or purchaser in the line of processing. To me it is very simple, that at no time have we done this before. We are entering into a program which by itself, separate and apart from the entire bill, will cost $312 million. I am talking about a new subsidy, and that is to the processor. That is the complaint I make. I have constantly stated that once we begin to give a subsidy, we give it to one and that creates a problem with another; and when we give it to another, it then creates a problem with a third and then a fourth, a situation which produces an unending train of problems. We never catch up. That is what the bill would do.

Mr. TALMADGE. The Senator was referring of course, only to the subsidy on cotton.

Mr. LAUSCHE. The Senator is correct.

Mr. TALMADGE. Whereas this proposal refers to the entire cotton bill, not to the wheat bill. I should like to point out to the Senator from Ohio that those engaged in the manufacture of textiles desire the right to buy American cotton at the same price at which we now sell American cotton to every other country on the face of the earth except America.

In addition, what Public Law 480 is giving away or selling is local currency——

The ACTING PRESIDENT pro tempore. The time of the Senator from Georgia has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Georgia may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 2 additional minutes.

Mr. TALMADGE. We lend money back to the country involved with little or no prospect of ever recovering the $117 million worth of cotton a year. Any subsidy paid to the textile industry will be received by the American consumers because the textile industry is so competitive that it would have to be passed along.

Mr. LAUSCHE. Mr. President, will the Senator from Georgia yield for a question?

Mr. TALMADGE. I am happy to yield, provided I have sufficient time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Georgia may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 2 additional minutes.

Mr. LAUSCHE. Mr. President, on the basis of the bill as it is drafted, the Senator from Georgia says it will cost more than the existing law.

Mr. TALMADGE. No; it will cost less.

Mr. LAUSCHE. Is it not a fact that if the Senator from Georgia is correct, and the subsidy to the processor should be eliminated, we should have a further saving or a further lessening of the cost by $312 million?

Mr. TALMADGE. If we eliminated that aspect, of course it would reduce the price somewhat; but I point out to the Senator that the cotton bill was devised after consideration of all phases of the industry—the producers, the Department of Agriculture, those employed in the mills, those engaged in the processing, and those who ordinarily are engaged in selling. This perhaps was the only bill that the majority of the committee could get behind and support.

If we do not pass the proposed legislation, the CCC stocks will increase from the present 7,700,000 bales to about 11 million on August 1 of this year, and to 14,250,000 bales at the end of 1966.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a letter addressed to me by the Secretary of Agriculture, together with comparative tables.

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

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, February 24, 1964.

Hon. HERMAN E. TALMADGE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TALMADGE: In response to your request, we are furnishing a comparison of estimated expenditures and program results for 4 years under the following alternative modifications of the cotton provisions of H.R. 6196, as amended by the Senate Committee on Agriculture and Forestry:

Alternative 1: H.R. 6196 as amended by Senate committee, but without the trade incentive payments on cotton used domestically.

Alternative 2: Current legislation with 30-cent price support (basis Middling inch).

The data are set out in summary fashion in the attached table. These data take into account changes in production and utilization that would result from price changes. The expenditure estimates take into account changes in Commodity Credit Corporation inventory position. Programs that result in reducing CCC inventory also reduce program expenditures. Conversely, programs that permit continued buildups in CCC inventory increase program expenditures. In other words, existing inventories can be used to reduce the program costs which would otherwise be incurred, and these estimates recognize that they would be so used in a program which achieves stock reductions. Under a program permitting continued increases in excessive stocks, additional inventories would be of doubtful ultimate value and would certainly add to the immediate burden of initial acquisition expenditures, storage costs, and other carrying charges.

Some of the more significant results indicated by the data in the attached table are as follows:

Alternative 1: Since the effective price for domestic use would be 6½ cents a pound higher than under the committee amendment, domestic consumption would be less; and the gap would widen from year to year. Accordingly, the drawdown in inventories would be less, although substantial drawdowns would be achieved through operation of the domestic allotment choice plan.

The difference in expenditures between this alternative and the committee amendment represents the cost of achieving a one-price plan for cotton. In 1964, this would be $105 million, allowing for a nonrecurring inventory shift from CCC to private stocks. In 1965, without this inventory shift, the difference in expenditures would be greater; but after that it would be narrowed again so that the added expenditures for completely eliminating the 6½-cent adverse differential for domestic users would be only $69 million for the 1967 crop.

Alternative 2: This alternative would not prevent further increases in excessive CCC stocks. As these increases continued, program expenditures would also increase until in fiscal 1967–68, expenditures would be $192 million higher than under the committee amendment.

In each case, it should be pointed out that the estimates of farm income are gross farm income rather than net farm income. With the domestic allotment choice as provided in the committee amendment, total cotton production and gross receipts will be somewhat less than under current legislation, but net farm income—almost by definition—will be significantly larger. This follows since the domestic allotment choice would

be a completely voluntary one, and presumably no farmer would make this choice unless it increased his net income. Under the choice, the farmer would not only save on production expenses applicable to cotton, but would, in many cases, gain considerable net income from other crops which he could plant in lieu of cotton.

Sincerely yours,

ORVILLE L. FREEMAN.

Comparison of program results under alternative changes in H.R. 6196 as amended by Senate committee

PRODUCTION (THOUSAND BALES)

Fiscal year	H.R. 6196 as amended by Senate committee	H.R. 6196 as amended by Senate committee but without trade incentive payment [1]	Current legislation with 30-cent price support
1964	12,850	12,850	14,200
1965	13,000	13,000	14,600
1966	13,200	13,200	15,000
1967	13,400	13,400	15,400
DOMESTIC CONSUMPTION (THOUSAND BALES)			
1964	9,600	8,850	8,850
1965	9,600	8,850	8,850
1966	9,800	8,750	8,750
1967	10,000	8,750	8,750
ENDING CCC STOCKS (THOUSAND BALES)			
1964	7,700	8,950	10,300
1965	6,200	8,200	11,150
1966	4,700	7,750	12,500
1967	3,100	7,500	14,250
FARM INCOME (MILLION DOLLARS)			
1964	1,997	1,997	2,094
1965	2,019	2,019	2,153
1966	2,047	2,047	2,212
1967	2,073	2,073	2,271
EXPENDITURES (MILLION DOLLARS)			
1964–65	448	343	452
1965–66	514	356	521
1966–67	509	395	607
1967–68	489	420	681

[1] For the purpose of comparability, the same export market production is assumed under this proposal as under the committee amendment; however, this amount of export production would not be permitted under the language of the committee bill for the 1965 and succeeding crops.

Mr. LAUSCHE. Mr. President, I hope that the Secretary of Agriculture in 1964 is right, having in mind that Secretaries have been wrong for the last 30 years, each year, practically, predicting what the subsidy program would do.

PHYSICAL FITNESS AND THE SPECIAL MILK PROGRAM

Mr. AIKEN. Mr. President, we hear much about physical fitness these days, but probably no program in our history has contributed more to the physical welfare of our youth than the special milk program that was launched 10 years ago.

Although this program was first authorized in 1954 by a Republican Congress under former President Eisenhower, it has enjoyed bipartisan support since its inception; among its most enthusiastic supporters being the senior Senator from Montana [Mr. MANSFIELD] and the senior Senator from Minnesota [Mr. HUMPHREY] as well as all the Republican leadership.

It is a youth program of incalculable value. Those who have sponsored it and those who have been responsible for its success in local communities all over the Nation deserve special commendation in this 10th anniversary year.

The reason for the program is simple and direct—to increase the consumption of fluid whole milk by schoolchildren.

This policy was set forth in the Agricultural Act of 1954 in these words:

> The production and use of abundant supplies of high quality milk and dairy products are essential to the health and general welfare of the Nation * * * it is the policy of Congress to assure a stabilized annual production of adequate supplies of milk and dairy products and to promote the increased use of these foods.

Congress also wrote into the same law a section authorizing a 2-year program "to increase the consumption of fluid milk by children in nonprofit schools of high school age and under" and provided that up to $50 million annually of Commodity Credit Corporation funds should be used for this purpose.

A basic aim of the program has been to lower the price of milk to children who can afford to pay something and to provide it free of charge to those who cannot pay. In line with this, a system of reimbursement payments has been developed to enable schools and other participating agencies to sell milk at a reduced price.

Under this plan, they receive up to 3 cents reimbursement for every half pint served.

The program took hold immediately in 1954 because the need for this important diet supplement was apparent from the beginning.

In 1956 the program was expanded to include a variety of organizations such as nursery schools, summer camps, and settlement houses.

The 1954 appropriation was only $17.2 million but the demand for this vital Federal cooperative program rose in such a spectacular way that the 1955–56 appropriation jumped to $45.8 million.

I have a table which expresses the consumption of milk in millions of pounds, shows the growth of this program year by year:

The table shows that from 1954 the program has grown from 49 million pounds to 1,500 million pounds in 1963.

I ask unanimous consent that the table be printed in the RECORD at this point in my remarks.

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

	Million pounds
1954	49
1955	489
1956	840
1957	984
1958	1,108
1959	1,210
1960	1,304
1961	1,351
1962	1,371
1963	1,500

Mr. AIKEN. Mr. President, the fact that we are now appropriating $100 million annually to provide more than 1.5 billion pounds of milk for schoolchildren, institutions, and other child-care activities clearly shows how much this program means in terms of practical human nutrition.

Expressed another way, the 1963 consumption of milk under this program was more than 2.7 billion half pints.

By next June 30, the end of fiscal year 1964, it is expected the figure will rise to 2.9 billion half pints served in 92,000 school and child-care activities.

Over the entire 10-year period this quantity totals 10.2 billion pounds, or almost 20 billion half pints of milk that have been distributed to our young people.

These statistics add up to an imposing contribution to the physical fitness of our young people and, aside from the widespread national benefits, these growing children have been introduced to the need for milk in their diet.

This will, of course, have long-term implications in terms of better health.

RACIAL DISCRIMINATION AND OPPRESSION

Mr. INOUYE. Mr. President, I have just received a concurrent resolution from the House of Representatives, State of Hawaii, which I would like to have made a part of the RECORD. It expresses a position which is generally held among the citizens of the 50th State of Hawaii.

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

Whereas our Nation was founded on the concept of equal rights for all; and

Whereas racial discrimination and oppression has resulted in depriving a significant segment of our Nation of their equal rights; and

Whereas this racial discrimination and oppression has caused and will cause great dissension, discord, and disturbance throughout our Nation; and

Whereas the elimination of this racial discrimination and oppression would strengthen our Nation and improve our image abroad; and

Whereas the various States in our Nation have been unwilling or unable to eliminate this racial discrimination and oppression; and

Whereas civil rights legislation presently before Congress would aid in the elimination of this racial discrimination and oppression: Now, therefore, be it

Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, Budget Session of 1964 (the senate concurring), That the Congress of the United States be and it is hereby respectfully requested to enact the civil rights legislation before it; and be it further

Resolved, That duly certified copies of this concurrent resolution be sent to the President pro tempore of the Senate, Speaker of the House of Representatives, and to the Honorable DANIEL K. INOUYE and the Honorable HIRAM L. FONG, U.S. Senators from the State of Hawaii, and to the Honorable THOMAS P. GILL and the Honorable SPARK M. MATSUNAGA, U.S. Representatives from the State of Hawaii.

ELMER F. CRAVALHO,
Speaker, House of Representatives.
NELSON K. DOI,
President of the Senate.

SPORT IS EDUCATION

Mr. MUNDT. Mr. President, during this year when Olympic games are in progress, people around the world are watching the contests between the young athletes. Those who have watched the televising of the contests have been struck, I am sure, by the spirit of friendly competition which has prevailed.

In the January issue of the Courier, which is published by the United Nations Educational, Scientific, and Cultural Organization, there is a reprint of remarks by René Maheu, Director General of UNESCO, under the title, "Sport Is Education." In this article, the impact of sports on international understanding and good will is strongly emphasized. I believe that it is important for people everywhere to realize the value such competition has, and to envision the means which are available for increased understanding and appreciation of other peoples through friendly competitive sports in which our young people engage in the Olympics.

I ask unanimous consent to have these remarks by René Maheu printed in the RECORD.

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

SPORT IS EDUCATION

(By René Maheu)

For the revival of the Olympic games we have to thank Pierre de Coubertin who, in 1892 when he was barely 30 years of age, launched the idea during the jubilee of the Union of French Athletic Clubs. Two years later the revival was officially proclaimed at the Sorbonne in Paris, and the first Olympic games of modern times took place in Athens in 1896.

"Why did I revive the Olympic games?" said Coubertin. "To dignify and invigorate sport, to make it independent and durable and thus better fitted for its educational role in the world today; to honor the individual athlete because of his real value to the community as a stimulus to physical exercise and to exalt feats that encourage a healthy competitive spirit."

Coubertin reiterated these ideas, though in more developed form, in "The Philosophical Bases of Modern Olympics," a message which he broadcast from Berlin in August 1935, a year before the 11th Olympic games.

If, on this occasion, Coubertin was perhaps somewhat too ambitious in claiming that modern Olympics should be considered as first and foremost a religion, the reason was his own fervor. But the other ideas in his Olympic philosophy form a logical and compact whole of lasting value which the most lucid minds should make a point of studying.

Olympics, said Coubertin, postulate the existence and assembly of an elite of athletes, an elite whose ranks are open to anyone able to meet a single condition—superiority in sport. The process of selecting this elite itself implies a broad democratization of sport; and, conversely, the accomplishments of the elite help to popularize sport among the mass of the people.

Indeed, in a now familiar axiom, Pierre de Coubertin declared: "If 100 people are to take up physical culture, 50 must already be engaged in sport; if 50 are to practice sport there must be 20 who specialize; if 20 are to specialize there must be 5 capable of superlative feats."

Coubertin affirms too that we have nothing to fear from these superlative feats, but that, on the contrary, it would be utopian to try to saddle athletics with a code of compulsory moderation. Athletes must have absolute freedom to overstep all bounds. That is why they were given the vigorous motto, citius, altius, fortius—ever faster, higher, and stronger, "the motto of those bold enough to challenge existing records," in other words to thrust back the bounds of the hitherto unattainable.

NEED FOR A CAREFUL REAPPRAISAL

The moral conduct of athletes must be equal to the standard of their performance in the field. Pierre de Coubertin asks them to constitute an "order of chivalry" which scrupulously observes a code of honour based on fairplay. He counts on the Olympic games to bring this home so strongly that not only will the example be followed at all sports meetings—international, national and local—but the spectators too will feel its impact.

For Coubertin the idea of a truce was also an important aspect of the Olympics. He saw it as a modern evocation of the sacred truce of antiquity, established by Iphitos, King of Elis, in agreement with Lycurgus, which for nearly 12 centuries was respected at Olympia, so that all quarrels, misunderstandings, factions and hatreds cease during the games. The alliance of enthusiasm with the spirit of fairplay found in competitive sports opens, in natural consequence, the way to mutual respect and understanding and to friendship itself. "Hatred and violence," said Coubertin, "are attributes of the fainthearted."

Sport is indeed an order of chivalry, combining honour and a code of ethics and esthetics, recruiting its members from all classes and all peoples, mingling them in concord and friendship throughout the length and breadth of the entire world.

Sport is also a truce. In our technological way of life, ruled by an inexorable law of toil, in which we are only what we have, and have only what we earn, sport is the hallowed pastime, a princely gift to enrich our hours of leisure. In an era of antagonisms and conflicts dominated by the drive for power and by pride, it is the respite of the gods in which fair competition ends in respect and friendship.

Sport, too, is education, the most concrete and the truest kind of education—that of character. Sport is knowledge because it is only by patient study and self-revelation that a sportsman can go from strength to strength.

Sport is culture because the transient movements it traces in time and space—for nothing but the sheer pleasure of doing so, as Plato has it—illuminate with dramatic meaning the essential and therefore the deepest and widest values of different peoples and of the human race itself; it is culture, too, because it creates beauty, and above all for those who usually have the least opportunity to feast upon it.

If there is one unchanging factor in Coubertin's humanistic concept of sport, from the Paris proclamation in 1894—his profession of faith—right down to the Berlin message of 1935—his testament—it is undeniably the dual belief that sport is democratic and international by nature and vocation. Half a century of extraordinary development in sport has shown how right he was on both these points: His words have come true and his spirit has triumphed.

But is it a betrayal of his memory to point out that this confirmation and triumph have come about in conditions which call for a careful reappraisal, and even a bold revision of certain ideas or practices that he originated? I personally do not think so; I feel that he, with his remarkable openmindedness, would be the first to undertake the necessary reappraisals.

On the first point—the democratization of sport—does anyone nowadays not see and realize that this democratization, the conditions of urban life and, of course, the raising of the level of athletic performance, have profoundly altered the conditions in which the athletic elite is selected?

The famous axiom remains true: Sport needs its champions. But, unless the circumstances are exceptional, it is no longer true, as it was in Coubertin's day, that the champion can emerge, train, establish himself and give the full measure of his potentialities—which is properly not only his individual vocation but also his role in society—in that state of independence of, and indifference to, the economic contingencies—or rather necessities—of ordinary life which confers what is called amateur status, and which at the time Pierre de Coubertin no doubt considered essential to the spirit of the Olympic games.

Though amateurism is the right thing for the general run of those who practice sports, to try to make amateur status obligatory for the elite of the sports world means—with certain exceptions that prove the rule—imposing falsehood on that title. In this respect, we must be honest enough to admit that the ethical concepts of Pierre de Coubertin relate to a social situation and a stage in the technical development of sport which are now out of date.

Nor were they those of Ancient Greece, for apart from the fact that the democracies of antiquity secured leisure for their citizens at the price of slave labor, the Olympic victors were what we today should call state athletes. The social conditions and sports technique which gave Pierre de Coubertin his frame of reference were those of his time—of Victorian England and, in general, of the middle-class Europe of the early decades of this century.

Today it is practically impossible for the champion to emerge from the rank and file of sportsmen unless special arrangements are made for him to become a state athlete or a university athlete or an athlete sponsored by some commercial firm. Strictly speaking, he is no longer really an amateur at all.

Why should we be so reluctant to admit that he is a professional? Is an artist—a painter, musician, or writer—disqualified because he receives a fee? Why should we think that money (or some equivalent material gain) dishonors athletic champions when it does not dishonor poets?

In point of fact, it is falsehood that dishonors; and it is the high time, in my opinion, to admit what everyone knows to be the truth; that most champions and budding champions at best observe only the strict letter of the outmoded standards of amateur status.

The problem of the champion and the future champion is not whether or not they are professionals. The real problem, in practical and social terms, is that while practicing sport for a few years as a virtual profession, they must at the same time learn another for the not far distant day when they will no longer be physically able to keep up the championship standard. This difficulty is a very real one and deserves the fullest and most considerate study. Nor will it be easier to reach a fair solution if we deny the obvious fact that the champion is obliged to live the life of a professional athlete.

This is what I wished to say about the first point; namely, the democratization of sport and the training of its elites. As for the second point—internationalism—no one will be surprised, I imagine, that for UNESCO this is a matter of vital importance. Here again we must have the courage to look squarely at the facts and say frankly what we see.

Sport has, of course, developed on an extraordinarily wide scale. It is probably the aspect of modern life which is most widely encountered throughout the world—the only one, perhaps, which is common to both industrialized communities and developing countries. It is also, in a steadily increasing degree, one of the most vigorous forces in international relations. There are few international exchanges, encounters, or contacts which arose so much mass feeling as sports events.

But though it is becoming more and more international in fact, is present-day sport truly international in spirit, as Coubertin thought and wished it to be? There are, unfortunately, plenty of reasons to doubt that it is. In point of fact, nationalism, chauvinism and even racism are more and more apt to win—or should we say lose?—the day in international sports events. The passions and emotions that these events arouse and that are amplified and broadcast to the four corners of the earth by the powerful modern mass media of the press, radio, television, and cinema, are but rarely inspired, it must be acknowledged, by the ancient moral law and social virtues once presided over by Zeus Philios, god of friendship. It is high time to act if we wish to prevent the Altas of Olympia from degenerating into the Roman circus or the hippodrome of Byzantium.

Let my meaning be clear. I am not suggesting that we should try to curb the emotional appeal of the sport event, which has become the great popular drama of our time. This would be absurd, and for that matter, impossible. One of the functions of such events, and certainly among the most salutary, is the same, though at a much higher degree of intensity, as that assigned by Aristotle to all drama: the well-known catharsis, the purging of passions and instincts. Nor can there be any question of trying to deprive the athlete of the admiration he receives, especially from his fellow countrymen. Like any other form of excellence, athletic feats deserve to be admired, and it is natural for those who have most in common with the victorious athlete to feel this unquestionably fine sentiment more strongly than others.

But just as no sports contest can fail to stimulate the desire for victory, so none can be without rules and ethics. It is these rules and the ethics which inspire them that distinguish sport from the savage struggle for life whose name is war. It is compliance with these norms that transforms a feat into a virtue, and since these norms are by definition universal, it follows that although the feat may be ascribed to a given country, the virtue itself belongs to man.

What is more barbaric than this identification of the public with the champion, this appropriation by a nation of the victory won by an individual or by a team? These flags, these anthems, these banner headlines in the newspapers, screaming "We Won" or "National Defeat," must surely seem to us a monstrous exaggeration of the spontaneous reactions of the crowd, even a shameful exploitation of its most generous impulses. In any case, this is the opposite of catharsis: it is nothing less than a return to a primitive outlook.

I think the time has come for an energetic reaction, including the abandonment of certain practices which have become part and parcel of the Olympic games, either with the consent of Coubertin—such as the singing of national anthems—or in spite of him—such as the classifications by nations, which, as we know, is not officially recognized. Only in this way can we hope to restore sport, and by this I mean sport as a whole including athletes, organizers, and spectators, to its international vocation of promoting friendship among the peoples.

Is this too much to ask? I am certain that Coubertin would be the first to denounce the deviations from his creation and the chauvinistic exploitations of it. In 1935 writing about international sports events, he affirmed: "We must reach the stage where applause on such occasions—and with even greater reason at the Olympic games—is given purely for the feats themselves, to the exclusion of any national preference. There should be a truce to all exclusively national feelings; these shoud be, as it were, temporarily suspended."

GOVERNMENT CONTROL OF PRIVATE PROPERTY

Mr. TALMADGE. Mr. President, the concept of private property as we know it today would be destroyed by the public accommodations section of the so-called civil rights bill now pending before the Senate.

Private property would be turned into public property without due process of law or just compensation. Government action would be substituted for private action. Freedom of private businessmen to operate their own establishments would be broken under the heavy hand of Government by injunction.

Mr. President, the Chicago Tribune in a splendid editorial on February 20 pointed out that there is no legal justification whatsoever for the enactment of this legislation. It cannot be found in any tortured interpretation of the commerce clause, and the U.S. Supreme Court has clearly spoken out on the right of the private individual to act according to his own free will, without Government interference. As we have so often heard before, this is the law of the land, but now we are being asked to ignore it.

I think this editorial merits the attention of all Members of this body and I ask unanimous consent that it be printed in the RECORD.

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

CONSENT BY INJUNCTION

When a man has emerged from slavery, and by the aid of beneficient legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen and ceases to be the special favorite of the laws, and when his rights, as a citizen or a man, are to be protected in the ordinary modes by which other men's rights are protected. (Mr. Justice Bradley, for the Supreme Court in the civil rights decision of Oct. 15, 1883.)

The second title in the Civil Rights Act of 1964, now before the Senate, is "Injunctive Relief Against Discrimination in Places of Public Accommodation." What the section endeavors to do is to compel private business of almost every sort to serve all comers. An injunction may be issued against a proprietor refusing to do so. If he still refuses to comply, he may be fined or jailed for contempt of court.

Covered specifically by the legislation are "any" inn, hotel, motel, lodginghouse, restaurant, cafeteria, lunchroom, lunch counter, soda fountain, moviehouse, theater, concert hall, sports arena, stadium, place of exhibition or entertainment, gasoline station, retail establishment selling food or refreshments, and any other establishment within a building providing any of these services. An exception is made of lodginghouses with not more than five rooms for rent if the proprietor lives on the premises.

Authors of the bill justify this sweeping regulation under the commerce clause of article I of the Constitution and also under the 14th amendment. The first empowers Congress "to regulate commerce among the several States." The second authorizes Congress to enact appropriate legislation prohibiting the States from denying to any person within their jurisdiction the equal protection of the laws.

How is it argued that serving a hot dog at a hamburger stand can, in the language of the bill, affect commerce? The plate, the cutlery, the paper napkin, the hot dog itself, or the mustard applied to it may have moved to the hamburger stand from another State. Q.E.D.

But, accepting even this tortured construction, how does this impose a requirement that the counterman serve a customer? Until now regulation of commerce pertained to carriers moving goods, to the goods themselves, and the conditions under which the goods were manufactured. Only public utilities operating under franchise were burdened by Federal law with a requirement to serve.

We suppose that the answer is that the commerce clause was dragged in as an additional grapple because the administration is aware that in the "public accommodation" section it is reviving a statute passed by Congress in 1875 which, resting solely on the 14th amendment, was struck down as unconstitutional by an unreversed Supreme Court decision of 1883.

As stated, the 14th amendment is again invoked. It applies if discrimination or segregation "is supported by State action" or is carried on "under color of any law, statute, ordinance, or regulation, or * * * of any custom or usage required or enforced by officials of the State" or its political subdivisions.

But what is State action? As the Supreme Court has many times conceded, the 14th amendment does not run against acts of an individual, whether uncharitable, discrimi-

natory, or wrongful. But here the rationale apparently is to stretch the theory of "State action" by contending that a food, beverage, or lodginghouse license transforms the proprietor of the establishment into an agent of the State. If the State itself does not press the operator to discriminate, what other device is there to invoke if he chooses to turn away a customer?

If the commerce clause can be used to justify purely local regulation, and if the 14th amendment can be invoked against individuals in the control of their property under some attenuated theory of State action, then we suppose it is no less logical that title II should insert the principle of discrimination in a measure that outlaws the principle. It does so in the exemption of small lodginghouses.

SENATOR RUSSELL ON "FACE THE NATION": REVEALS CIVIL RIGHTS BILL AS UNCONSTITUTIONAL AND UNWARRANTED

Mr. TALMADGE. Mr. President, my distinguished colleague and beloved friend, the senior Senator from Georgia, DICK RUSSELL, appeared on the CBS national program, "Face the Nation," and revealed the so-called civil rights bill now pending before Congress for what it really is.

He showed that this bill, instead of guaranteeing anyone their civil rights, would destroy the rights and liberties of all of our people, particularly private businessmen, to live and work as they wish.

In an eloquent and statesmanlike manner, Senator RUSSELL stated his unqualified opposition to this vicious legislation, and expressed concern over the fact that if the American people really knew it in all of its evil ramifications, they too would rise and make themselves heard. However, they do not know the facts, and now we are presented with the severest threat to our republican form of government in this century.

I am proud to be associated with Senator RUSSELL in this effort to preserve constitutional government and the freedom of our citizens. I urge all Senators to carefully heed the warning of Senator RUSSELL and join us in seeking the defeat of this bill.

Mr. President, I ask unanimous consent that this transcript of Senator RUSSELL's be printed in the RECORD.

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

TRANSCRIPT FROM "FACE THE NATION"

(As broadcast over the CBS television network and the CBS radio network, Sunday, March 1, 12:30, 1 p.m.)

Guest: The Honorable RICHARD B. RUSSELL, U.S. Senate, Democrat, of Georgia.

News correspondents: Paul Niven, CBS News; E. W. Kenworthy, New York Times; Roger Mudd, CBS News. Producers: Prentiss Childs and Ellen Wadley. Director: Robert Vitarelli.

ANNOUNCER. From Washington, D.C., Senator RICHARD B. RUSSELL, Democrat, of Georgia, will face the Nation in a live, spontaneous, and unrehearsed news interview.

Senator RUSSELL will be questioned by CBS News Correspondent Roger Mudd; E. W. Kenworthy, Capitol Hill correspondent of the New York Times.

To lead the questioning, here is CBS News Correspondent Paul Niven.

Mr. NIVEN. Senator RUSSELL, welcome to "Face the Nation."

After 31 years you have served longer than any other incumbent Senator except CARL HAYDEN. You wield vast influence as chairman of the Armed Services Committee, as chairman of the Appropriations Subcommittee on Defense, and as the undisputed leader of the southern bloc.

Right now, you are preparing for a battle against the toughest civil rights bill you have ever faced. You, more than any other Senator, will decide upon what kind of filibuster will be waged and what kind of a compromise, if any, is to be worked out.

We have questions on civil rights, on politics, and on defense, Senator, and we will begin in just a moment.

At his news conference yesterday, President Johnson said he was standing on a strong House version of the civil rights bill.

Senator RUSSELL, can you imagine any scaled-down version of the bill which the administration could accept in which the South would wage a token rather than an all-out filibuster against?

Senator RUSSELL. It is very difficult to see any room whatever for what might be called a compromise, and that is what you really mean, Mr. Niven.

It seems to me that we are just about to come to a state where it will be necessary for us to fight this bill to the bitter end. I do not think that the advocates of the bill are prepared to give any quarter, and if they are able to put this bill on the books it will be over our last-ditch resistance, but we will then see just how it will work, just the impact it will have upon our institutions of government.

Mr. KENWORTHY. Well, Senator RUSSELL, Senator DIRKSEN has suggested that there might be voluntary compliance with the public accommodations section for at least a year or two, and then if this didn't produce results then you might turn to legal compulsion.

Would you agree with that, perhaps?

Senator RUSSELL. Well, I'm familiar with Senator DIRKSEN's amendment. I doubt very much it appeals very strongly to either the all-out advocates or the opponents of this bill.

Personally, the public accommodations section, as severe as it is, is not the worst provision of this bill. There are at least two that I think are much more damaging to our system and would cause a much more violent reaction throughout the country if they are fairly enforced all over the country.

Mr. KENWORTHY. What are those?

Senator RUSSELL. Well, the provision for some bureaucrat to repeal any act of Congress even back to the land-grant college bill that he saw fit, with respect to any area or section of the Nation, if he found that there was any discrimination on account of race. And "discrimination" is not defined in the bill.

In the last analysis, that would be what he decided. It's a complete abdication of legislative responsibility, and I cannot conceive of any person who thinks that Congress is an equal and coordinate branch of the Government voting for any such provision.

The other is the so-called FEPC bill, which creates a new commission, and, incidentally, in this age of economy this bill creates about three commissions, new commissions, and adds hundreds of employees to existing organizations of Government.

This bill is a bureaucrat's dream answered.

Mr. MUDD. Senator, you have been through the civil rights wars on three occasions with our new President when he was the majority leader——

Senator RUSSELL. More than that.

Mr. MUDD. Well, more than that, and you know how he operates and you know his strengths and weaknesses.

Do you think that his great ability to compromise, when he was majority leader of the Senate—do you think he still possesses those abilities?

Do you think he is ready to compromise to get a bill through?

Senator RUSSELL. Well, I don't know, of course, what the President thinks, but viewing it from a purely political standpoint, I would say that I would expect the President to feel that he can't afford to compromise.

Of course, President Kennedy could have lost this bill completely, or in large part, and no one of those who are affected directly by it would have held it against President Kennedy.

I think President Johnson feels if he loses any substantial part of it, that it will cast all of his statements in support of it in doubt as to their sincerity, and they will just say, well, here this slicker from the Southwest or the West or the South, or wherever you want to place Texas, has taken us down the garden path.

That really makes it a much more difficult position as to any possible compromise than there would have been had President Kennedy not met his tragic fate.

Mr. MUDD. What is your prediction on the outcome of this bill, Senator RUSSELL?

Senator RUSSELL. I'm not making any predictions because I do not know.

If the American people ever understand the full import of this bill there is no doubt in my mind it would be overwhelmingly rejected. This bill is a massive blow at our whole system of government.

It denies the division of powers between the three branches. It upsets the system of checks and balances that protect us in all of our liberties, and the unfortunate feature about it all is that the only thing that is talked about is "filibuster." They say the filibuster. You read that in the press and you listen to it on the radio and television. "Filibuster" is a little more sensational than a dry dissertation on the unconstitutional aspects of this bill, but if the American people can really understand what is in this bill they would reject it.

Everybody is for civil rights. Everybody wants larger, better, brighter, happier civil rights, but this is not a civil rights bill. It is far from it.

Mr. NIVEN. Senator, during the House debate it was widely reported that while a bipartisan pro-civil-rights bloc was disciplined and united and effective the Southerners were restrained and halfhearted.

Was this a fair comment and are things going to be different in the Senate?

Senator RUSSELL. Well, I wouldn't undertake to pass judgment on what happened in the House, but I can assure you that some of the southerners in the Senate will not be restrained in their comment.

I shall discuss the vices of this bill in as vigorous language as is available to me, and let me say, in passing, that I think it is very unfortunate that the opposition to this bill is all called southern opposition.

If this bill passes, when the historian of the future comes to write the history of this period and analyze what happened to bring down the American way of life and the American system of government, he is going to wonder why it was only the people from the South who appeared interested in maintaining our constitutional system. It's very unfortunate that the opposition to this bill is considered purely southern, though I confess that the representatives of other sections are in the main supporting the bill.

Mr. KENWORTHY. Senator, haven't you really just opened up an area for possible compromise.

You said there were two sections that were worse than the public accommodations section, the FEPC and that section which would allow the Federal Government to

withhold funds where there was discrimination.

Now, couldn't you probably, if you had some adjustment on those two sections, reach some sort of adjustment or accommodation on the rest?

Senator RUSSELL. Well, Mr. Kenworthy, I am not in either the position or in the mood to discuss compromise at this juncture. I'm still hoping that we will be able to get the vices of this bill across to the American people.

I realize that it's going to be an uphill battle, but if we do, I think that we can defeat this bill in its totality. There's some civil rights aspect of this bill, some of those having to do with the voting provisions—I don't think that they are necessary today.

There are ample laws on the books. We passed very wide extensions of voting power in 1957 and in 1960 and it seems to me that the Department of Justice is just trying to do automatically by law what they are supposed to do in the courts of this land, and that's the tragedy of all of this.

We have the courts here to maintain the civil rights and constitutional rights of every one of our citizens without going to the great lengths that are required in this bill and by vesting such enormous power in the Attorney General.

He's practically made a guardian of all of American business and all of American local government.

Mr. MUDD. Senator, what happens if—just what happens if the filibuster is broken?

What happens to the southern political position in the Congress? This is one of your great weapons, along with seniority.

Now, will the southern position erode overnight if they can break your extended debate, as you like to call it?

Senator RUSSELL. Mr. Mudd, although the filibuster is considered purely a weapon of southern Members of Congress it has been used by every group in the Congress.

You yourself have seen in the last 3 or 4 years it used by a group of leftwing liberals. It's not solely a southern weapon. It's a weapon that is available for a minority in the Senate who feel that they are justified in resorting to extreme efforts to get their position across to the country.

Cloture was voted on the so-called communications satellite bill (in 1962). If the Senate votes cloture on this bill it will indicate that they will pass the bill, and I don't think that we will be any worse off than the rest of the country. Misery loves company but it'll be mighty poor satisfaction to me to see the rest of the country also being affected by changes in our system, and this FEPC bill absolutely excludes the average garden variety of American from any opportunity whatever of utilizing any law to get a job or to get a promotion because if he's not a member of one of these minority groups defined in the bill he's through.

And by the time the employer has been dragged through the courts about three times by one of the minority groups, whether he wins his case or loses it, he's not going to hire the average garden variety of American and get himself put in court, because business people just do not like to spend all of their time in court.

That FEPC bill levels a tremendous blow at the employment opportunities and promotion opportunities of the average garden variety American that can't claim he's associated with one of these minorities and has a right to hale the businessman into court, and there will be a feeling of tremendous resentment over a period of a very few years in the operation of that bill, because all of the promotions and all the employment decisions—if there is any close issue involved at all—will go in favor of the minority groups, that have the right, and who will, hale these businessmen or employers into courts, under charges that he's discriminating.

That section is as highly discriminatory against the average American as anything that has ever taken place in this country that has been oppressive to a minority group.

Mr. KENWORTHY. But, Senator, you will remember that the FEPC wasn't in the original bill that went up last June.

Senator RUSSELL. No; it did not. This bill is much wider in scope than President Kennedy ever indicated. It has had a great many additions.

Of course, take your "genocide" clause that permits you to deny Government benefits to a large section of the country. It's not necessarily a local, county or State. You could do it to half of the States at one time, or three-fourths of them.

Now, when President Kennedy was first asked about that, he said that he didn't think any President had that right, nor did he believe that the president should have that right.

Mr. KENWORTHY. Why do you think it was put in, then?

Senator RUSSELL. Because of the political pressures that are operating. There has never been as effective a lobby maintained in the city of Washington as there is today. It's a variated lobby.

We have a number of well-meaning citizens, particularly men of the cloth, who are here and are using that approach. You have these pressure leaders of the minority groups that are here with their threats and implications of violence in the streets here in Washington, and they are carrying on violence in other cities.

I fear for the future of this country when I see where a campaign of civil disobedience can be used by men in high office as a reason for urging enactment of legislation.

Mr. KENWORTHY. But, Senator, you just mentioned "men of the cloth."

Is this something different now than obtained in 1957 and in 1960?

Senator RUSSELL. Oh, yes, indeed. The advocates of this bill are much more highly organized and much more high strung emotionally than they were then.

I must say that only the emotional aspects of this issue have been presented to the American people, and they have not had an opportunity to sit down and think about it.

That's a queer thing that all the polls you see say that the people are in favor of civil rights, but you go in that same community and submit to them the question of the housing order and they will reject it 4 to 1.

That happened in Tacoma, Wash., where under the polls they voted overwhelmingly in favor of civil rights, and I say we are all for civil rights. I am. But when it came down to saying that a man didn't have freedom to exercise his own choice in renting or selling his home, they rejected it 4 to 1.

The same thing will be true on any of these other issues. The people don't know what's in this bill.

Mr. NIVEN. Senator Russell——

Senator RUSSELL. They are for civil rights, but they are not for what's in this bill when it is applied to them.

Mr. NIVEN. Senator Russell, in a recent speech you praised President Johnson very extensively. You have also said that if the election were held today you think he would carry your State.

When you say things like this don't you weaken a little bit your bargaining power in the civil rights debate?

Senator RUSSELL. Well, I may, Mr. Niven, but I have, unfortunately all my life have just said what I thought and what I believed.

I found out early, when I was first elected to the legislature in my State in 1920 it was much easier to say what you think than it was continuing to be trying to think about what you said and to keep it coordinated. I said that and I believe it.

I think that President Johnson is an extremely able man. I think that if the election were held today in my State that he would carry Georgia. I still think that.

Mr. MUDD. Why is that, Senator RUSSELL? Here's a man—you described him as a southwesterner or a westerner. Do southerners——

Senator RUSSELL. I said you could have Texas in the South, too. I didn't——

Mr. MUDD. Do southerners truly think he is southern? Why is it that he continues to talk publicly tougher on civil rights than John Kennedy ever did? Why is it that the southerners are inclined to trust him more?

Senator RUSSELL I don't know what the situation will be in November. I think that the President's outspoken position behind this bill, which I insist is not a civil rights bill, has cost him some political strength. I don't think he's as strong down South as he was 5 days after he took office. I still think he would carry the State though as of today.

Mr. KENWORTHY. Senator, do you think that if he persists in his support of the civil rights bill as it is that he will weaken himself greatly before November, in the South?

Senator RUSSELL. Well, that's a speculative question and a great many imponderables will determine that, Mr. Kenworthy. The ultimate outcome of the bill and a number of other things would enter into that and I wouldn't want to get in a guessing game predicated on a great many suppositions. As President Roosevelt said, that's a rather "iffy" question.

Mr. KENWORTHY. Well, let me ask you, Senator Russell, that if the Catholic Church and the National Council of Churches are behind the bill, as they weren't in an organized way before, would this possibly have any effect in a campaign year on certain Senators from small Western States whether they voted for cloture or not, do you think?

Senator RUSSELL. I don't think—well, I didn't mean to leave the impression about the National Council of Churches. They have been in favor of all legislation of this type and a great deal of very extreme legislation in the economic fields, too, that would be very injurious to our system and would dry up the very means of their income and their wealth, and our churches are today wealthier than they have ever been in all of their history.

I think the Council of Churches has been behind this legislation nominally, at least the heads of it, ever since I can remember, but when you go down and talk to the people who compose the congregations you find it somewhat different.

In other words, the members of the churches in my own State are as representative of our people who say "I speak for 40 million church members," but I know they aren't speaking for a great many of them, including me, a humble sinner, in one of them, and it's more at the top than it is throughout the church.

Of course, these preachers are men who boast of their high ideals, and they do have high ideals and noble principles, but sometimes they are very impractical.

Mr. NIVEN. Senator, would the President carry your State if his running mate was Robert Kennedy?

Senator RUSSELL. Well, that's an iffy question and I wouldn't want to pass on that. I don't think though that the Vice President would necessarily determine the outcome of the election, though of course Robert Kennedy is not a popular figure in my State.

Mr. NIVEN. You don't think he would cost Mr. Johnson a great number of votes?

Senator RUSSELL. Yes, he would cost him some votes but I don't know that it would cost him enough to lose the State if other conditions caused the people to support the

President because as unpopular as any individual may be I don't know of any instance anywhere where the vice-presidential nominee, however popular or unpopular he might have been, has really determined an election. Well, I say that—and yet the last election proved me wrong because if Johnson had not been on the ticket, why, Kennedy probably would not have won, but in my State I don't think it would do it.

Mr. MUDD. Senator, how much reordering of your own political outlook must be required by what must be—by what you must consider to be a political upheaval in Georgia with the Supreme Court reapportionment decision, the election of a Negro as a State senator?

Senator RUSSELL. Well, there has been a decided change in my State, Mr. Mudd. I mean—people are reevaluating various issues.

As far as the Supreme Court decision in the county unit cases are concerned, I don't think that affects me. I have been very fortunate and every time I have been a candidate I got a very substantial popular vote majority as well as the county unit vote. But personally I think that the county unit issue has been exaggerated though it had gotten to a stage where one man's vote was much less than another in some of the—in some of the counties.

But there is undoubtedly an increase in sentiment in my State in favor of civil rights legislation.

My people are not immune from brainwashing. A great many of them have been brainwashed and they have forgotten the first constitutional principles and have failed to see the dangers of passing legislation under threat of demonstrations.

Mr. NIVEN. Senator, I have to interrupt at this point. You have many other interests besides civil rights and we have some questions on defense. We will get to them in a moment.

* * * * *

Mr. NIVEN. Senator RUSSELL, the President yesterday took the secrecy wraps off a previously highly classified interceptor plane. Were you distressed that this was made public?

Senator RUSSELL. No, sir; I can't say that I was. This plane—I have followed it with great interest, of course, by virtue of my position. I have been privy to all of the facts relating to its development since it was started in either 1958 or 1959.

And I thought the time had come to announce the existence of this plane, because you couldn't keep it secret much longer, with 11 or 12 of them flying in the airways. Eventually it would have been seen—I think perhaps it was better to make a public statement about it rather than be put on the defense of explaining it after it was seen and questions were asked about it. Of course, a great deal still can't be told about it. Much of it is still highly classified.

Mr. MUDD. What do you mean, 11 or 12 flying in the airways? What are they doing up there, testing or on missions or what?

Senator RUSSELL. They are testing. I do not think any of them have actually been put into the inventory of the Air Force yet, though some of them are in shape to. It is a remarkable plane and they have been conducting a wide series of tests that will apply not only to interceptor planes but to almost any other kind of planes, reconnaissance, passenger planes, commercial planes. There are many entirely new developments in the art in this plane that have not appeared in any other airplane.

Mr. KENWORTHY. Senator, I noticed that you took out $40 million that the House voted for a new plane and that the Air Force wanted, but that the administration did not want.

Did you take out that $40 million because you knew about this plane?

Senator RUSSELL. Yes, sir; I did. That plane—that $40 million was put in the bill for work on research and development on an improved manned interceptor and here we have got this plane already in the flying stage. It is in the test and evaluation stage. It is long since past research and development, and I saw no necessity for putting the $40 million in there because the Department would not have spent it.

Mr. KENWORTHY. What did the Air Force ask for it for?

Senator RUSSELL. Well, I can't answer that question. I don't know the circumstances under which the request was made. I just didn't think it was necessary, under the circumstances.

We might see a little further in this plane.

Mr. MUDD. Senator, do you have any intention of resigning your position on the Warren Commission that is now investigating the assassination?

Senator RUSSELL. Well, I would be less than honest if I didn't say that I had been sorely tempted to two or three times, Mr. Mudd, for a number of reasons. It's not necessary to go into all of them. The principal one is that I just haven't had the time and there are not enough hours in the day to attend to all the committee work I have and my responsibilities as a Senator, and also to attend all the hearings on that Commission. And I never have liked to do anything I didn't feel I could do reasonably well, and while I have kept up with the work of this Commission, I have faithfully read every line of testimony. There have been times that I have thought about resigning, but I have no intention now——

Mr. MUDD. You do not?

Senator RUSSELL (continuing). Of resigning. I am going to stay on there to the very best of my ability, and undertake to see that all of the facts with regard to this great tragedy are made available to the American people.

Of course, it's wholly possible that we will never be able to get to the real truth.

Mr. NIVEN. Senator RUSSELL, thank you very much for being here on "Face the Nation."

THE BURDEN OF TURNING BACK COMMUNIST POWER

Mr. THURMOND. Mr. President, I have been very impressed with an excellent article in the March 1964 issue of the Reader's Digest entitled "The Dangerous Game of 'Let's Pretend.'" The article is written by Mr. Allen Drury, the author of "Advise and Consent," "A Shade of Difference," and "A Senate Journal." The theme of this outstanding article, Mr. President, is that our Nation cannot avoid the burden that history has placed upon us, of facing up to and turning back Communist power wherever it tries to advance. The article further makes the point that the risk of war is not a sufficient reason for refusing to consider the realities of the protracted conflict forced on us by the forces of world communism.

I ask unanimous consent, Mr. President, that this article be printed in the RECORD at the conclusion of these remarks.

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

THE DANGEROUS GAME OF "LET'S PRETEND"

(By Allen Drury)

The United States is in many ways the most powerful nation on earth. Its people enjoy a way of life which, despite shortcomings, gives them generally a more comfortable and rewarding society than that of any other people. Its supremely human form of government stumbles and blunders, yet has repeatedly proved—most recently in the smooth transition of power after the tragic murder of its President—to be one of the strongest, most stable governments history has ever known.

Yet there has developed in this land in recent years a grave and crippling hypnosis whose outward signs are easy words and comfortable slogans, a dangerous rationalizing, a determined glossing over of unpleasant truths. It induces in those who suffer from it the fateful notion that, if you pretend long enough and hard enough that certain things are not so, they will miraculously become not so.

"Let's Pretend" was once a game that children played. Now, unhappily, grown men play it, and even base upon it policies of great nations, thereby throwing away bit by bit the world of stable foundation they might have if they were honest enough to face the cold reality of the world as it is. This applies to almost every problem that confronts us.

From X to Z. Do we recognize, for instance, that a truly safe disarmament treaty requires adequate inspection? Why, of course we do. But see how it goes.

In year A, we demand X number of inspections. Our opponent shouts and says "No." Instead of saying firmly, "We're sorry, this is it," in year B we narrow the demand down to Y inspections. This doesn't make our opponent happy, either. So in year C we reduce our position still further, to Z number of inspections. And presently, when it suits our opponent's purposes to conclude in 2 weeks a nuclear test-ban treaty he has been deliberately holding up for 7 years, we find ourselves, just as he has told us all along we would, down to no inspections.

The tragic thing about this performance is not that our resolution has failed us, not that we have given up the only sensible position, but that, in the process of becoming somewhat more unsafe, we have managed to convince ourselves we are still safe. We have managed, both as a people and as a Government, to rationalize retreat into advance, defeat into victory. And by just so much have we moved further toward our opponent's candidly declared objective—our own destruction as a free people.

Whittled down: There is southeast Asia. We know quite well that our position there is being whittled away. It is shaky in Laos, equivocal in South Vietnam, desperate in Cambodia. We know this. But we pretend it isn't so. We pretend, and quite sincerely, that we are being stanch, standing firm, and that we will take a stand. The problem is that, by the time we do, the platform on which we take our stand may very well have been whittled down to nothing at all.

And there is Cuba. In our heart of hearts we know that the spectacle of a great nation accepting the lifting of a piece of tarpaulin on a ship at sea as proof of a pledge kept by a hostile power is a genuinely pathetic sight. But somehow we manage to convince ourselves that an opponent we know we cannot trust (for we have caught him secretively trying to put nuclear missiles in our backyard) has suddenly become trustworthy, that we were right to abandon our demand for the on-site U.N. inspection.

And in the same fashion, we think, or we guess, that 3,000, or 6,000, or 10,000 Soviet troops have been removed. Eventually we come to believe this, and once again we have managed to convince ourselves that surrender of our position has made us stronger.

NICE PEOPLE?

Even more fundamentally, there is the nature of our opponent. We had in Dallas a graphic demonstration of what our opponent's philosophy can do to a twisted mind grown sick upon it. Communism has been spreading hatred and violence for almost 50

years. Yet despite steadily mounting evidence of its nature, there have been many Americans, some in very influential positions, who have desperately pretended that the Communist conspiracy is just a nice group of misguided people with whom we can get along if we keep treating them with decency—a decency they cannot understand and do not respect.

The record clearly shows that these are not nice people. They are not going to be persuaded by soft words and gentle approaches. They can be persuaded only by superior strength and the determination to use it if necessary—as President Kennedy proved in the initial showdown in Cuba. Yet there are Americans, even now, who pretend that if we just continue retreating before the Communists we will, by moving backward, somehow move forward toward a genuine and stable peace.

So it goes in other matters. There is the United Nations. We know it is in desperate straits.[1] We know we are probably the only power with sufficient dedication to it, and sufficient financial leverage upon it, to force a revision of its policies so that it can truly lead the world to peace. And yet, rather than face the facts, many of us pretend that, if we just claim vehemently enough that the U.N. is perfect, it will somehow become so.

Such is the American attitude, baffling to our allies, self-defeating to us.

RISK OF WAR

There must sometimes come, for all of us, the staggering realization that our pretense of "Things are really going all right" just isn't true. Why then do we do it? One reason is the wistful hope that all bad things will go away. A more fundamental reason is fear—the fear of having to do something about a given difficulty confronting the country, if you once admit candidly that it exists.

On many occasions in recent years, a familiar little drama has occurred. A Senator or a Representative or a member of the administration is under questioning by reporters on matters affecting foreign affairs. Sooner or later the guest advocates some strong course of action. Then: "Senator," he is asked in a hushed, disbelieving tone of voice, "do you mean you would really do that, even at the risk of war?"

And such an awesome place does this question hold in the national legendry that 9 times out of 10, instead of saying bluntly what his own intention and national integrity demand—which is "Yes"—the legislator ducks and dodges and weasels and equivocates. His interrogator retires triumphant.

That "risk of war" is a favorite bugaboo, no one can deny. It gives great support and impetus to Let's Pretend. But examine it for a moment.

War today is horrible beyond concept—at least the kind of war we all assume would come in a major showdown between the free world and the slave, obliterating in one fiery instant all that we hold dear. But does that make the principles of freemen any less valid? If it does, then why don't we give up right now? Why don't we abandon the biggest pretense of all—that there is anything worthwhile in freedom, anything worth saving of this Republic which has been handed down to us to preserve and pass along? If we are so afraid of the consequences of being true to our heritage and our country, why not forget about it right now, and save all this wear and tear on the national budget and our own nervous systems?

To state the proposition thus is to demonstrate at once its absurdity. Of course we are not going to give up. Of course we are not going to abandon our principles and our country.

If we wish to keep this life—with all its liberties and freedoms—we must be prepared to give it up. If we wish to live, we must be ready to die. Only by being unafraid of war can we avoid war. And being unafraid of war does not mean feeling no worry or terror about it. The citizen who did not feel thus would be a fool indeed. It means being able to accept that fear and go on from there, with the courage expressed in a little-used verse of the national anthem: "Then conquer we must, when our cause it is just."

RIGHT IS RIGHT

Of course, no sane person wants war. But, by the same token, we cannot let ourselves be bamboozled into believing that war is indeed the only alternative to surrender—that a firm, steady, unyielding, unbelligerent policy will lead inevitably to disaster. Almost more than anything else, we have to fear the idea that there is no way open to us, with all our power and infinite resources, to combat our opponent without bringing on all-out nuclear war—and that therefore we must close off discussion of other ideas and not try to develop them as cogently and effectively as we can.

The imperative first step in this latter process is to banish another contention, that there are no answers to the world's major problems—that there are, to use the parrot phrase, "no permanent solutions," and we should, therefore, stop trying to find any. As with the fear of war, this argument can be used to paralyze all action and defeat all attempts at constructive thought. It can be used to justify doing nothing, particularly if what must be done carries with it the risk of war.

These two ideas are the most powerful weapons of today's "do-nothing party"; those who say we can't expect a solution in Berlin, or expect to eliminate the Soviets from Cuba, or stand firm for a truly safe disarmament treaty, or do anything, in fact, that entails any risk—because (1) there are no permanent solutions, and (2) it may mean war. If this policy is followed long enough, there will be one permanent solution—with or without war—the elimination of the United State as a free republic and a factor in world affairs.

We must seek solutions as though we really mean to find them, because that is the job history has given us, however much we may wish it had not. It is the job of saving freedom, as we have saved it before and as we are going to save it now, for the simplest and most commanding of reasons—because what is right is right. If we are committed to the support of right, as the United States is by history, and by choice, then it does not matter how many horrors may be threatened or how many fearful weapons may be waved in our face by Nikita Khrushchev. We have to defend the right, and that is all there is to it.

If we do not, we lose all self-respect, all honor, all decency. We also, in this happy 20th century, lose our safety, our liberty, our democracy, and our lives.

A TIDE-TURN MOMENT

We must be brave enough to look at the world as it is, and do the things necessary to set it on a course that truly leads to peace. There were a couple of weeks in October 1962, for instance, when we were brave like this—but where has it gone now? Dissipated on the winds of a billion words, vanished down the hallways of timorous compromise, and unnecessary concession. There was a moment when we had the world united behind us—not just the free world but, one suspects, behind their jailers' backs the peoples of the slave world as well—in the great hope that we had at last turned the tide and were really going to start leading the earth up the long hill toward sanity and peace.

But we took one step—and stopped, at the moment when we had our opponent on the run, at the moment when we should have insisted, calmly but with absolute firmness, that unless U.N. inspection in Cuba was started at once, we were coming in * * * that unless Soviet troops were removed at once, we were coming in * * * that unless a revision of positions all around the world was undertaken, we were coming in. We stopped. And now, of course, when such proposals are made, there comes the cry, "You don't want a war, do you?"

Well, right now, of course, these voices may be right. The world's support has been lost, the hemisphere's support has been fragmented, the Soviet Union, having tested us with lifted tarpaulins and solemn promises, has concluded that the United States was once again just talking big. To insist upon these things in Cuba, as of this moment, might mean war.

But we should not forget, for these international crises are matters of timing, that if that October's moment had been seized and made the most of, we would really have turned the tide. We let the chance slip. But who knows when such a moment may come again?

NO CARELESS INCH

We should not be belligerent—we should simply be firm. We should be willing to negotiate with the Communists any time, any place, on any subject—but we should not be the only ones to grant the concessions and make the retreats. We should insist, without the slightest yielding, on every single right that is ours. We should never seek agreement just for the sake of having an agreement. We should agree only if by agreeing we strengthen the free world and advance the cause of freedom. And we should never, under any circumstances, give them the careless inch which with them always becomes the irrecoverable mile.

We don't have to talk tough. We just have to be tough. Every single time we give a hint of it, the Communists switch course and try some other tack; the last thing they want is an all-out frontal showdown. That is why it seems so fantastic that we should so consistently argue ourselves out of the unflinching firmness which may well be our only salvation.

It is true that firmness carries with it the possibility of great risks. But weakness carries with it the certainty of national suicide. Our opponents are not playing let's pretend. They are playing for keeps. It is time we began to play in the same spirit.

Let us take heart therefore. The passage is long and dark, but at its end the light gleams out. It awaits the brave. So let us be.

Let us achieve, finally, in all the areas of conflict where history demands of us that we show our true colors, that just and honorable peace for which our hearts, in common with those of all mankind, cry out.

[1] See "U Thant—Inscrutable Shepherd of the U.N.," p. 63.

GOV. JOHN REYNOLDS' GREAT FIGHT FOR EQUAL VOTE IN WISCONSIN

Mr. PROXMIRE. Mr. President, one of the many reasons we take pride in Wisconsin is because of the record our State has made in providing an opportunity that is very difficult to achieve in an era of shifting population: an equal vote for all the citizens of our State in the State legislature and the election of Members to the House of Representatives.

In Wisconsin this is as difficult as it it is in any State because we have had

a dramatic and drastic move of our population from the northern part of our State into the southern and especially the southeastern section, and from the farms and into the cities and especially the suburbs.

Recently I told the Senate about the great job our Governor and State legislature had achieved in providing the best congressional reapportionment of any of the 50 States with a variation from ideal in the size of our congressional districts of only about 3½ percent. That is, the biggest district is only 3½ percent bigger than the ideal size, the smallest is only about 3½ percent smaller than a perfect size.

Now, Mr. President, under the steady pressure of our Governor, John Reynolds, and his brilliant counsel, Attorney Roland Day, of Madison, Wisconsin has accomplished an even more difficult feat. It has persuaded the Wisconsin State Supreme Court to assert in a recent decision that the State legislature must reapportion itself to provide equal votes for all citizens or the court will conduct the redistricting itself.

The Wisconsin court acted unanimously. To show it meant business it gave the legislature until only May 1 to get the job done.

Mr. President, in a nation in which gerrymandered and grossly underrepresented legislative districts are a commonplace, this is a remarkable achievement.

And the lion's share of the credit must go to the Governor of Wisconsin, John Reynolds, who has struggled for this goal literally for years.

As the Milwaukee Journal said March 1:

> The decision is a tremendous victory for Gov. John Reynolds personally. It is directly the result of his own zealous and singleminded crusade for correct districting, begun 3 years ago when he was attorney general. It was this not least that had made him enemies in the legislature.

Mr. President, I ask unanimous consent that this editorial from the Milwaukee Journal be printed in the RECORD at this point.

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

GREAT DAY FOR EQUAL VOTES

The State supreme court, by unanimous decision, has now laid it right on the line to the legislature that prompt, fair districting for equal votes is a must and there is to be no more fooling around.

The case makes judicial and constitutional history in several ways. The court has now come full circle—in keeping with the Federal trend, to be sure— from its traditional doctrine of noninterference, which had left underrepresented voters without a remedy.

The decision—note its unanimity—is a tremendous victory for Gov. John Reynolds personally. It is directly the result of his own zealous and single-minded crusade for correct districting, begun 3 years ago when he was attorney general. It was this not least that had made him enemies in the legislature.

Reynolds has won more than a mandate for correct districting, by law before May 1 or else by the court itself. He has saved for future Governors, as well as himself, their right not to be shut out of the lawmaking process. The legislature had tried to redistrict to suit itself by joint resolution, not subject to veto. Friday's decision closes off that detour.

Coupled with the "or else" edict, this puts Reynolds in command of the situation. Now the legislature knows that if it wants to save the redistricting function for itself it must pass a bill that he will be willing to sign. For he is free to veto a faulty one and still be sure of getting a correct districting by the court.

The Wisconsin Supreme Court warned 2 years ago that it would take charge if necessary. And that was before the landmark Tennessee decision of the U.S. Supreme Court, proclaiming Federal judicial power and duty to act on the subject.

The State court's warning was in the form of permission to Reynolds to renew his plea for court action in June of 1963, giving the legislature ample added opportunity to set its own house in order. The court has now showed the end of its patience by declaring the 1951 districting act obsolete as of now, not usable even for one more election this fall.

Reynolds won another important point, incidental but basic to all the rest. The decision establishes that the State itself, through the Governor or attorney general, does have standing to sue the legislature on behalf of the rights of the people, a most salutary point to have nailed down.

The decision caps a struggle that has had to be waged for Wisconsin voters in overgrown districts after every census since 1920.

The certain knowledge that equal districts as nearly as practicable will henceforth be won anyway, from the court if not the legislature, should be the final blow.

HOW TO WAGE THE WAR ON POVERTY

Mr. GRUENING. Mr. President, in the current—the March—issue of Harper's magazine is a most important article entitled "Let Us Begin: An Invitation to Action on Poverty." It is written by John Kenneth Galbraith, one of our Nation's foremost economists for 15 years, and now professor of economics at Harvard University, to which post he has returned after serving for 2 years as U.S. Ambassador to India.

Professor Galbraith is the author of a number of authoritative books which have secured for him wide and deserved renown. They include "Modern Competition and Business Policy," "American Capitalism: The Concept of Countervailing Power," "A Theory of Price Control," "Economics and the Art of Controversy," "The Great Crash, 1929," "The Affluent Society," and "The Liberal Hour."

Dr. Galbraith's current article is of the greatest timeliness. It comes just as the war on poverty in the United States, rightly declared by President Johnson, is making its plans for the first reconnaissances, skirmishes, and campaigns. The article is of such import that I hope Sargent Shriver will not only "read, mark, and inwardly digest" it, but call it to the attention of President Johnson. Then I hope they will act on its sound recommendations.

There is another aspect of the article's timeliness; namely, that the $11 billion tax cut bill has just become law.

This is the bill urged by President Kennedy 2 years ago to ward off recession, and sponsored with no less vigor but with perhaps different emphasis by President Johnson since his accession to the Presidency 100 days ago. I say "with different emphasis" because obviously the danger of a recession which President Kennedy feared has vanished. The country is at the height of prosperity. That is, it is at the height of prosperity at the upper levels of our society. The stock market has reached an all-time high. Profits are higher. Sales are bigger. Dividends for those who own stocks are happily larger. Real estate is enjoying a tremendous boom. But this bounding affluence still does not extend to what President Franklin Delano Roosevelt a generation ago in a memorable inaugural address referred to as "a third of a nation, ill clad, ill fed, ill housed."

That problem is still with us. It has acquired certain variations. For one thing the gap between the affluent and the poor is greater than it was a generation ago. For another, the United States has in the last decade and a half entered and expanded a new role—that of "foreign aid." Under this program we have given over $100 billion to fight poverty abroad, have spread this program to over one hundred foreign nations and plan to keep on doing it. This solicitude for the needy in other lands regrettably contrasts with our lack of similar exercise for our own poor and needy. It is not only time; it is indeed overdue, that we do something about it, and that something should be on a scale commensurate with what the Congress has been urged, pressured and pleaded with to do in the foreign aid field, and has done.

As of now, and before the war on poverty starts, there are distressing signs that no corresponding effort in size, scope and intensity will be made for what I believe should be called our domestic aid program.

I quote in demonstration thereof a front page item from last Saturday's Washington News—the local Scripps-Howard paper—which, in its weekly column headed "In the Offing," writes as follows:

> U.S. military soon may be involved in a new war—the one on poverty.
>
> Plans for Congress will propose giving military a major role in training 100,000 young men a year if they flunk draft exams because they lack sufficient schooling or other mental skills.
>
> Training will be nonmilitary. Teachers will be civilians. But Army and Air Force will supply training sites (inactive military posts), equipment and nonteaching personnel. They'll also furnish know-how for handling large numbers of young men.
>
> If Congress approves, program probably will call for draft board examination of youths at an early age—though they may not be called up for military duty for some years afterward.
>
> Those who fail for correctable physical reasons will be offered treatment or training. Those who fail for mental reasons, but are found capable of learning, may go to "Youth Corps" where they'll receive schooling and be taught occupational skills.
>
> Note: Message to Congress on fighting poverty has been held up by effort to plan a broad program without spending much money.

Kindly note the final and significant paragraph:

Message to Congress on fighting poverty has been held up by effort to plan a broad program without spending much money.

Without spending much money. How different that attitude and approach are as contrasted with our foreign aid approach, in behalf of which every administration, since the program started with the Marshall plan 17 years ago, has pulled out all stops as to its necessity and the inviolability of the multi-billion-dollar totals asked for it. We are repeatedly enjoined not to cut a cent from foreign aid.

With that different "let us not spend much" approach the war on poverty will be lost before it starts.

Sargent Shriver has been delegated by President Johnson to be commander in chief of this war on poverty. The President could not have made a better choice. If ever there has been a brilliant performance and one hailed universally as a success, it is Sargent Shriver's conduct of the Peace Corps. Considering the fine results achieved, his program has cost relatively little. But the war on poverty in the United States constitutes an entirely different problem. It cannot be done without funds. Even Sargent Shriver cannot be expected to make bricks without straw. He cannot wage a war without troops, materiel, and equipment; and it would be folly to place this burden upon him without the necessary sinews of war.

Now the proper approach is admirably set forth in John Kenneth Galbraith's article and I ask unanimous consent that it be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. GRUENING. Mr. Galbraith points out what some of us have contended during the recent tax cut debate, that that legislation, whatever its benefits, will not, repeat, not, materially diminish unemployment, which is synonymous with poverty. Indeed it may even increase unemployment by stimulating industry through its generous corporation tax cuts and other benefits to build more modern and up-to-date plants with improved automation, which of course means fewer jobs.

Mr. Galbraith further supports—by his advocacy of expenditure on the public sector—what I likewise have contended for, now for a full year—that we need the kind of investment in public works, urban renewal, and other construction as was provided, while the funds lasted, in the accelerated public works legislation.

That program, initiated about 2 years ago, proved a great success. It put people to work, by a joint local and Federal sharing of costs, on all kinds of worthwhile construction projects; sewer and waterworks; public buildings; street paving; recreational areas, and so forth. It put them to work at the site of the project, back at the site of the factory where the materials were produced, and in between through the transportation of these materials from factory to project.

Unfortunately the amount authorized was inadequate—$900 million. This was less than one-fourth of what was appropriated for that year's foreign aid program. Actually it was only one-eighth since the domestic aid program funds—the accelerated public works funds—were expected to last for 2 years, and did, while the foreign aid appropriation was and is an annual affair.

The domestic aid program ran dry a year ago.

A year ago I introduced a bill to provide an equivalent for accelerated public works of what would be appropriated and authorized for the foreign aid program. That would have amounted to $3.5 billion. I repeat that the accelerated public works is a kind of partial domestic aid program, seeking to do in part for our unemployed what we are doing, and have been doing for 17 years, to the tune of $100 billion for the unemployed and needy in foreign lands. No action has been taken on this bill. Last July, the movement to restore the domestic aid program got further support when the distinguished chairman of the Public Works Committee, PAT MCNAMARA, of Michigan, introduced a bill calling for $1.5 billion for this purpose.

No action has been taken on this bill. Hearings have been held on both of them before an ad hoc committee, a subcommittee of the Senate Public Works Committee, appointed on the initiative of Senator MCNAMARA. This committee, of which I am a member, has been chaired by the able and energetic senior Senator from West Virginia, Mr. JENNINGS RANDOLPH. If there is one man in whose State there is a serious chronic unemployment problem and who knows how to combat it, it is JENNINGS RANDOLPH.

The hearings were impressive. Responsible officials from all over the country testified. They included State Governors or representatives of State Governors, other State officials, county officials, mayors of cities and other municipal officials, representatives of chambers of commerce, representatives of labor unions, and representatives of the public in general. The support for this legislation was unanimous and unswerving.

The fact is that even after the funds ran out a year ago—the inadequate $900 million appropriated—some $700 million worth of projects were presented and approved by the appropriate State and Federal agencies and are ready to go. That program to fight poverty could go into action immediately upon the necessary authorization and appropriation of more money for accelerated public works. It should be done. Action is overdue. The appropriation should never have been allowed to lapse.

Who are the poor, in whose behalf war should be waged? They fall into many categories. They are people who have been thrown out of work because of changes in industrial practice, changing demands, changing fashions, because in their former employment they are no longer needed. There are other people who have been thrown out of work by automation, which is steadily enlarging its role of disemploying able-bodied citizens ready and eager to work. They consist of the elderly, who have not been able to save enough for their retirement, whose meager social security funds are inadequate and who are faced by the steady rise in living costs. They are the Negroes and whites who, for lack of education, cannot qualify for jobs, if such jobs were available. They are the ill, who, through physical incapacity, cannot accept employment. There are still others.

Moreover, poverty is widely distributed throughout the United States. It is both urban and rural. It is widespread throughout Alaska, among our "native" population—Indians and Eskimos—whose chief handicap is their lack of educational opportunities in their youth. They have not been afforded these in the past by the Federal Government, which, until 5 years ago, had complete jurisdiction over their education and their economic and social welfare, and now still, in large part, provides their education.

In a comprehensive article entitled: "Poverty, U.S.A., the Poor Amidst Prosperity," published in the February 17 issue of Newsweek, we find the widespread distribution of poverty spelled out:

In a squalid Chicago slum, a Negro mother rages: "Why we got to go hungry and naked?" In forlorn Adair County, Okla., the State's poorest, a community leader wryly admits: "Welfare is our leading industry." In snow-crusted Portland, Maine, an arthritic old woman wearily fashions potholders to sell for 35 cents each and sighs, "Sickness takes the money so fast." In southern California's Imperial Valley, a leathery tomato harvester confides: "My highest thinking is not to lose hope. If I lose myself, I lose everybody."

On a dreary Toledo street corner, a jobless youth unfit for the Army reports: "Christ, when I get a penny I squeeze it until the Lincoln jumps." And in Detroit, a wife struggling to support her unemployed husband and five children on $60 a week laments: "Next month? I just don't know. Next month is in the hands of the angels."

I ask unanimous consent that the entire article be printed at the conclusion of my remarks. I can only regret that the telling illustrations cannot be reproduced.

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

(See exhibit 2.)

Mr. GRUENING. Mr. President, nor do these local citations begin to reveal the extent of the problem. If we are going to win this battle, it is going to have to be by a major campaign, not by a piddling, chintzy, token gesture or two, with transfer of funds already appropriated; with "make-do" of existing facilities. We need precisely the same kind of enthusiasm and demands for congressional action that our Presidents and Secretaries of State have for the last 17 years devoted to promoting our foreign aid program. To me, the domestic aid program should, at long last, at least be given equal treatment. It should long ago have had priority of treatment.

Accelerated public works, with adequate appropriation, would cut a large swath in unemployment. It would not do the whole job. It would not take care wholly of several of the categories of the poverty-stricken above listed, though it

would help them, too. We should have special and additional legislation for them. Additional legislation to raise the social security allotments, the hospital care bill—erroneously labeled "medicare"—and above all, education—vocational education—to train the young Negroes and whites, the school dropouts, who have insufficient education to hold jobs.

Professor Galbraith has some specific recommendations on the educational program. This will not be achieved on the private sector. This will not be done, as was so hopefully prophesied in the debate on the tax cut bill, by those who painted the glowing picture of how, through that bill, we would get away from public spending and let private enterprise do the job for the unemployed.

It would be splendid if private enterprise would, but it will not. If those who doubt this will read—and I hope many of my colleagues and others will read it—John Kenneth Galbraith's masterful article entitled, "Let Us Begin: An Invitation to Action on Poverty," which follows my remarks, they will understand fully why the moves that seem to be in prospect to make war on poverty will be feeble, inadequate, disappointing and indeed—and I hope that this may not be true—a failure of the fine high purpose which President Johnson has declared in making war on poverty in this, the wealthiest Nation on earth. Its upper class and upper middle class, and to some extent the lower echelons of the latter, are enjoying a varyingly substantial prosperity which does not reach those in the lower levels of our economic and social system.

Or will it, to repeat Newsweek's question, be "a band-aid program?"

It must not.

EXHIBIT 1

LET US BEGIN: AN INVITATION TO ACTION ON POVERTY

(By John Kenneth Galbraith)

The misfortune of the liberal is that he must suffer the censure of both his friends and his enemies. His friends are particularly severe, for, naturally enough, they hold him to much higher standards of intellectual deportment than those with whom they disagree. I speak here from experience. Because, a few years ago, I wrote a book which described our society as affluent, I have ever since been accused of believing that there are no poor people left in the United States. This charge comes, to be sure, from those who have not read the book but as every author is aware this accounts for a distressingly large majority of the voting population and a not insignificant fraction of the more eloquent critics. I continue to hope that those who have been more profligate of their energy will recall that one of my principal purposes was to urge that growing wealth would not, of itself, solve the problem of poverty. Instead, with increased well-being, the position of those left behind would become ever more shameful—an anachronism from which we would be able to divert our eyes only with ever-increasing determination. But my purpose here is not to defend myself but—in the deeper tradition of American liberalism—to dwell on the shortcomings of other people.

The problem of poverty in the United States is the problem of people who for reasons of location, education, health, environment in youth or mental deficiency, or race are not able to participate effectively—or at all—in the economic life of the Nation. Being barred from participation they are denied the income that accrues to participants. So they live in deprivation.

Those who argue that a steady expansion in economic output is a necessary condition for the elimination of poverty have a valid case. People who are able to participate in the economy must have a chance for jobs. And there also continues to be good reason for seeking a broad and equitable distribution of the revenues from production. Despite considerable propaganda to the contrary, our greatest current need is not a decision to be tender to the well-to-do. Their situation is not nearly so desperate as popularly represented or the current congressional desire to help the higher tax brackets would seem to suggest. We should continue to bear in mind that one makes an economy work not by rewarding the rich but by rewarding all who contribute to its success.

But on one elementary point there must be no doubt. If the head of a family is stranded deep on the Cumberland Plateau, or if he never went to school, or if he has no useful skill, or if his health is broken, or if he succumbed as a youngster to a slum environment, or if opportunity is denied to him because he is a Negro, then he will be poor and his family will be poor and that will be true no matter how opulent everyone else becomes. A very large part of the very worst poverty is the affliction of people who are unable to make a useful contribution to the economy. Being unable to contribute they receive nothing. They will continue to receive nothing no matter how rapidly the economy expands.

Equally there must be no doubt that the means for rescuing these people or their children—investment to conserve and develop resources, assistance in relocation of workers, assistance to new industries, vastly improved education, training and retraining, medical and mental care, youth employment, counseling, urban recreational facilities, housing, slum abatement, and the assurance of full civic equality—will require public effort and public funds. This must be honest effort and not pilot projects which are a modern device for simulating action without spending money. Poverty can be made to disappear. It won't be accomplished simply by stepping up the growth rate any more than it will be accomplished by incantation or ritualistic washing of the feet. Growth is only for those who can take advantage of it.

We have, of course, no hope of erasing this blot on our social life if we are affected by the thinking of that new and interesting cult which call themselves the modern conservatives. As to this, I suppose, there will be general agreement. The modern conservative is not even especially modern. He is engaged, on the contrary, in one of man's oldest, best financed, most applauded, and, on the whole, least successful exercises in moral philosophy. That is the search for a superior moral justification for selfishness. It is an exercise which always involves a certain number of internal contradictions and even a few absurdities. The conspicuously wealthy turn up urging the character-building value of privation for the poor. The man who has struck it rich in minerals, oil, or other bounties of nature is found explaining the debilitating effect of unearned income from the State. The corporation executive who is a superlative success as an organization man weighs it on the evils of bureaucracy. Federal aid to education is feared by those who live in suburbs that could easily forgo this danger, and by people whose children are in private schools. Socialized medicine is condemned by men emerging from Walter Reed Hospital. Social security is viewed with alarm by those who have the comfortable cushion of an inherited income. Those who are immediately threatened by public efforts to meet their needs—whether widows, small farmers, hospitalized veterans, or the unemployed—are almost always oblivious to their danger.

The first three or four times that I read "The Conscience of a Conservative," I confess that I was slightly attracted by the vision of a young, two-fisted man of my own age, up from the ranks, self-reliant, self-made, accepting the risk of illness without income, disdaining any organized provision for his old age, asking only that he might keep safe from the tax collector what he earned by the sweat of his own brow. I continue to think of this as the work of a detached scholar. But, in the purely literary way that one writer explores the psyche of another, I wonder if some personal anxieties are not eased by identification with a really good department store.

I have no thought of reproach here. My own interest in the Harvard retirement plan slumped appallingly when my books began to appear on the best-seller lists and my wife quite unexpectedly, became the beneficiary of the small remnants of a New England fortune founded, we believe, on the development of a better horse blanket. Why, we wondered, should the Internal Revenue Service share so handsomely in the royalties when it had had no part in the lonely agonies of composition? Should not the spirit of enterprise that produced those blankets be better rewarded in the present generation? For one fleeting moment Young Americans for Freedom had their chance.

It is not conservatives, however, but liberals who are the object of my present interest. It is to them, conservatives will be relieved to realize, that I address my word of reproach.

The elimination of poverty at home and its mitigation abroad are jobs for liberals. They will not be accomplished unless liberalism is a determined faith. That, alas, is what it is ceasing to be. It is coming to be supposed that there is something uncouth about argument, unwise about controversy, and irresponsible about innovation. A high State Department official expressed regret a few weeks ago—I am sorry to say that he had India in mind—that ambassadors should involve his otherwise placid institution in controversy. Liberals, I fear, are responding to this mood.

I am not at all sure that on either foreign or domestic policy the liberal serves his highest function by acting as a distant early warning system for right wing criticism. Nor is he most needed in order to provide an elegant and sophisticated rationale for what conservative officials have always done. Nor is it certain that he should measure his success by the applause which the establishment reserves in really fulsome measure for the once dangerous radical who has shown that he is open to sound conservative persuasion. I am not even certain that we most need liberals in order to alert us to the menace of communism. These are all matters on which I hope to dwell one day at greater length. Service to the United States in the field of foreign policy is not without its educational value in these respects. For the moment let me simply say to the liberal who believes that he does enough by endowing the public scene with his presence, rather than by pursuing his convictions, that I agree that it is a good life. It is also a lot like being one of the warriors in the Washington, D.C., parks. The posture is heroic; the sword is held high; but, alas, the movement is nil.[1]

[1] In suggesting that the Purely Decorative Liberal (who may be known for short as a PDL or Piddler) is a waste of time and should be recognized as such, I have no thought of suggesting that working liberals leave the Government. This disconcerting interpretation was read into these remarks, I think innocently, by a reporter when I first made them in Washington some weeks ago.

It is especially important that liberals not be defensive about the public tasks that lie ahead. These are becoming more and not less urgent and it would be an especially shocking miscalculation to postpone needed public services in order to get tax reduction. The case for tax reduction rests on the need to reduce the dampening effect of taxation at high levels of output and income and thus insure that these levels are maintained. The further effect, it is argued, will be increased tax revenues from a better functioning economy. Whatever the merits of this case, it provides no support for the contention that needed tasks of Government should be held back to facilitate the cut. This is now being suggested and some have gone on to argue that tax reduction is so important a goal that the public welfare functions should be cut back so that it may be accomplished with safety.

Prof. Raymond Saulnier, President Eisenhower's informed and by no means obdurately conservative economic adviser, has concluded that the nondefense expenditures of the United States—he mentions as illustrative those for the Rural Electrification Administration, Agency for International Development, Export-Import Bank, Farmers' Home Administration, outlays for civil public works, research—should be cut by $2 billion if there is to be both tax reduction and provision for the built-in or contractual increases in Federal outlays. This means that tax reduction is not for the public good but is imposed at public cost for its own sake.

John F. Kennedy liked to describe himself as a prudent man. And he hated extravagance of any sort—extravagant speech, extravagant gesture, waste of money. President Johnson is, I believe, a wisely prudent man. No one would ask for any other kind of national leader. Departments should answer well for their needs. There is no case for redundant bases, unneeded manpower, or unused services. The quarrel is with those who see in sound public service some danger to society. In fact the public services are one of the two great forces in the fiscal system working for economic equity and social stability.

We have long recognized that the progressive income tax is one such force. In the last quarter of the last century and the first quarter of this century, the concentration of wealth proceeded at a rapid, even appalling, rate in the United States. There seemed to be good ground for the Marxist prediction that this concentration would, in the end, destroy the vitality of capitalism and bring its destruction. The income tax was a major step in arresting this trend and thus annulling Marx's prediction. Conservatives have many reasons to be grateful for the Taft family but there can be little doubt that its greatest single monument is William Howard Taft's successful bid for a constitutional amendment permitting the progressive income tax. I do not share the enthusiasm, now also at a high pitch in some places, for making the tax less progressive. (Provisions in the new tax bill for a more liberal exemption of income in the form of capital gains are a remarkably frank form of free-loading for high-bracket taxpayers. I would hope that all legislators be questioned closely as to their stand on this item next autumn with a view to appropriate reward.)

But we need to bear in mind that the incidence of public services is similar to that of the progressive income tax. It also strongly favors the least fortunate.

Thus the well-to-do family can escape to the country. It is the poor who need parks and whose children need swimming pools. Only the poor live in the slums and require the myriad of services that, we may hope, will one day mitigate urban congestion and public squalor. The well to do live in communities that have good schools; it is the schools of slum dwellers and wage and salary workers which would be principally improved by Federal aid to education. Colleges and universities are more accessible to the rich than to the poor. It is the masses and not the classes who use mass transportation. The elderly couple of less than average income would be the major beneficiary of medicare. Social security, minimum wages enforcement, youth employment are all most important for the least well to do. It is poor children who play in dirty streets. It is their father who gets laid off when public works are suddenly cut back.

Even the protective functions of the State are most important for those in the lower income brackets. Lethal serum and poison drugs do, one gathers, work rather democratically on rich and poor alike. But many of us could probably survive a certain amount of exploitation in our prescriptions, fraud in our food packaging, mendacity in our dental advertising, or thimblerigging in our securities. We live in parts of cities where epidemics are less likely. The family that struggles to make ends meet, the widow with life insurance money around loose, the dwellers in urban tenements need the protection of an alert FTC, FDA, SEC, and Public Health Service.

Public services have, to use the economist's word, a strong redistributional effect. And this effect is strongly in favor of those with lower incomes. Those who clamor the loudest for public economy are those for whom public services do the least. Tax reduction that curtails or limits public services has a double effect in comforting the comfortable and afflicting the poor.

This is something which liberals should not forget. I venture to think there is an even stronger lesson for the man of good will and good income who, regardless of political disposition, counts himself a good and compassionate citizen. When he is tempted by a crusade against public expenditure, he should remember that the sacrifice is not his. This is all the more true, for the crusaders almost invariably exclude defense expenditures, the one large outlay that even the most affluent corporation finds a convenient source of revenue.

In recent times there has been a noticeable reluctance to base social policy on differences in personal income—or even to admit that they exist. Politicians now avoid the subject. As pornography has become ever more popular, inequality has become obscene. Ours is a classless society; we must not set the poor against the rich, or possibly vice versa.

This is great nonsense. There are wide differences in ability to pay in our society. There are also wide differences in the benefit from public services. These are facts of life to be treated without rancor but with full candor. The progressive income tax is a powerful force for equality and the stability of our economic institutions. So are public services. To suppose that public services are of equal benefit to people of all income, and hence that there is equality of sacrifice in curtailment, is to work a fraud on the poorest of our citizens.

My impression is that poverty will be eliminated primarily by energetic action along lines on which we are already working—on civil rights, education, slum abatement, the rest. Action on these several fronts has just been promised, as this goes to press, in the new state of the Union message. President Johnson has put the problem firmly on the public conscience. I would like to urge one further and very concrete step.

To the best of knowledge there is no place in the world where a well-educated population is really poor. If so, let us here in the United States select, beginning next year, the hundred lowest-income counties (or, in the case of urban slums, more limited areas of substantial population and special need) and designate them as special educational districts. These would be equipped (or re-equipped) with a truly excellent and comprehensive school plant, including both primary and secondary schools, transportation, and the best in recreational facilities. The employment on construction in this part of the task would be well-adjusted to the areas of unemployment.

Next, in the manner of the Peace Corps, but with ample pay, an elite body of teachers would be assembled—ready to serve in the most remote areas, tough enough and well-trained enough to take on the worst slums, proud to go to Harlan County or to Harlem. By this one step we would overcome the present difficulty in getting good teachers to go where they are most needed. I would think that the minimum salary for men and women qualifying for this corps should be around $12,000.

Finally, the scheme should include modest educational grants to families to feed and clothe children for school and to compensate for their earnings. Breakfast should be available for children who need it in addition to lunch. Perhaps there should be an issue of efficient and attractive clothing. Specifically qualified members of the corps would be available for counseling on home conditions, following up on truancy and delinquency, and otherwise insuring that these youngsters overcome the environment to which the accident of birth committed them. Those who need it would be provided with medical and psychiatric care. The year following, the program would be enlarged and extended to the next 150 or 200 most abysmal areas. It would come to cover as quickly as possible the areas of need. But it would not go beyond areas of low income or, as in the case of the slums, of special educational problems.

This is not Federal aid to education. It is an attack on poverty by what I would judge to be the most effective single step that could be taken. Can anyone argue that youngsters with these facilities and this training would share the dismal fate of their parents? As incomes rise above a specified level, the schools would be returned to the localities in accordance with a cost-sharing formula that would take account of increasing ability to pay. Those who fear Federal control of education are amply protected. The effort would not affect them.

There are adequate precedents for such action. Some 10 years ago it was sadly evident that our highways were heading for trouble. In the richer States they were fairly good. Elsewhere they were too few, too narrow, and too slow. One day soon the vehicles would be backing up into Detroit itself. Then we would have only an interlocked mass of metal full of sound but devoid of movement. The consequences for business would be far from agreeable. Foreseeing this crisis, the Federal Government stepped in. Disdaining to be bound by the time-honored formula for sharing costs with the States, it proceeded, subject to some fairly transparent disguises, to contribute up to 90 percent of the cost of the new highways. General Motors did not object. Ford did not object. Chrysler did not object. The National Association of Manufacturers was acquiescent. Mr. Lucius Clay, the father of the scheme, was at no time stigmatized as a radical promoter of big government. Confident of the same approval, I would urge that we finance in the same way this frontal attack on the areas where education is worst, is needed most, and has the most to offer.

EXHIBIT 2

POVERTY U.S.A.

THE POOR AMIDST PROSPERITY

Lingering poverty in the shadow of unrivaled affluence is the painful paradox of American life today. In a single generation,

the richest country on earth has banished the bleak specter of "The Grapes of Wrath" with the gilded fantasy of "The Beverly Hillbillies." But reality has hardly kept pace with the American dream.

Summoned now to Lyndon Johnson's unconditional war on poverty, Americans can find the battlefield on all sides:

In a squalid Chicago slum, a Negro mother rages: "Why we got to go hungry and naked?" In forlorn Adair County, Okla., the State's poorest, a community leader wryly admits: "Welfare is our leading industry." In snow-crusted Portland, Maine, an arthritic old woman wearily fashions potholders to sell for 35 cents each and sighs: "Sickness takes the money so fast." In southern California's Imperial Valley, a leathery tomato harvester confides: "My highest thinking is not to lose hope. If I lose myself, I lose everybody." On a dreary Toledo street corner, a jobless youth unfit for the Army reports: "Christ, when I get a penny I squeeze it till the Lincoln jumps." And in Detroit, a wife struggling to support her unemployed husband and five children on $60 a week laments: "Next month? I just don't know. Next month is in the hands of the angels."

Living on relief

On any given day, 430,000 men, women, and children—more than the entire population of Louisville, Ky.—live on relief in New York City, thousands of them in such appalling, vermin-ridden tenements that many have resorted to a desperate new tactic: the rent strike. In all, close to 8 million Americans are receiving public aid—$400 million worth a month—and the number has been growing twice as fast as the population since 1955.

In the scarred hollows of Appalachia there are hamlets so primitive that even an outhouse is an unknown luxury. In the South, half of all Negro farm families cling to survival on less than $1,200 a year. In the dust of Three Rocks, Calif., a huddle of shanties in Fresno County, children gambol who have never seen a kitchen sink. American Indians still languish on reservations where the death rate is three times that of the United States at large. At precisely 11 each morning, 1,500 ragged people, some of them women clutching bedraggled youngsters, shuffle to St. Anthony's dining room in San Francisco for a free hot meal, generally their only one of the day.

What, after all, is new about poverty? The Bible says, "ye have the poor always with you"—and so far, even in America, it has been dead right. But in the United States at midcentury, poverty carries a special poignancy, a special frustration. For the first time in history, a society has attained the technological resources to wipe out poverty; yet, ironically, that very technology is aggravating the plight of the poor.

Out of step

And for the first time, in the midst of an unprecedentedly prosperous majority, America has been experiencing the phenomenon of minority mass poverty. A century ago, the overwhelming majority of Americans would have been deemed poor by today's standards. By the same yardstick, one out of every two Americans lived in poverty during the boom year of 1929. During the depression, Franklin D. Roosevelt's ragtag "one-third of a nation" was more closely two-thirds. But to be poor in America today is to be out of step with the Nation, a stranger in paradise, a frequently faceless member of an alien culture.

"The poor people feel that no one cares," says Paul Jacobs, a onetime labor organizer who recently roved the country on a Ford Foundation grant, disguised as a near-penniless drifter to gather firsthand impressions of unemployment and deprivation. "It's another world—there's their world and ours. They eat meat, and potatoes, and gravy—whoever heard of fruit or a salad? They get no mail—who writes to poor people? They sleep late—what's the sense of getting up? If you sleep late you might save the cost of a meal."

Ever since John Kenneth Galbraith pinpointed the anomaly of deprivation amid plenty in "The Affluent Society" 6 years ago, fellow economists have been haggling over the meaning of "poverty" and the precise dimensions of the problem in the United States. Reading the data by their own subjective lights, they have produced estimates ranging from an extravagant 90 million American poor—nearly half the population—to a hard-core minimum of 20 million living on the rind of bare subsistence. "The point," sociologist Michael Harrington says bluntly, "is that there are a hell of a lot of poor people in America today."

One-fifth

In its war on poverty, under the generalship of Peace Corps Director Sargent Shriver, the Johnson administration's count of the American poor is 35 million—nearly one-fifth of the Nation. It is an arbitrary figure, like any other, but virtually all experts agree that the figure is essentially realistic.

Who are the American poor and just how poor are they? "The people who are falling behind," says Galbraith, "fall into four classes. Those with poor education, those with physical or mental deficiency, those who live in the wrong geographical area, or those who have restricted job opportunities because of race. The most elementary fact about prosperity is that you have to have a job to participate in it."

The most elementary facts about American prosperity are staggering: after 35 straight months of expansion, the economy is generating a gross national product at the unprecedented rate of $600 billion a year, 67.2 million people are employed, median family income stands at $5,956 a year, up from $4,117 in 1947. But when the income pie is sliced, 80 percent of the population feasts on 95 percent of it.

The other America

The remaining sliver goes to the Nation's "forgotten fifth"—the citizens of what Harrington has christened (in the title of his 1962 study) "The Other America." Up-to-date figures show that more than 30 million Americans live in families with incomes of less than $3,000 a year; more than half of them subsist on less than $2,000—$38 a week. Five million people living alone earn under $1,500 a year.

Most poor families are white, live in cities, and are headed by a man or woman with no better than an eight-grade education. When the figures are broken down, the characteristics that govern Poverty U.S.A. make their mark.

City and country, nearly half—47 percent—of all poor families live in the South; indeed, a southerner's chances of being poor are twice those of Americans living elsewhere. Twenty-two percent of American poor families are Negroes or other nonwhites; a non-white family's chances of being poor are two and a half times greater than its white counterpart's. A quarter of all poor families are headed by women, a third by men or women over 65. Thirty percent have no breadwinners at all.

Unquestionably, unemployment is a major thread in the pattern of Poverty U.S.A. By the latest count, 4.6 million Americans, 5.6 percent of the work force, are unemployed. Yet like all other individual aspects of the problem, unemployment in the conventional sense is only one part of the story. "Before," Galbraith points out, "we had poverty of the employables. Now we have poverty of some employables and many who are technically unemployable."

Thus, the spectrum of poverty in the United States begins at one end with the nouveau poor—industrial workers, thrust on the slag heap by automation or relocation of plants, who are slowly slipping into want they thought they had escaped forever. In the middle are the millions of low-paid, low-skill migrants, farm laborers, and service workers who simply cannot live on their often sporadic wages. And at the extremity are those too old, too sick, or too incompetent to hold jobs even if they had the chance. In an era of breathtaking technology, those who are left behind find it increasingly hard to make headway. "I think you're treated according to your education," says a bitter Negro mother in Chicago. "If you're unlucky and don't get one, or if you pass up the chance to get one, you have to suffer. You pay for it for the balance of your life."

Who are the poor?

In the United States of America there are 47 million families—9.3 million earn less than $3,000 annually. Of these: 5 million live in cities; 4.3 million live in the South; 6 million have a family head with less than ninth grade education; 2 million are nonwhite; 2.3 million have a woman as family head; and 3.2 million have a family head 65 or older.

Scanty education, ramshackle housing, faltering health, gnawing frustration—these are the effects of poverty and, in a vicious, stubborn cycle, the causes of more poverty.

Yet no capsule analysis of the dimensions and roots of the problem can begin to suggest the fascinating ambiguities that make American poverty so distinctly American. In every poverty pocket in the Nation jingles the small change of the affluent society.

Stereo on relief

In Harlan County, Ky., for example, the heartland of depressed areas, 88 percent of the families have washing machines, 67 percent have TV sets, 42 percent have telephones, and 59 percent own cars. On New York's lower East Side, a Puerto Rican family living on relief is paying for a stereo phonograph set. In Stilwell, Okla., an old man lives on in a tarpaper shack, serene in the satisfaction that he has put every one of his children through college. A 1960 study found that 14 percent of families earning less than $3,000 annually had bought new cars that year; nearly half the families making between $2,000 and $3,000 a year own their own homes.

As a class, the American poor live better today than ever before. And as a nation, America has made significant strides in reducing the percentage of poor in the general population—though in a rapidly growing population, the actual number of poor has been increasing. By the standards of the President's poverty advisers, 32 percent of all American families were poor in 1947. Within a decade, the figure had been cut to 23 percent. But since 1957 the pace has slackened. How to speed it up? That, in essence, is the problem facing the men who are now mapping the strategy of the war on poverty.

The impoverished are people, too. And here are a representative eight, chosen from many others interviewed by Newsweek throughout the country and keyed on a map of the United States. They are at once typical of their plight and individual in their response.

Some have always been poverty-stricken, some only recently; some are not there yet, though headed in that direction. Significantly, perhaps, none has ever been wealthy nor even prosperous. And none is an "operator," able or even willing to exploit all the relief and charity possibilities open to him. Finally, nearly all have pressing health problems and nearly all, somehow, have hope.

Alice and Howard Neipert

The living room of the Neipert apartment in Portland, Maine, is small and warm and filled with the accumulated bric-a-brac of a 50-year marriage. Alice Neipert, a neat, buxom woman with a drawn face, sits quietly on a rocker near the window. She

has crippling arthritis. Her husband, Howard, a benign 78-year-old, canes about the house. He has osteomyelitis.

Eight years ago Howard retired with $6,000 in savings and the intention of working at his old job as a shoe salesman 3 days a week and thus earning $1,200 a year. Within 6 months, however, he had become too sick to work. All the savings went for medical bills. "That was money we were going to have fun with," Mrs. Neipert says mildly. "We had a few little trips planned, maybe one to Florida."

Now they live on social security—$141 a month.

They eat sparingly, but "well enough," they both say, spending $10 to $15 a week on food and carefully balancing their diets. Mrs. Neipert can't walk very much, but she cleans the three-room apartment every day, does all her own laundry, ironing, and cooking. Howard vacuums, and they have a relay from closet to table for setting the table.

The Neiperts own a TV set, acquired before his retirement. (They think programs are going downhill fast.) Recently they have acquired a toaster and some blankets with grocery-store stamps saved over the years. They also have a phone—"the last thing I'd give up," says Mrs. Neipert. "Our son calls up from South Portland every night."

Doctor bills and medicine costs menace their future. "Still, we don't owe one nickel, and we have a lot of wonderful friends," says Howard Neipert. "I'm not able to work, so we just have to get along, or else."

The couple also retains a few "luxuries"—the morning newspaper ("Pa'd just be lost without his paper"), and now and then a present. "Last week," says Howard, with a devilish glint, "I brought my wife a pint of sherbet."

Mrs. Pauline Véliz

New York: Spanish Harlem has some of the roughest streets in the world, and it takes some of the toughest mothers in the world to bring up decent children, especially when they must do it without the help of a man. Pauline Véliz is doing it—barely. "Just because you live on welfare," she says, "you don't have to live like pigs."

A family under siege, Pauline Véliz and her six children huddle in their four-room railroad flat in New York's Spanish Harlem and shut out the world. Their enemy is the fanged street below, which extends into the tenement, up the clammy, urinous stairways, past the occasional dozing junky who sometimes grabs for the children.

And there is a second enemy, sickness, the classic foe of the poor: 10-year-old Rosalinda has asthma. "They tell me she shouldn't climb stairs," says her mother bitterly. Five-year-old Bertile has a rheumatic heart. Antonio, 11, once spent over a year in a convalescent home in Connecticut. "All that time," says Mrs. Véliz, "I never saw my son. Finally I told the welfare people, 'You give me visiting money, or else I'll use the rent money.'" Welfare refused. Mrs. Véliz defied them, went to see her son, and got away with it: "I'm not afraid of welfare anymore. They can't throw you out unless you have a man around. I don't have one and I don't want one. I don't want any more children."

A round, vivid woman of 38, Pauline Véliz was born in the United States of Puerto Rican parentage. She mentions the two husbands in her life, both now disappeared. Her children are entirely supported by welfare—$133 every 2 weeks. They attend parochial schools; Pauline accompanies them in the morning, picks them up in the afternoon, and they return via Girl Scout meetings and the like, to the dingy, spotless apartment.

It is not an easy place to keep clean. Periodically the rats appear and must be driven out, their holes boarded up. A month ago a large chunk of kitchen ceiling fell to the floor. There is a puppy. "The children need entertainment," Pauline explains. "They don't have many toys." In the living room bookcase is the Golden Home and High School Encyclopedia, bought on time years ago.

The Véliz children seem frightened, slow, not up to their vital mother. She caresses them often. They run up frequently to touch her hair, hold her hand. "I try to keep them happy," she says, "and safe. These days, there's no safety in the streets."

Claudie Mae Lowe

Georgia: A sawmill man and an ex-farmer, Tobe Lowe, 55, can't get on welfare because he's able to work—but he can't find work. Meanwhile the children munch hoe cake and look hungry and play lethargically. Not far from the Lowes' two-room house, a roadside sign warns the passerby: "The blood of Jesus is the only way to heaven. Your way won't do."

Every morning a timid, round-eyed, Negro mother named Claudie Mae Lowe sweeps the clay front yard of her two-room home in Taliaferro County, Ga. It is the country way to show a family is living in a house that otherwise appears uninhabitable.

Claudie Mae's two rooms are teeming with humanity. She has eight children, only three of school age, only one now in school. (The others have dropped out, she explains, "till we kin git 'em up some clothes.") She has a husband named Tobe, patient, stocky, middle-aged, "a sawmill man," jobless since last fall after 18 years with one company, 3 years with another. Sawmilling is fading out in central Georgia, so Tobe farmed for a while, "goin' halfs" on 40 acres of cotton with a white man who put up the land, equipment, and $50 a month "run money" for groceries. Since harvest time, however, he has had no work.

Somehow the 10 Lowes sleep and "set around" in one room. It is darkish from boarded-up windows, and full of beds and boxes and has an old easy chair with makeshift board seat. The flowered wallpaper has been torn and shredded by children up to a height of 4 feet. Above are decorations, large advertisements of Stokeley's beans and Van Camp's pork and beans.

In the kitchen are several battered electrical appliances, though the electricity was turned off months ago. Last week, the oven of the broken-down stove contained a hunk of white fatback, the size of a man's hand, and some grits. Claudie Mae was making the family staple—hoe cake. "Ain't got no milk," she said with a bewildered little giggle. "You spose to use milk. I uses water."

As she told of her last visit to the doctor, Claudie Mae's giggle was like that of a sad child. "He say I got dis here thing. Say I got to have my womb took out."

Tobe still hopes to be a sawmill man again, still applies for every opening he hears of. "When de wages went up, de mills just shet down," he says. "This week I been to these heyar planing mills, where dey puttin' up a new mill, and de man say 'I ain't goin' to keep all the hands I got 'cause now they's machines doin' what hands used to.'"

The rent for Tobe's house is $7 a month, but his landlord, a sympathetic Negro who lives in a more substantial house up the road, is not pressing for his money. "I just don't see how families live like that," he says.

The landlord also lets the Lowe children fetch pails of water from his house. Tobe's well is muddy and unsatisfactory. On days when Claudie Mae is boiling clothes, the children bring the water to the big black pot in the Lowes' front yard. But lately the pot is seldom used; the children have nothing to wear while their clothes are being washed.

Now and then Tobe considers moving his family to the city, but he believes it is not for the likes of him and Claudie Mae. "Hits right smart fast in town," he says. "Reckon maybe hits too fast."

Thomas Ray Spray

Des Moines: Rejected by the Army, 21-year-old Tom Spray has had a run of bad luck. Recently he was told of a job with a repair company—and got there after it was filled. Later he barreled out to a West Des Moines factory when he heard they were hiring. "But I'd heard wrong. Turned out they were firing."

A glum, pudgy 21-year-old, Thomas Ray Spray already has the mark of the loser upon him. He finished the 11th grade in a special class at North High School in Des Moines, but the school felt he had gone as far as he could. He wasn't permitted to enter the 12th grade and get his diploma.

Tom Spray still feels the shock of being given a 1–Y (limited trainability) classification by the Army. "I'd looked forward to going in," he says. "I figured it would be my chance to learn a skill or something. No reason why I couldn't either. I can read well enough to learn a lot of things."

Tom lives with his divorced mother and a 15-year-old sister in a dingy two-bedroom apartment with cracked walls, chipped paint, and an atmosphere of near-hopelessness. He has worked two and a half months in the past year—mixing fruit cakes in a bakery for the Christmas trade. The rest of the time he has been looking for another job—or else slouching unhappily before the TV set in the living room.

His small, harassed mother supports the family on her $32.50-a-week take-home pay as a piemaker. "Sometimes I just feel like giving up," she says. "Why can't the boy get a job? Why didn't they let him finish school? Why did the Army reject him? Nobody ever tells us. It's not his fault. He tries."

His ambition is to get back into bakery work. "There's a future in that, and it's the only thing I know anything about. I might even get myself classified a skilled worker on my past experience."

But nothing has turned up lately in bakeries or anywhere else. Tom visits the Iowa Employment Service offices twice a week. "All they ever say," he sighs, "is they ain't got nothing. Leave your application, and we'll be calling you, they say, but nobody ever calls."

Joseph Crowley

Detroit: Unemployed for 3 years, with no prospects in sight, Joseph Crowley, 43, isn't out actively seeking a job; he knows there's very little around for him. Now he babysits for his working wife, registers with agencies, and tries to get into one of the State retraining programs.

Three years ago Joseph Crowley and his family were moving up in the world. He was a warehouse leader, making $2.49 an hour, at the Essex Wire Corp. in Detroit. He'd moved to a two-story brick and shingle house, bought a new TV set and a new turquoise davenport. Then he was laid off.

Crowley, hasn't found a steady job since. Now the family income ($243 a month) comes from neat, little Dolores Crowley, 33, who housekeeps at the rectory next door. When she's at work, Joe cooks for the five children. "Sometimes I get way down in the dumps," he says. "Then I do something extra, like maybe wash down the bathroom walls."

The Crowleys are still eating reasonably well, and the children (3 to 13 years old) are neatly dressed, but there are health problems. Both adult Crowleys need dentures, and the children have cavities. Because they can't pay their family dentist, the Crowleys have not visited him lately. "Two or three years ago," Dolores says, "the doctor told me to have a hysterectomy, or at least a checkup every 6 months. But it would cost $12.50,

and more for blood tests, and I haven't been for a year."

The Crowleys are not on welfare. "I was raised on it," says Mrs. Crowley. "I don't want it for my children. Anyway, this is the hand God dealt us, and we have to play it."

And Joseph Crowley pulls his 3-year-old son on his knee and says: "If I'd just gone through high school and had a trade, things would be different."

Slim Lemert

Los Angeles: Slim Lemert, 37, still has standards, can still get angry. Last week, he fell asleep in an all-night movie and someone cut the pocket out of his jacket and stole 13 cents. "If a man's going to steal," Slim said disgustedly, "the least he can do is hold up a bank."

Sodden, hopeless, living on 10-cent wine and self-disgust, Slim Lemert is on the bottom of any man's pile. He is 37, a former mechanic, divorced, with three children he never sees. Now he is a Main Street wino in Los Angeles.

He has one remaining point of pride. "I've given up a long time ago," he says, "but I've never had to go to no mission. One thing I won't do is become a mission stiff."

Last week Slim had on the same blue jeans he has worn for 3 years. He hadn't washed in over a week. He hadn't eaten since yesterday, when he'd managed to get down a bowl of beans.

Now and then Slim Lemert works, but he is choosy: "I could make three or four bucks passing out handbills—but you got to walk your feet off 12 hours a day. I'm not about to wear out my shoes for some rich man."

There have always been Slim Lemerts in the world—in good times or bad. They are a part of poverty's landscape; they belong in the land of the poor. Many don't even consider liquor their major problem. "As long as there's a cellar," Slim says, "there's going to be a rat in it. I'm the rat, I guess."

Lemert nurses his wine slowly at first, sipping half the glass meditatively, then suddenly gulps the rest all at once. "I'll tell you something very funny," he says. "I hate wine. I almost puke every time I drink it. But if I didn't stay drunk, the chances are I'd kill myself."

John and Clara Kester

Oklahoma: A man can be a solid citizen and poverty-stricken at the same time. Nobody in Adair County "poor-mouths" John Kester for barely getting by. He has a job, does a little "break-even" farming, and expects that somehow his boys will be able to go to college.

People in Adair County in the Ozark foothills of Oklahoma respect John Albert Kester. He is a homeowner, a member of the local school board; for the past 10 years he has held the same full-time job.

He makes $48 a week.

"Handyman's wages," he says, "top pay for farmers, but it's not enough." And an apologetic smile creases the 43-year-old face that looks a dozen years older. Last week, John's wife, Clara, wearing a faded shirt, men's work pants, and shapeless brogans, talked about feeding her seven children: "They get dry beans cooked with grease, 'taters, and when the cow's giving most of 'em drink milk three times a day. And every month we get the Government 'commodities'—about a week's worth of butter, 2 weeks' of flour, and such like."

The Kesters live on 25 mortgaged acres in a tar-paper "brick" four-room house jammed with castoff furniture. Worn linoleum covers the living-room floor and a bare lightbulb glares over an old TV set and a stove smelling of burning oak.

Now and then the family considers leaving the area. "Sometimes I get plumb mad because I don't have some of the things I'd like," says Clara, "but mostly I don't think about it." Then she looks about and smiles softly. "We do like it around here. It's the prettiest country in the spring you ever did see."

Mrs. Esther Strom

San Francisco: An old lady alone with poverty and a youthful photo. On Esther Strom's bed is a library copy of Edna Ferber's "Gigolo," but even reading isn't easy. "The doctor said I had cataracts and need glasses. I laughed. I can't buy a book, much less glasses to read it."

Proudly the old woman lifted a bottle of $3.75 cologne from the bureau of her 9- by 10-foot hotel room. "I would rather miss a meal than be without my perfume," she said. "I am still a lady."

Esther Strom is small and plump and 68. She lives on $118.50 a month from social security and her late husband's World War I pension. Her room in the tired old Hotel Tynan half a block off Market Street in San Francisco is $35. She spends $2 a day on food, and for entertainment has the public library.

Esther Strom emigrated from Finland in 1928 as the wife of an American seaman, who disappeared for long periods: "You know how men of the sea are. From the first I was on my own." She became a cook in many of the wealthy homes around Nob Hill. "I'd cook now, if I had the chance. But of course I haven't—not with these hands." Esther's hands are crippled with arthritis.

For a few years, in the 1930's, she was a writer. A Finnish publisher brought out two of her books on early Finnish settlements in America. She has also experienced her share of life: "I was a woman who loved wine and song and the men. But now there doesn't seem to be anything left."

And sitting in her tiny room, she listens to the sounds of traffic and runs her fingers over the worn cloth of her skirt and looks at a picture of herself as a young woman. "Those were the days," she whispers, "when I was alive."

APPALACHIA

Appalachia's children vividly damatize the region's plight. These live in Granny's Branch, a remote Kentucky hamlet whose main street (and sewer) is a creekbed. They subsist on Government-surplus beans and cornmeal, live in plumbingless (and often privyless) shacks, seldom attend school, suffer chronic hookworm. But they smile, for they never had anything better. Neither, of course, have Granny's Branch adults.

Appalachia is an evocative word. It conjures up legendary names like Boone and Crockett, fabled Americana like the Hatfield-McCoy feud, pungent place-names like Granny's Branch and Pigeonroost. Appalachia was the wild, craggy, menacing steppingstone to the U.S. West. In folklore, it became the land of the long rifle, the moonshiner, the child bride, and the revenooer no less than the timeless locale of Li'l Abner's Dogpatch. Physically, Appalachia today is the spit and image of its legends, but instead of lean, inscrutable mountain patriarchs, there are tired, numbly polite men presiding over clans of birth-worn women and tribes of pasty-faced children.

Romance—the romance of a sinewy people hacking a good, if spare, life out of the granite-tough obstacles of the mountains—lies a moldering in Appalachia's history. Today, Appalachia has supplanted the South of 30 years ago as America's No. 1 depressed area.

The region's geography—a tangled mass sprawling over 160,000 square miles from Pittsburgh to Birmingham—is only a picturesque, superbly ungroomed backdrop for America's largest and most stubborn rural slum, chronically bedeviled by congenital shortcomings and technological cruelties.

Baffled

Platoons of sociologists and economists have scoured Appalachia in recent years analyzing the region's plight. But each explanation seems capped by a paradox, each answer baffled by a human conundrum. Beyond question, a declining demand for industrial coal plus automation in the mines put thousands out of work and are doubtless the main causes of destitution. Yet, since 1939, manufacturing in the region (textiles, timber products) has increased faster than the national average—while wages in plants held 20 percent below average, and unemployment 45 percent above.

Appalachia, which encompasses all of West Virginia and parts of Alabama, Kentucky, Maryland, North Carolina, Pennsylvania, Tennessee, Virginia, Georgia, and Ohio, is plain baffling. Its people remain fiercely independent in spirit; yet they rely, more than any other Americans, on public aid. Disease flourishes (the tuberculosis rate is 50 percent above the U.S. norm), while hospital facilities remain appallingly inadequate. Illiteracy flourishes—and the people display an aversion to bond issues to build better schools.

Appalachia is mostly rural, but its small farms, because of the rugged terrain, defy technical advances that have increased agricultural production elsewhere. Rich treasures in timber and water resources remain unexploited because primitive road systems make them inaccessible or uncontrolled floods make them unusable. Local governments remain, too frequently, in the hands of parasitic politicians, while young potential leaders seek opportunity elsewhere.

Migration

Residents of Appalachia flee the region in droves; some 2 million left between 1940 and 1960. But any economic relief that out-migration might offer seems counterbalanced by the remarkable fecundity of the mountaineers.

In a 1,328-mile trip through the region, Newsweek's Correspondent David Burnham and Photographer Tony Rollo met living proof of the wretched statistics among the region's 15.3 million people. They found them out in the hollows where varmint stew supplements the beans, meal, and lard collected from the government; where running water is a rarity, a pencil unknown to many children, and a refrigerator on the front porch a symbol of baronial status even if the appliance motor vibrates the whole house.

Three miles southeast of Manchester, Ky., there is such a place—Granny's Branch. One finds it up a rocky stream bed. It is both entrance and sewer.

There last week stood Jim Smith, 42, short, pale, sickly, in front of his plain splintery shack, surveying with listless eyes the scrawny chickens and mangy dogs that—helped periodically by Smith's 10 thin, ragged children—provided most of the animation evident in the hamlet of 227 inhabitants. "Well, I used to work in the mines," Smith said. "Well, no, I don't recollect when it was they laid me off. I can't mention the time for sure."

There, at length, stood Jim Smith's 61-year-old father, Leonard, out of work because of a back injury; and there—just a hoot up the branch—stood Jim's cousin George, 26, and his 17-year-old wife raising three children (on $50 a week from a temporary mine job) in a house that trembles when one stamps mud off on the narrow front porch. George said he couldn't read, "but I can sign my name real good."

Symbol

In Granny's Branch, as in hundreds of other remote hamlets in the vast Appalachian sprawl, the main symbol of a better life is the public health nurse. Here it is a short woman in her 30's named Ann Feltner. Mrs. Feltner knows enough about the Smiths to

help them some; for example, she persuaded George Smith's 5-year-old daughter to give up chewing tobacco with the promise of a doll. But like the experts far away, she doesn't pretend to any solution to the larger enigma posed by all the Smiths in the hills. The poverty embodied by the Smiths is now bred in the bone, feeding upon itself, impervious, so far, to all the economists and sociologists who seek some way to break the cycle of despair.

Meantime there stands Jim Smith in front of his ramshackle house (no privy), his frail frame shivering under a cheap black shirt, staring dully at his 10 ragged, chattery children.

A "BAND-AID PROGRAM"?

With characteristic political élan, Lyndon Johnson has turned the phrase "war on poverty" into an evocative election-year slogan and a full-throated legislative battle cry. "In a way," says one top Washington official, "it's too bad the poverty program struck such a responsive chord with the public. This is a problem that will take decades—not just years—to handle, and I'm afraid people have been led to expect results overnight."

No one familiar with the complexities of the poverty cycle and the scope of the Johnson administration's efforts suffers from such utopian delusions. Indeed, hard-nosed authorities in and out of Government are frankly skeptical that the L.B.J. war on poverty as presently conceived will do more than attack the symptoms of an age-old affliction.

Few question Mr. Johnson's earnest concern for the plight of the poor. "The President has a great feeling for this program," says a Kennedy administration holdover in the White House. "It's close to his own roots. Where Kennedy may have had only an intellectual appreciation of the need to eradicate poverty, Johnson had a 'gut' reaction to the basic idea."

J. F. K.'s role

Actually, Mr. Johnson's predecessor must get a substantial share of credit for whatever success the new urgent concentration on Poverty U.S.A. eventually produces: It was John F. Kennedy's initiative that set the stage for the present drive, and Kennedy-fostered legislative proposals form the heart of the Johnson poverty program.

More than a year ago, the late President asked Walter Heller, Chairman of the Council of Economic Advisers, for a copy of Michael Harrington's newly published, nontechnical report on poverty, "The Other America," and for the more scholarly analyses by economists like Leon Keyserling and Robert Lampman, a University of Wisconsin specialist on low-income families. Last June, Heller sent a note to Lampman: "What lines of action might make up a practical Kennedy antipoverty program?"

Armed with Lampman's guidelines, Heller recommended that the war on poverty be declared, and just 3 days before his death last November, the President gave his chief economic aid the go-ahead to rough out the orders. On the hectic weekend after the assassination, Heller briefed Mr. Johnson on the sketchy planning already undertaken. The new President seized on the idea as a logical extension of the Kennedy philosophy and—since the antipoverty strategy had not yet jelled—a program he could legitimately carry to the voters as his own.

Now, down the hall from newly designated Poverty Chief Sargent Shriver's fifth-floor offices at the Peace Corps, an eager handful of key planners—Washington insiders have already dubbed them the "Poor Corps"—are trying to translate good intentions into meaningful reality. The atmosphere is enthusiastic, excited, often more than a little confused—distinctly reminiscent of the early days of the Peace Corps itself.

The team

Actually, Shriver and his brainstormers—among them Defense Department's Adam Yarmolinsky and Pat Moynihan of Labor, reinforced by intellectuals like Sociologist Harrington—are engaged in only one theater of the poverty war: getting more out of existing programs and developing new ones.

Integral to the war on poverty but essentially distinct from the efforts of Shriver and his "poverty office" is the $11 billion-plus tax cut bill, which passed the Senate last week and is now in the hands of a House-Senate conference committee. As Mr. Johnson's advisers view the problem, no programs—no matter how ingenious—can make headway unless the sluggish economy is jogged and new jobs are created. The tax cut is counted on to do that, "automatically" winning part of the battle.

The arsenal

A whole range of other programs—public-works projects in Appalachia, housing and hospital construction, referral of draft-rejected youths to employment or health counselors, studies of the effects of automation and overtime pay—are part of the arsenal, yet not directly connected with the "Poor Corps."

Under the budget proposed by President Johnson, $500 million will be spent by the Shriver office in the next 12 to 18 months. Half of this will be earmarked for new programs, including "community action" projects of all sorts in poverty pockets around the country. The rest will be spent on poverty-related aspects of existing manpower retraining, health, and employment programs technically under supervision of Cabinet departments. The keyword is coordination.

In practice, such bureaucratic differentiations would disappear. A typical community project might well involve Federal funds from a number of old and new programs, augmented by State, local, and perhaps private money. The initiative would come from the community itself in some cases; in others, the impetus would come from Washington—especially in areas themselves slow to fight the war on poverty.

Pilot projects

An outstanding sample community-initiated project is the 3-year, $12 million youth salvage campaign in poverty-ridden Kanawha County, W. Va., announced last week by Attorney General Robert Kennedy, head of the President's Committee on Juvenile Delinquency. Other pilot programs on the drawing boards involve putting college students from low-income families to work as tutors for potential high school dropouts, and work projects for chronically unemployed men and women coupled with special reading, trade, or adult-education classes.

Shriver is conscious of the conflict between those who would stress the jobs and public works approach, and those who want to concentrate the available funds at first in a fixed number—perhaps 50 or 75—of community projects. By no means has he made all of his key decisions, but it is clear that both approaches will get attention.

"The community approach offers a great deal," says Shriver. "As a matter of fact, it's a great deal like Peace Corps projects overseas. But let me tell you this: I'm not at all interested in running a handout program, or a leaf-raking program, or a 'something-for-nothing' program. I don't know what we're going to come up with, but when we do, it will be a practical program."

No one doubts that the tireless, pragmatic Peace Corps chief will get the most he can out of the money at his disposal. But even those sympathetic to the intentions of the war on poverty harbor grave reservations about its small budget and limited scope.

"The money figures that are being talked about are utterly unrealistic in view of the goals authorized," grumbles Harrington. "New York could absorb that much just on the problem of the Negro. One billion wouldn't cover any one point in the programs President Kennedy originated."

Not even a dent?

A high administration official says: "This threatens to be just a band-aid program. God knows it's worth while. Any increased effort to alleviate the pains of poverty is worthwhile. But until we crank up a massive effort to improve education, cut out the slums, clean out the narcotics rackets, we won't really make a dent in poverty. And don't forget: birth control figures heavily in this. I don't think we are prepared to do what is necessary in this area."

"This war on poverty," gibes Economist Oscar Ornati, "is one in which no general is willing to take a chance."

Another critic, Economist Keyserling, feels the essential point is being missed. "I do not believe that we have a distribution of income in the United States which makes it possible either to reduce unemployment substantially or to reduce poverty substantially," he insists. "You can't get rid of poverty, you can't expedite economic growth, you can't reduce unemployment by regressive budgetary policy, a tight-money policy, a nonspending policy, and a regressive redistribution of the national income through the tax mechanism."

"Free market" advocate Milton Friedman of the University of Chicago—a Goldwater adviser on occasion—has a more radical solution: a "negative income tax." The poor could be uplifted in a twinkling, he suggests, simply by giving them cash subsidies financed by the billions now spent piecemeal by Federal, State, and local agencies on New Deal-style welfare and poverty programs.

Thought provoking as they are, the points raised by Keyserling and Friedman are essentially academic in the face of current political realities. Lyndon Johnson, driving for a balanced budget, is unlikely to resort to massive increases in Federal spending; nor is America's basic commitment to a wide range of social-welfare programs likely to be abandoned in favor of an outright dole to the impoverished.

Indeed, the real problem facing the Johnson administration is how to wring a meaningful array of conventional poverty bills from a reluctant Congress. There are already more than a few ominous portents. Last week, a House committee flatly refused to expand the popular, proven food stamp program. Expansion of another Kennedy-inspired measure, the Area Redevelopment Administration, faces harsh prospects also; it is now bottled up in the House. With a Senate civil-rights filibuster certain, the "poverty package" may well become a hostage of the Southern bloc.

A poverty bloc?

By the time the President's special poverty message reaches Congress next week or the week after, the Southern tactics should be clearer. Harrington, for one, is convinced that the war on poverty is doomed unless Mr. Johnson recruits a coalition of his own: "a new, liberal, antipoverty congressional consensus cutting across party and sectional lines."

Shriver's first order of business these days is to draft the President's poverty message. He has leafed through a whole range of ideas from various Government agencies, solicited the views of business leaders and labor unions, and bounced the results off such trusted friends as Yarmolinsky and Dick Goodwin of the Peace Corps. Last week, for example, he huddled with Economist John Kenneth Galbraith; Charles B. (Tex) Thornton of Litton Industries; C. Virgil Martin, president of Carson Pirie Scott & Co., Chicago department store; Mayor Arthur Naftalin of Minneapolis; Donald Petrie, chairman of the executive committee of Avis

Rent-a-Car; Lane Kirkland of the AFL–CIO; Henry Heald, president of the Ford Foundation; Harrington; Labor Specialist Paul Jacobs; Under Secretary of Agriculture James L. Sundquist; Richard Holton, Assistant Secretary of Commerce, and TV Star Richard Boone, serving as a consultant of the President's Committee on Juvenile Delinquency.

"I come into this with an open mind," Shriver says. "I've been learning, sifting, and consulting—in just the way I did when I was trying to organize the Peace Corps. I don't mind going slow at the start. I feel that the way a program gets started is important to its ultimate success. So we'll start carefully."

What will be the measure of success? Some administration figures say they would be more than satisfied if the rate of reduction in the U.S. percentage of poor families could be stepped up to 1 percent a year—the pattern that prevailed from 1947 to 1956. But it would be years before such a trend could be gaged with any accuracy.

As the program gets underway, Shriver is characteristically realistic about its prospects. "I don't want anybody to get the idea that with $500 million here in Washington we're going to cure the poverty problem in this country. Nobody thinks that," he says. "But we can do something."

EDUCATIONAL TELEVISION

Mr. PELL. Mr. President, I would like to direct our attention to a most thoughtful and stimulating article by William Benton in the latest issue of Esquire magazine.

Mr. Benton addresses himself to the subject of educational television and begins by detailing the remarkably and indeed alarmingly rapid advances which the Soviet Union is making in this field. As a result of a recent trip to Moscow, Mr. Benton stresses that the "Soviets are determined to surpass us" and that Russia is now "devoting a much higher percentage of its gross national product to education than are we." As an example of this Soviet emphasis, Mr. Benton reports that the Russians are planning to set aside one entire network for correspondence courses to increase professional capabilities and train technicians and engineers.

"We can meet the Soviet challenge in our own way," Mr. Benton believes. In this article he sets forth the steps which he is convinced we should take in behalf of our own national interests and to realize "the superlative potential of television to broaden a man's knowledge, deepen his understanding, and enrich his life." Mr. Benton feels that we are far from reaching this potential today, and I agree with him.

He speaks from great and distinguished experience in government, diplomacy, and communications. He is now publisher and chairman of the Encyclopaedia Britannica. I heartily recommend his illuminating article to my colleagues and ask unanimous consent that it be inserted at this point in the RECORD.

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

BIG BROTHER'S TV SET

(By William Benton)

"We recognize clearly the enormous potential of radio and television for education. These incomparable media must not be just a waste of time. They must be intellectually stimulating, vital, full of ideas. We shall utilize these media to educate our people, to raise their aesthetic tastes and to help make them more fully developed human beings."

If these statements had come from the presidents of the three big American networks they would be cause for national rejoicing. Ominously—they did not. They were made to me in Moscow by an intense, vigorous, youthful-looking Cabinet minister who was describing the broadcasting plans for the people of the U.S.S.R.

The official is Mikhail Kharlamov, formerly Chairman Khrushchev's press officer. Kharlamov's name is largely unknown to Americans. Yet he occupies a position of enormous potential influence and power. Pierre Salinger had urged me to call upon him. As chairman of the State Committee on Radio and Television, Kharlamov is not far behind Gromyko in the Council of Ministers. And he is hurling at us a new challenge to which the Soviet Union gives the highest priority.

Nine years ago, on my first tour behind the Iron Curtain, I found the gap between Russia's commitment to education and our own alarmingly wide. Russia is devoting a much higher percentage of its gross national product to education than are we. It is true that except in certain areas—correspondence courses at university level, number of engineers in training—Russia still may be behind us. But the Soviets are determined to surpass us in every project. Following my fourth visit, I can now report that the fervor for teaching and learning within the Soviet Union has grown even more intense. And we Americans have been unaware of the extent to which the U.S.S.R. plans to employ a weapon that can prove to be the most potent in its entire educational armament—broadcasting.

Dr. Thomas Clark Pollock, of New York University, said not long ago: "Television offers the greatest opportunity for the advancement of education since the introduction of printing by movable type." The new Russian leadership understands this. They understand the potential impact of television just as they understand and respect the power of the nuclear bomb. That is why the astute Mr. Kharlamov and his able staff are bustling with plans for the future.

When I visited with him he was supervising the design of a great group of buildings to form a Moscow television center. This is to have the latest and finest equipment. A 1,700-foot TV tower is under construction. The nation's entire administrative structure for broadcasting, he tells me, is to be reorganized from top to bottom. Six channels are to be used. Plans are being made to insure good TV reception for the whole of the U.S.S.R., which embraces 11 time zones. Under study is the possibility of bouncing the signals from four Telstar-type sputniks—but the more conventional cable and microwave hookups also are to be employed.

By the beginning of 1963, according to Kharlamov, there were a 130 stations equipped with studios and capable of originating programs, plus 220 relay or booster stations, all serving areas with a total population of 90 million. There were 9 million receivers in use, he said, with 5,000 being added daily. Studio-equipped stations originate 850 program hours a day, compared with only 155 years ago. This is still, of course, only a small fraction of U.S. totals—but the growth rate is impressive.

And by far the most significant aspect of the Russian TV system is to be its emphasis on education. For example, Kharlamov plans to set aside one full channel entirely for visual support of correspondence courses. Already English lessons and instruction in a variety of home, factory, and farm skills are being televised. A year or so ago 52,000 farmers in the region surrounding Moscow clustered around their TV receivers in the evening hours as part of a correspondence course in scientific agronomy. Students were divided into small, manageable groups. Attendance was taken by an ingenious monitoring system and instructors checked the required written homework. This program, a special enthusiasm of Chairman Khrushchev, was said to be such a success that plans are underway to expand it throughout the Soviet Union.

There are of course serious deficiencies in Soviet television. So far they have only a fraction of the receivers we in the United States have. They are years behind us in production techniques. Most of the programs now broadcast over the government-owned and operated stations are like most other Soviet manufactured products—simple, serviceable, and often dull. Much time is devoted to Chairman Khrushchev's comings and goings, party meetings, political addresses, lectures, and major sports events. Entertainment is supplied by feature films, plays, operas, the great ballet performances, dance programs, and musical concerts.

But the directors of Soviet broadcasting are now eagerly studying and adopting the techniques—though not the content—of American TV. They are even inroducing the capitalistic system of competition between networks in a major effort to improve performance. "Let the different networks fight for the people's attention," Mr. Kharlamov told me. Each of the five existing radio networks in the Soviet Union is to operate under this new competitive system. The same principle is to be applied eventually to the six television networks now under construction. Of course, centralized control will never be relinquished fully. "We cannot allow all the stations to put on talk programs at one time," Mr. Kharlamov points out. Nor (he did not mention this) can he allow stations to put on talks—or films or plays or instruction on anything—that do not fall into the framework of state policy.

Let me concede also and at once that Soviet planning and Soviet publicity often outrace Soviet achievement. Nevertheless, we must face a chilling reality. Even if the Soviets accomplish only half of what they have set out to achieve in television, the result may be remarkable. For the Russians, far poorer than we in almost every way, are richer in zeal for education. They have begun to grasp what the controlling interests of U.S. broadcasting do not accept as a primary goal—the superlative potential of television to broaden a man's knowledge, deepen his understanding and enrich his life. Our programs are improving only somewhat, if at all, in intellectual quality. Newton Minow, before he resigned as Chairman of the Federal Communications Commission to join Encyclopaedia Britanica, told me: "There are now more patches of greenery visible here and there throughout the wasteland, but not enough to convince me to withdraw that designation completely."

Entertainment should, of course, have the major place in American network TV—no thoughtful person would dream of suggesting otherwise. But programs that stretch a man's mind and enlarge his horizons are far too few. The slick and the merely palatable still have a stranglehold on the commercial airwaves. And the commercial airwaves have a stranglehold on TV.

Commercial television may claim it is functioning in the "public convenience" and perhaps in the "public interest." But no one can argue successfully that it is indeed functioning in the public "necessity." These three words—the public's "interest, convenience, necessity"—are the key words in the Communications Act which authorizes the present radio and TV setup; and these three words establish the obligation all stations supposedly assume when they accept a license.

Prof. Harold Lasswell, of Yale, former president of the American Political Science Association, asks this question about television: "Suppose you were an enemy of the United States and were hired to demoralize the American Nation, what TV strategy would you use?" Dr. Lasswell answers thus: "In all probability you would do what you could to keep the present situation as unchanged as possible."

Commercial television executives in effect deny the deep thirst of many Americans for education. These many Americans, in the present system, don't constitute a profitable audience. It is not conceded that sizable minorities with serious interests also have rights—the right, for example, to turn the dial past "The Beverly Hillbillies." Today there is indeed nowhere for a viewer seeking mental stimulation to turn, little to choose at prime viewing time among variety show, 1946 movie, police thriller, and 1935 gangster film.

Thus American television for the most part steers safely along the easy and profitable road, concentrating on what it has learned will attract the largest percentage of set owners. It ignores the remarkable cultural revolution that is producing more inquiring minds than ever before in our history.

Yet we have some tremendous advantages in the TV competition. We have the transmitters and receivers. We have the networks, the resources, and the skills. We have something else—a "trained" audience that has seen more movies and more TV than any other population. What we lack is diversity in our programing—the diversity which will give millions of willing people a chance now denied them in the uniformity of the commercial stereotype.

To remedy this lack, the FCC in 1962, under Chairman Minow's leadership, successfully sponsored an act of Congress which can affect profoundly the future use of television. After April 30 of this year, all TV receiving sets manufactured in the United States and shipped in interstate commerce must be equipped to receive 82 channels, not merely the 12 channels for which most sets are now equipped. Each year, starting in May, between 6 and 7 million new 82-channel receivers will flow into American homes. It is believed that most homes will have such new sets before 1972. This should stimulate greatly the use of the 70 so-called ultra-high-frequency (UHF) channels, now largely neglected because of lack of reception.

Mr. Minow has predicted a far greater diversity of programing in consequence—including serious programs. Further, he hopes for the creation of a fourth commercial network "appealing to higher rather than lower common audience denominators."

My own hope is that the projected multiplication of stations will make possible a chain of "subscription" stations catering to minorities with serious interests—for a fee. The subscription technique, called pay TV for short, involves a home installation which "unscrambles" advertising-free programs the set owner is willing to pay for; it carries a coin box or makes a record for billing produce. The station can thus afford to produce programs for groups much more limited in size than the audience demanded by advertisers.

With commercial television now devoting itself to entertainment, one would logically expect that educational TV—known as ETV—would be carrying the torch for enlightenment. Is it?

Almost 11 years have passed since the first ETV station, KUHT, went on the air in Houston, Tex., in May of 1953. Now 83 such stations speckle the land. Most of these beam instructional programs to classrooms in the daylight hours and present cultural and civic programs in the evening.

Despite the fine things that must be said about it, and the brave announcements of things to come (one forecast is that there will be 200 ETV stations within a decade), a particularly painful fact about ETV remains unrefuted: the overwhelming majority of ETV stations are floundering in a financial morass, struggling along from month to month against steadily rising costs of operation and maintenance. As a result, they are unable to prepare or procure the adult programs which desperately need to be prepared.

ETV stations are understaffed and underequipped. Normally they must employ inadequately trained people and, as one study reported, "Too few staff members must wear far too many hats; they do not have time to mount a program or rehearse talent and crew adequately." While some programs are excellent, local ETV stations frequently offer, in Time magazine's words, "yawning forums and tediously detailed state histories."

ETV's major financial support in its earliest years has been the Fund for Adult Education, established by the Ford Foundation. Help, though not much, has come in recent years from other foundations, from business and industry, and, on a quid pro quo basis, from tax funds of local school systems. Senator WARREN G. MAGNUSON, chairman of the Senate Commerce Committee, after a long effort secured passage of a bill authorizing Federal money for construction of ETV stations.

When an ETV station is authorized by the FCC, private commercial ownership, commercial sponsors and profits are prohibited. Operating money must thus be raised through gifts, raised coin by coin and dollar by dollar by patient, dedicated men and women who sense that ETV can become a great force for good in their communities. The typical ETV station today, according to National Educational Television, gets along on an annual budget of about $400,000, plus a few gifts of services, equipment, and materials. This is perhaps a dollar per year per evening viewer. The 83 educational television stations spend less on programing in an entire year than is spent via NBC, CBS, and ABC in a week.

Mr. Minow told the 10th anniversary convocation of the Fund for the Republic in New York in 1963 that the "lighting up" of the new UHF channels "will make possible a truly nationwide educational television system through a network of stations devoted to classroom instruction during the day and to broad cultural adult programing in the evening." The key word here is "possible." But is such a development likely? Where will the money come from? Will advertisers pay for the higher quality fourth commercial network? Mr. Minow doesn't tell us. What we know for sure is that ETV's crucial need is a sound economic base.

Out of some 35 years of experience with commercial and educational broadcasting, and with the Voice of America, I have arrived at two principal conclusions: On the one hand, we Americans can try to stimulate commercial television, under its present setup, to program for the high common denominator as well as the low. On the other hand, we can undertake to give educational television an infusion of new strength. I envisage two major steps that might take us a long way toward both objectives.

First, let us now and at once, by congressional action, create a National Citizens Advisory Board for Radio and Television. This commission would be composed of leaders in the civic, educational, cultural and religious life of the Nation, and of men experienced in communications. Its members would be charged with responsibility for making findings on trends, problems, and opportunities in broadcasting, and making recommendations about broadcasting, and notably about civic, educational, and cultural broadcasting accordingly. The Board would function somewhat as a U.S. equivalent of the Royal Commissions employed so effectively in Great Britain. It would have no power other than that given in its title—the power to advise. It would have no share in the authority of the Federal Communications Commission to grant, withhold, renew, or revoke broadcast licenses, no judicial or legislative function. It would make an annual public report.

The influence of the Board could be great. It could help provide leadership to public opinion about broadcasting. It could suggest alternatives. It could examine the problem of financing educational television, and recommend solutions. What network, what station, could wholly ignore the reports of such a Board? They would be front-page news—where news of television belongs.

When I was in the Senate I introduced a resolution to create such a Board; it was shelved. Later Mr. Minow, while he was still FCC Chairman, lent his considerable prestige to the plan. "The Board was never created," he said in an address. "I think it should have been. It is not too late." Now a new group of Senators is planning to receive the project. If this Board had been created in 1951, the pattern of TV today, in my judgment, would be different.

Second, let us act now to put ETV on a self-supporting basis. My strongest recommendation is that the ETV stations currently and in the future authorized by FCC, and the new high-quality commercial UHF stations envisaged by Mr. Minow, be encouraged to adopt the "subscription technique" I have described above. Originally, the proponents of ETV hoped the stations could finance themselves by gifts, as does the Red Cross. It should now be clear that ETV will be unable to perform its massive and vitally important tasks—including improvement of the programs—if it must rely for support on local fundraising. It must collect from the customer.

Is there, after all, any real doubt that millions of Americans would willingly pay small sums for new cultural and educational opportunities? Consider what has happened to the book-publishing business in the United States—it has rather suddenly become a billion-and-a-half-dollar-a-year industry, with reference works leading the rise. Consider the sale of recordings of serious music. Or the new art-appreciation courses. Don't these show the willingness of people to pay?

ETV itself has produced encouraging symptoms of this willingness. I do not believe ETV can produce a flow of revenue consistent enough, or adequate to its needs, by selling course materials or examination services. But I do believe the following instances suggest that a substantial number of viewers might become paying subscribers to complete ETV programs:

1. In Chicago a "TV College" is now in its eighth year of operation over WTTW. Audience surveys report that regular viewers range between 5,000 and 100,000. Thousands buy study guides.

2. In Denver and Chicago, many thousands paid 50 cents and a dollar for foreign-language guides to follow lessons over ETV.

3. In Cleveland, many hundreds paid $3 each for a syllabus with which they could audit a course in elementary psychology given by Western Reserve University.

4. In New York 142 persons ranging in age from 17 to 73 showed up at New York University to take a stiff 2-hour final examination for college credit in a course in comparative literature which they attended for 15 weeks via TV. Each paid $75 tuition for the course. For 5 days a week they had risen early to go to "class" at 6:30 a.m. For homework, they read 16 books. About 120,000 others had watched the sessions, WCBS-TV officials estimated.

5. In New York, 7,000 people bought the textbook for a college-level course, "Russian for Beginners"; in the first 2 months the course was carried by channel 13.

6. Throughout the country, an estimated 1 million education-hungry viewers arose at dawn to sit before their television sets and absorb a course in "Atomic Age Physics." This was presented over NBC's "Continental Classroom," which was originally financed in large part by the Fund for the Advancement of Education. Housewives, businessmen, working people—Americans from every group in our society—were avid students. Each year many hundreds made arrangements with universities in their communities to obtain college credits for the course. In the very first week the course went on the air 13,000 textbooks were sold. Reports the Ford Foundation: "Parents marveled at the sudden alertness of formerly late-waking teenagers—Catholic institutions rearranged Mass schedules to permit viewing by students and clerical teachers * * *." In all, an average of 400,000 persons daily watched the course the first year it was telecast.

7. Last year hundreds of thousands in all parts of America watched a course called "The American Economy" presented by the Columbia Broadcasting System's "College of the Air." In 1962 other thousands tuned in on a course in "The New Biology." Some 300 participating colleges offered credit for these courses, when special arrangements were made by students. Most interestingly, some 33,000 copies of a student guide offered for sale with "The American Economy" course were bought by viewers at $2.95 each.

Finally, a study by the National Opinion Research Center in Chicago claims that 25 million adults in the United States are "following some plan for adult education." They are meeting and studying in every possible setting—in public schools, universities, libraries, business establishments, religious centers, union halls. By the hundreds of thousands they are taking courses in the liberal arts, the sciences, the professions, and all the crafts, and hobbies. The Book-of-the-Month Club is said to have paid the Metropolitan Museum of Art over $860,000 in royalties on its "Seminars in Art."

The potential audience for subscription ETV can be limitless as Americans are persuaded to realize that education does not stop at age 14 or 18 or 21, that it continues for a lifetime.

Though the use of the subscription technique seems to me to be the single most promising way to finance ETV (and perhaps also Mr. Minow's "higher level" commercial network), I have three additional ideas for discussion. These may seem unorthodox to many—to educators as well as others:

1. Today all ETV stations are not-for-profit operations. But this need be no bar to their acceptance of commercial "patrons" to help finance expensive programs. During 1962 the not-for-profit national educational television, which then provided 10 hours of programs a week for ETV stations, received "underwriting" of more than $500,000 from business sources for specific programs. In most instances this money came from the public relations budgets of the Humble Oil & Refining Co.; International Business Machines Corp.; Mead, Johnson & Co.; Merrill Lynch, Pierce, Fenner & Smith; the National Association of Manufacturers, and other business sources. These "underwriters" were credited, at the opening and close of each program, with having made the program possible. There was no direct selling, no middle commercial, and of course, no program control by the "underwriters." Although its ETV license prohibits the use of regular advertising commercials, the FTC has approved these credits or form of commercial support.

I have no fear that the boards who control ETV stations—take, as an example, the board of station WGBH in Boston, which is headed by the distinguished Mr. Ralph Lowell—are going to be corrupted by the temptation to commercialize their stations or debase their program standards. They would not and should not permit a sponsor to determine program content. Thus, I would be willing to consider giving the patrons more than a mere credit line on the air. And surely, the competition for advertising dollars ETV stations would give commercial TV would be no more worrisome than the competition the Atlantic Monthly and Harper's provide for Life and Look. If we trust the boards of directors of NBC, CBS, and ABC to deal with sponsors in the public interest, surely we can trust the boards of our ETV stations. Let the latter use their own judgment on what they permit their patrons to say on the air.

2. Because ability in communications can often command high financial rewards, I would ask whether ETV can find formulas which would attract outstanding creative and management talents. One way to achieve this might be for the nonprofit ETV stations to enter into contracts with private managers and producers to take over part of their programing. Because considerable capital is required to install a subscription system in any community, the pay-TV part of an ETV station's schedule might be contracted out, with the contractors sharing the earnings, if any, with the station.

3. There is, of course, one other way to finance educational and cultural television and that is through the taxing power; for example, the British technique of financing the BBC through an annual levy on home receivers. I confess I do not share the horror such an idea seems to evoke in the United States—so long as independent and nonsubsidized systems remain in competition.

I do not foresee the development in the discernible future, as suggested by Walter Lippmann, of a U.S. Government-financed network: there is no audible movement in that direction—and a decade of campaigning would probably be required to produce action in Congress. I do believe there is one way by which Federal financial support might be developed for ETV in the next 5 years, given an organized effort. The Congress has now established a precedent by authorizing matching grants to the States for construction of ETV stations. There is now in the statutes a Federal excise tax of 10 percent on TV receivers. Should not the receipts from this tax be earmarked for grants, via the Department of Health, Education, and Welfare, to the States for support of ETV programing? I prefer taxing the customers to levying a tax, as has been suggested, against the commercial stations.

I began this article by reporting what Mr. Kharlamov told me Russia proposes to do with television. He told me how the Soviets plan to expand present instructional programs for farmers, workers, and technicians; how they plan to devote one entire network to support of correspondence courses for professional people; how they plan to use TV to train engineers and advanced students; and how they mean to use the entire system to make the Soviet people "more fully developed human beings." Above all—and this is consistent with their record as well as their pronouncements—I reaffirmed how intense is their devotion to education itself. The Soviets know what they want. And if television is a weapon in the cold war, they are taking aim—zeroing in on a target. We in the United States have never thought of TV as germane to our national strength. We have been using television as a kind of fowling piece, scattering shot wildly.

I believe the competition between the Soviet Union and the United States is likely to turn on which society makes the best use of its brainpower. For most adults, this means the best use of communications media.

We have neither the wish nor the need to imitate the Soviets. We can meet the Soviet challenge in our own way. But if we are to live up to our own great pioneering tradition of universal education, we should employ television for education on a scale even more vast than the U.S.S.R. We should do this even if the U.S.S.R. were to sink suddenly into the sea. We should do this because it is indeed not only in the tradition of the American dream—it is potentially the very essence of the dream.

INTERGOVERNMENTAL FINANCES

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent article by Peter Vanderwicken, which appeared in the February 18 Wall Street Journal. In his analysis of intergovernmental finances, Mr. Vanderwicken highlights the serious problems created by the dramatic rise in State and local indebtedness during the past 18 years.

This study shows that total State and local indebtedness soared by 448 percent since the end of World War II, while the Federal debt increased by only 13 percent during the same period. Without significant Federal financial aid, the author notes, the State and local share of all public debt would have risen even higher. This Federal assistance "enabled many States and towns to avoid using their own bonds to finance such improvements as highways and housing."

This analysis demonstrates the pressing need for continuing and strengthening the fiscal pattern of intergovernmental collaboration that has developed over recent years. Each level of government has had to share the expanding financial burden of increased domestic services, since no level could do it alone. At the same time, the constitutional and fiscal implications of authorizing more State authorities to issue revenue bonds should be publicly and candidly debated. Without this, a significant link in the chain of Federal-State-local finances could well be weakened.

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

DEEPER IN DEBT: I O U'S OF STATES, CITIES SOAR 448 PERCENT SINCE 1946 AS U.S. DEBT GOES UP 13 PERCENT—CONTROVERSY RISES AS STATE AUTHORITIES ISSUE REVENUE BONDS OUTSIDE DEBT LIMITS—UPWARD PRESSURE ON TAXES

(By Peter Vanderwicken)

NEW YORK.—The debts of America's States and towns have rocketed 448 percent since World War II.

This increase in the little-noticed indebtedness of States and municipalities has far outstripped the growth of the highly publicized Federal debt, which has edged up only 13 percent in the same period.

States and cities now account for 22 percent of all public debt, up from only 5 percent in 1946.

"The growth of this debt in the last few years has been phenomenal," declares Arthur Levitt, New York State's comptroller. Mr. Levitt contends that many bonds currently being issued by States violate their constitutions' requirements that bond issues be approved by voters.

HOW DEBT HAS RISEN

The table below shows the dramatic increase in State and local total and per capita

debt since 1946, compared with the much slower increase in Federal debt, which has actually declined on a per capita basis. Dollars in the total columns are in billions, as of June 30, the end of most governmental fiscal years.

	State and local		Federal	
	Total	Per capita	Total	Per capita
1946	$15.9	$120	$269.4	$2.034
1954	38.9	246	271.2	1.713
1962	81.0	443	298.2	1.630
1963	87.2	467	305.8	1.646

State and local debt (generally lumped together as "municipal" debt) would have grown even faster, say bankers, without a sharp rise in aid from the Federal Government; this aid has enabled many States and towns to avoid issuing their own bonds to finance such improvements as highways and housing. Federal aid payments to States and cities rose to more than $7 billion last year from $855 million in 1946, according to the Tax Foundation, a nonprofit research organization.

Most municipal debt is in the form of bonds issued by States, school districts, water and sewage authorities and towns. In 1963, $10.1 billion of these bonds were issued and about $3.9 billion were repaid; the net increase was $6.2 billion. The latest figures available show that individuals and trust funds own about $32 billion of municipal bonds, or more than a third of those outstanding. Commercial banks own $30 billion, insurance companies own $15 billion, and corporations and other investors own the rest.

TAX ADVANTAGE

Municipal bonds have long been favorite investments of wealthy individuals in high-income tax brackets, because interest paid on them is exempt from Federal income taxes. Interest on Federal Government and corporate bonds, by contrast, is fully taxable. And although the amount of municipal bonds issued each year has doubled since 1952, investor's demand has been keeping pace.

But a significant switch has been occurring among purchasers in recent years. Commercial banks have greatly increased their investments in munfcipal bonds while individuals and trusts, formerly the prime purchasers, have bought less. The table shows the net change in annual purchases by each group; the figures were estimated by Salomon Bros. & Hutzler, New York investment banking firm, and dollars are in billions:

	1957	1960	1963
Individuals	$2.2	$1.7	$1.0
Insurance companies	.7	1.4	1.0
Commercial banks	1.0	.6	5.0

Education is the purpose for which much State and local debt exists. Nearly one-third of the $10.1 billion of municipal bonds sold last year were to finance school buildings. A fifth were for water and sewer lines, a tenth each for highways and refunding of previous bonds, and the rest for miscellaneous purposes.

This growing debt also tends to raise State and local taxes. Tax revenues must be used to maintain and operate most of the facilities built with the proceeds of bond issues, as well as to pay interest on and eventually to retire the bonds. State and local taxes have climbed 326 percent since 1946, the Tax Foundation estimates.

GROWING CONTROVERSY

Equally as significant as the rising debt, however, is a change in the kind of bonds States are selling. A sharp controversy is brewing over this question, partly because many communities are hitting their constitutional debt limits and partly because voters are becoming increasingly reluctant to approve large bond issues.

While there's no exact tally on just how many State constitutions restrict State debt, Nebraska is limited to $100,000, Florida cannot have any at all, and seven other States actually have no debt. Moreover, 34 States limit their municipalities' debts.

Nearly all State constitutions require voter approval of State bond issues, and voter rebellions against such proposals are spreading. Voters last year defeated a record $2.1 billion of proposed bonds, up from $1.8 billion in 1962. They approved only $3.6 billion of new bonds, down from $4.3 billion in 1962.

Many States, as a result, are unable to issue voter-approved "general obligation" bonds which require a pledge that the State will use its "full faith and credit" and general taxing power to repay them. States instead often are avoiding both their voters and their debt limits by creating authorities, which finance public projects by issuing "revenue" bonds; these aren't subject to a debt limit and don't require public approval.

One type, the true revenue bond, is repaid from income generated by the project it finances, such as a toll road or power dam. The other, controversial kind is repaid indirectly by taxes. An agency may, for instance, build a school and rent it to a local school district. The rent is derived from the school district's tax collections and is set to provide enough revenue to pay for the bonds.

Revenue bonds were first used in the last century to finance such projects as the Erie Canal, and their principal use is still for income-producing projects like toll roads. But use of the second kind—not really revenue bonds—is steadily being expanded to finance State office buildings, schools, and housing.

NEW YORK'S AUTHORITIES

Evidence is abundant that the State-facility type of revenue bond is being put to wider use. New York, for example, has some 25 State authorities; those set up in the past 2 years include the New York Job Development Authority, the New York State Atomic Research and Development Authority, the State university construction fund, and the mental hygiene facilities improvement fund. The State's authorities have more than $3.3 billion of debt outstanding, compared with only $1 billion owed by the State itself.

Florida's constitution prohibits any State debt, but its State-run authorities—including the Florida Development Commission (which finances State office buildings) and the State board of administration (which sells bonds for several agencies)—have more than $615 million of bonds outstanding.

Colorado has no direct State debt outstanding, but State agencies including the State highway commission, the Colorado State Home for the Aged Building Authority, and the Colorado State Employment Department Building Authority have more than $25 million of debt.

Pennsylvania's constitution permits some State debt, but voters must approve every issue, a slow and costly process. To avoid that problem, the State's school building authority, established in 1947, has financed more than 500 schools by issuing some $350 million of revenue bonds. The authority leases schools to local communities, and local property taxes indirectly pay interest and principal on the bonds.

ILLINOIS ISSUE

Illinois has some $445.7 million of general obligation State bonds outstanding; but because voters were becoming reluctant to approve new bonds, the State legislature in 1961 created the Illinois Building Authority. This agency is expected to sell its first bond issue, about $25.8 million of revenue bonds, later this month; it's scheduled to issue another $43 million next summer. Facilities financed by the authority will be leased to the State. The first bonds will pay for new prisons and buildings and land acquisition for State-run colleges.

There's growing opposition to this proliferation, both by some State officials and by investment bankers who sell the bonds.

"If a State wants to put up housing or office buildings or schools it should take its proposal to the people in a constitutional way," declares Mr. Levitt, the New York State comptroller and an outspoken opponent of authority revenue bonds. Mr. Levitt, a Democrat, contends New York's authorities are increasingly being used to finance projects so Republican Governor Rockefeller can claim in his presidential campaign that he hasn't increased the State's debt.

A spokesman for Governor Rockefeller, however, contends that "public authority debt is not State debt. Public authorities are public benefit corporations financed by the receipts of their activities. To the taxpayer, the significant debt is that which is financed from State revenues. This debt has dropped by $118 million under Governor Rockefeller to 1.2 percent of the annual State budget from 2.6 percent."

Another widespread objection is that such bonds cost taxpayers more than those backed directly by the State, which usually has a higher credit rating. "The State could sell bonds itself at an interest cost four-tenths of a percentage point lower than the authorities pay," says Mr. Levitt.

"The use of revenue bonds unquestionably raises borrowing costs," agrees E. O. Rolland, director of Florida's State board of administration. Mr. Rolland has urged the Florida legislature to amend the State's constitution to permit it to incur some debt.

Some investment bankers agree with Messrs. Levitt and Rolland that States shouldn't issue this type of revenue bond, which they contend is really an indirect claim on a State's or town's taxes.

Says Sidney Homer, a noted bond specialist who's a partner of Salomon Bros. & Hutzler: "They're part and parcel of a tendency in this country to make rules and then evade them. The spread of authorities results from the States reluctance to change their constitutional debt limits or to unbalance their budgets."

CRITICAL PLIGHT OF SENECA INDIANS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article which appeared in the New York Times on Sunday, March 1, dealing with the plight being faced by the Seneca Indians as a result of the construction of the Kinzua Dam in Pennsylvania. The House of Representatives has unanimously enacted legislation to provide relief to the Seneca Tribe and this legislation is now under active review by the Senate Committee on Interior and Insular Affairs. The distinguished Senator from North Carolina [Mr. ERVIN] and the distinguished Senator from Pennsylvania [Mr. CLARK] have already pointed out the urgency of speed if our assistance to these displaced Indians is to be timely and effective. I want to add my voice to theirs and express my hope that the Senate committee can act immediately to report out the legislation so that the bill might be enacted within a matter of days.

I also ask unanimous consent to have printed at this point in the RECORD an editorial from the February 24 edition of the Washington Post discussing this urgent situation.

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

[From the New York Times, Mar. 1, 1964]

SENECAS, LAND TO BE FLOODED, PEER INTO THEIR FUTURE DARKLY—700 INDIANS, TO BE RELOCATED BECAUSE OF KINZUA DAM, MUST LEAVE UNSPOILED WOODLAND DOMAIN IN FEW MONTHS

(By Robert Trumbull)

SALAMANCA, N.Y., February 26.—With straightforward Indian logic, an 86-year-old Seneca woman voiced today the bitterness of her tribe against the U.S. Government.

"Since I was a girl," said Mrs. Lena Snow, "I have been told that the Senecas would have their land as long as the sun shines and the river flows. Well, I haven't seen them stop."

The sun was shining, sure enough, on the simple frame house where Mrs. Snow has lived for 60 years. Nearby, ice tinkled in the currents of the Allegheny River.

But as surely as the sun shines and the river flows, Mrs. Snow and hundreds of other Senecas will be dispossessed of their ancestral land in a few months as water backed up by a Federal dam covers their homes.

The $107 million dam, at Kinzua, Pa., will inundate Seneca homes in violation of a treaty signed by the Seneca Nation and the United States in 1794, guaranteeing the integrity of the Indian land forever. This is said to be the oldest treaty in the U.S. archives.

The only litigation involving the dam was brought by the Indians in 1958. They asked the courts to rule on whether Congress intended to break the Government's treaty with the Senecas to build the dam. The U.S. court of appeals ruled that Congress did intend to break the treaty.

The U.S. Supreme Court has ruled more than once that the Federal Government has the right to break treaties, so this right was never questioned in the courts by the Senecas.

A committee of the Senate will begin hearings Monday on a $16,931,000 bill, already passed by the House, to relocate the Senecas and compensate the tribe in other ways for Washington's repudiation of the 170-year-old treaty.

ONE HUNDRED FAMILIES INVOLVED

It is vital to more than 100 Indian families, consisting of nearly 700 individuals, that the Senate act at once on the bill, George Heron, president of the Seneca Nation, said. Until the measure passes and the funds are appropriated, he declared, the displaced Senecas cannot begin building the homes to which they must move before water covers the area next September.

Mr. Heron, a lithe and handsome man, formerly commuted 150 miles a day to Buffalo and back as a steelworker. Senecas and some other Indians of the Iroquois Confederacy have been in demand for such jobs because of their apparent immunity to acrophobia, or fear of heights. (Although Mr. Heron is at home on top of a spidery tower, he hates to fly in an airplane).

Today the former steelworker is the elected head of a nation within a nation. The Senecas, like other Indian tribes, run their own affairs on the reservation through elected officials. At the same time, they are subject to Federal and State laws and taxes.

The Allegany Reservation is only a mile or so wide, but it runs for 44 miles along a slow bend in the Allegheny River (the Senecas give the name their own spelling). It includes the pleasant city of Salamanca, built by white men on land leased from the Indians.

SENECAS PREFER WOODS

Few Senecas have much to do with the town on their land, beyond working in white men's factories making furniture and casting bricks.

They prefer to live near the woods filled with wild game—including pheasants, deer, and bears—woods that will soon be under water because, the Senecas say wryly, it is needed "to flush white men's toilets in Pittsburgh."

Even if everything works out as the Federal Government has promised, the displaced Senecas are going to be constricted into a semiurban way of life that has been completely foreign to their history.

About 10,000 acres that the Indians now roam at will, in the way of their ancestors, will be flooded by the dam. In place of this unspoiled domain, the Senecas have been cut back to a 500-acre site for two new towns where they will live somewhat like suburbanites on adjacent plots of 1 to 3 acres.

"They say we did nothing with the land anyway, except rattle around on it," Mr. Heron said. "But we rattle around, and that's something, isn't it?"

Senecas live today on family acreage granted by the tribal authorities. These grants are not extraordinarily large, for few Indians want to engage in farming. Instead, they take whatever jobs are available for cash wages. The average family income is $3,000 a year, and unemployment runs at 35 percent.

So the Seneca is often poor, and lives in a house that may be little better than a shack and without plumbing. But he is happy, according to the tribal elders.

"Give me a shanty where I can live as I please," Mrs. Snow says. However, her own simple frame house is hardly a "shanty." Inside there is wall-to-wall carpeting and a big television set. Many other Senecas are similarly comfortable in homes that look ramshackle outside.

Across his own unfenced grant, the Seneca gazes upon serene forest and river shore where his sons can learn the woodcraft of their ancestors as they may be inclined. The coming spring will be the last for this free way of life on the Allegany Reservation.

"The Indians are going to have to adjust to a new way of life now," Mr. Heron said. "He will have a better house, but without the forest. And his neighbors will be different. Also, living in the new homes is going to cost him more."

For generations, Mr. Heron explained, the Senecas have been accustomed to cutting their firewood free, as needed, on the forested hillsides. Each family had its own well, producing clear, sweet water.

Now the Seneca households will have to pay for their fuel and drink water tasting of chlorine from community mains, which the Indian, accustomed to wells and springs, dislikes.

Many Seneca customs will change, or will be observed in strange settings. For example, about 40 cemetery sites will be relocated. The Long House, where the Indians dance to the beat of the water drum and the turtle-shell rattle, and practice the gentle religion founded by an 18th-century tribal prophet named Handsome Lake, will also be moved.

And next winter there will have to be new runs for the snow snake. The snow snake is a slender hickory pole 7 feet long, which the Indians hurl like a javelin into a trough in the snow, to see who can make it go farthest—an ancient competition involving incantations and secret medicines rubbed into the wood.

Those crises, all subordinate to the immediate housing problem facing the Seneca nation, are discussed by the Indians in their own language at councils in the Long House.

NEW SETTLEMENTS PLANNED

The $16,931,000 relocation and rehabilitation program now before the Senate has been written to provide for the social and economic development of the Seneca nation on its reduced reservation. The two new settlements, called Jimersontown and Steamburg-Quaker Bridge, are being planned as model communities in school facilities, recreational areas and so on.

Friends of the Senecas, like Representative JAMES A. HALEY, Democrat, of Florida, chairman of the House Subcommittee on Indian Affairs, hope that a new 4-lane highway included in the Kinzua Dam project will bring a heavy tourist traffic through the Allegany Reservation. This would provide a lucrative market for the cornhusk masks and dolls, beadwork, and other Seneca handicrafts.

But the Senecas have learned to count on what they see, not what is promised. The history of their relations with the white man has not been encouraging.

The distribution this week of the annual allotment of treaty cloth provided a vivid example of time's erosion on the Government's commitments to the Senecas.

Under the treaty of 1794, Washington sends the tribe a yearly payment in cloth in partial return for Indian concessions. The Federal expenditure is about $2,700, Mr. Heron said.

"We used to get 10 yards each of the colorfully designed percale, calico, and gingham," he recalled. "Now we are lucky to get 3 yards of unbleached muslin."

The muslin is used for pillow cases, doll clothes, and other purposes of little significance in the Seneca economy. Nevertheless, "the Indians feel that as long as they are getting the cloth, the treaty will continue to be honored," Mr. Heron said.

To the realistic Senecas, the fact that the treaty had already been violated by the condemnation of land for the Kinzua Dam backwater is less important now than the need for congressional funds to assure the new housing before their homes are flooded.

"Our housing program is ready, but we can't move on it without funds," Mr. Heron said. "If we don't have our new homes before the deadline for moving, I will have to advise the people to remain where they are.

"You might say," he remarked, "that we are thinking about getting angry over all this."

[From the Washington Post, Feb. 24, 1964]

INJURY UPON INJUSTICE

A probability of adding serious injury to injustice arises from the delay in passing H.R. 1794 to finance the relocation and rehabilitation of the Seneca Indians who will be deprived of their homes by the Kinzua Dam. Construction of the dam near the Pennsylvania-New York border was begun in disregard of a 1794 treaty guaranteeing to the Seneca Nation "free use and enjoyment" of the area forever. President Kennedy concluded in 1961 that it was not possible to halt the Kinzua project, but he pledged to the anguished Indians full cooperation of the Federal Government to help them "make the adjustment as fair and orderly as possible." Now, however, flooding of the Seneca lands is said to be less than 8 months away and funds have not been provided to build new homes, churches, schools, and roads on the remaining land.

The House unanimously passed H.R. 1794 2 weeks ago, and Senate hearings are scheduled for March 2. No opposition to the bill has arisen, but it is feared that it will be caught in the Senate filibuster over civil rights and indefinitely delayed. If that should happen, flooding from the dam may drive the Indians out of their homes before

it is possible to carry out an orderly relocation.

If it is impossible to speed up the Senate hearing, Chairman FRANK CHURCH, of the Subcommittee on Indian Affairs, should make certain that it is held on March 2, in spite of any filibuster, and that the bill is promptly reported to the Senate. The importance of the bill would then justify special efforts to have it pass the Senate by unanimous consent. To leave this harassed minority without relief as manmade floodwaters encroach upon it would be a reproach to the whole country.

VIETNAM

Mr. JAVITS. Mr. President, a few days ago I had a discussion on the floor of the Senate with the Senator from Montana [Mr. MANSFIELD] about Vietnam. It dealt with his suggestion that we give consideration to President de Gaulle's ideas for the neutralization of Vietnam.

This morning we find widespread speculation in the press, most prominently displayed. Today, Asia probably bulks largest in the news of any area in the world. It is a question as to the support which the United States would give to alternative courses of action, first, to the extension of the struggle by South Vietnam to North Vietnam; second, the possible espousal of De Gaulle's neutralist ideas; third, to stay where we are now.

The news carried in the newspapers is also clear that the existing regime in South Vietnam is very much concerned about its own position. The head of that regime, Maj. Gen. Nguyen Khanh, is concerned because he believes that there is a French plan to kill him, according to the lead story in the New York Times.

I believe it is clear, on the basis of the national consensus as it is reflected over the weekend, and by what I and other Senators have said and by what other Americans have said, that we are in Vietnam to stay, that we will do our utmost to give all the aid we can to South Vietnam, that we will do our utmost to bring about a stable democratic government in South Vietnam; that we are not getting out of South Vietnam, and that we are not adopting the De Gaulle ideas of neutralization; also, that there is no idea at present of extending the struggle to North Vietnam. In other words, we intend to hold our ground and to implement our position, considering where we are.

I thoroughly agree with that view, and I believe the Nation does also. It calls for action on the part of the President and the State Department.

I take the floor today because in this critically important situation in which we find ourselves, I believe that the President should make a considered statement to the American people, declaring American policy on South Vietnam. I also believe that this statement should be supported by a white paper issued by the State Department, explaining the position of the United States in respect to our policy in South Vietnam, why we are there, and what we intend to do.

I believe both of these actions are necessary, to give a sense of permanence and stability to the situation in which we find ourselves today. It does not mean that we will undertake greater commitments than we have, or threaten to do something which we have no intention of doing, or refrain from threatening to do anything. It does mean that it is essential that the American people have peace of mind about South Vietnam, that what they are doing is right, that they have determined, as a nation, to do it, and that this is the policy which the President and the State Department should carry out.

This is critically important. The Chinese situation is none too good as it relates to India. The struggle between Communist China and Communist Russia continues. In short, in this unstable situation there is the real element of the policy of the United States, which should be declared in an unequivocal way. Finally, the whole southeast Asia area depends on South Vietnam as the keystone in the arch.

The character of our position there may well determine whether Communist China will or will not sweep through all Asia. This would change the balance in the world and put us in the gravest jeopardy. So I hope very much that the President and the State Department will at the earliest moment make secure the one secure element in the whole South Vietnamese situation, namely the home base in the United States. It is the determination of the American people that they would rather take casualties and losses than inestimably greater ones which would become inevitable if the whole free world position, in south and southeast Asia were eroded, as it would be if we were to pull out of Vietnam.

Mr. MANSFIELD. Mr. President, I am sorry that I did not hear the beginning of the remarks made by the distinguished Senator from New York. I was informed that he referred to the colloquy which the Senator from New York had with the Senator from Montana in the Senate last week.

So far as Vietnam is concerned, there are some factors which we ought to keep in mind, and I believe the record ought to be kept straight. Our purpose in Vietnam, as I see it, is to assist the Vietnamese to maintain the territorial integrity based on the 1954 Geneva Accord, which means that the frontier established at the 17th parallel will continue to be recognized, and that we will contribute in the future, as we have in the past, to the protection of that territorial integrity and the stabilization and security of the country.

To accomplish this will mean a continuation of our present participation, both economic and military, and a continued policy of strengthening the South Vietnamese forces so that they can continue the war; put down the Vietcong elements within the country, and do what they can to stop the inflow of the Vietminh along the Ho Chi Minh trail through Laos and Cambodia on the west and the sea transport on the east.

It has been said by the highest officials in the past two administrations, and in this administration, that this is primarily a Vietnamese war, and that if it is to be won it must be won by the Vietnamese themselves. There have also been indications by high officials in this and the preceding administration that this war could be brought to a successful conclusion as far as we are concerned in anywhere from 1 to 3 to 5 years. Also, statements have been made to the effect that American troops would be withdrawn by tentatively determined dates.

Having described what our purpose is in Vietnam, the next question is: What will be the result when and if the objectives desired are achieved? The result will be that Vietnam to which we are not tied, under a mutual security agreement, and which comes under the Southeast Asia Treaty Organization, SEATO—only incidentally and through association—would then be in complete charge of its own future. It would, I assume, be friendly oriented toward the United States, but in the absence of definite security treaty arrangements, it would be classified as a neutral nation, a neutralization not in favor of Communist North Vietnam, not in favor of Communist China, but in favor of, and for the protection of, South Vietnam itself.

Its problem then, as now, would be to establish some sort of mutually acceptable agreement covering its western frontier with Cambodia. Perhaps the same border situation would apply to Laos, but to the best of my knowledge, there is no indication that such is the case at the present time.

This, in brief, in my opinion, sums up our reasons for being in Vietnam and for staying in Vietnam. Stating what our objectives are emphasizes that our contribution can best be only on the periphery, and that basically and primarily the solution must be sought by the Vietnamese themselves. That solution involves not only a military victory over the Vietcong in South Vietnam, but stopping the flow of arms from North Vietnam, the rectification of border difficulties with Cambodia and possibly Laos, and perhaps, most important of all, a government based on stability and support of the Vietnamese people.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MANSFIELD. I ask unanimous consent that I may have 1 more minute.

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

Mr. MANSFIELD. At the present time, according to the best information I have received—and I have a purpose in making this statement—this Government has indicated an interest in the four-power proposal advanced by Prince Norodom Sihanouk, Chief of State of Cambodia, to the effect that a four-power conference should be convened for the purpose of guaranteeing the borders and the neutrality of Cambodia—those powers to be Thailand, South Vietnam, the United States, and Cambodia itself.

When people try to read into remarks which I have made that I have advocated that in any negotiations of this sort vis-a-vis South Vietnam, I have indicated that Communist China must be one of the participants, they are reading into

my remarks something which is not there. I tried to make the record clear in the colloquy I had with the senior Senator from New York [Mr. JAVITS], the other day.

Mr. JAVITS. Mr. President, in the first place, I am sorry the Senator from Montana did not hear what I said. I only referred to him as showing my continuity of interest in the area. I did not in any way try to go over the same ground again.

Mr. MANSFIELD. But it was the same subject.

Mr. JAVITS. It was the same subject. Second, I am certainly not one who has felt that the Senator from Montana has in any way involved the Communist Chinese among the negotiating parties. Perhaps others have, but I certainly have not, and I make no such assertion now, and would not dream of doing so. I was very clear as to the Senator's position.

Third, I am sure the Senator heard my recommendation—and I believe we are arriving at a national consensus—that it would be well to have that policy firmly established through a declaration by the President to the people, especially as we are suffering casualties in South Vietnam, the only place in the world where we are. It is really a hot conflict at the moment. The declaration should be supported by a white paper on the part of the State Department, giving the whole history of our relationship to this crisis.

Fourth, the Senator and I really do not differ quite so much, as we have gradually narrowed the ground of difference.

I am deeply concerned about a repetition of the difficulties we face in Cambodia and the Pathet Lao difficulties in Laos and South Vietnam, if we give the South Vietnamese the feeling that we are anxious to liquidate that situation at the earliest moment.

I would rather give them the feeling that we are willing to accept casualties, provided we remain true to the original mission we set for ourselves. There may be a little difference of timing, there may be a little difference in emphasis, but as we have gradually narrowed the grounds of difference, I think timing and emphasis are the points that stand out.

I fully respect what the Senator has said. No one honors him more than I for the fact that this subject has been thrust into the forefront of discussion. He and I agree that this could not be otherwise than helpful.

Finally, one of the major items to appear in the press this morning is the disarray of the NATO Alliance on this issue. It is reported that there is considerable dissension in NATO, which is all the more reason for taking advantage of a developing consensus in our Nation and nailing it down as to the fundamental basis of American policy and our willingness to take casualties and difficulties in order to persevere in that policy in South Vietnam.

Mr. MANSFIELD. Mr. President, the American people had better become fully aware of exactly what confronts us, in view of the possibilities in Vietnam. The truth will hurt no one. The truth should and must be told. If we go along on the basis of some policies which I have heard advocated, even in the Senate, and also in the press, the American people had better be made fully aware of the costs involved, not only in material and money, but in men, as well. And they had better think this through carefully. All we here can do is discuss this matter. The responsibility lies with the President of the United States. I think he has conducted himself in exemplary fashion. His understanding is sound, and his grip has been firm; and I only hope that when Mr. McNamara returns from Vietnam—and I, for one, am delighted that a man of his caliber is going there again—he will be able to give the President the benefit of his survey and inquiry, so that we shall be in a better position to determine where we are, and where we are going.

The Senator from New York has mentioned the fact that NATO is in disarray. Mr. President, NATO has been in disarray for years; CENTO has been in disarray; and SEATO has been in disarray. I think the best thing our country can do is reassess its foreign policy, insofar as it is possible to do so, face up to the realities of today, and not depend so much on the wishes of yesterday.

Mr. JAVITS. Mr. President, will the Senator from Montana yield again to me, very briefly?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I believe the American people will accept the risks in Vietnam, if we pursue our present policy. That is the fundamental point I am trying to make—that they are not unduly dissuaded from that by the desires on which both the Senator from Montana and I agree. I believe that when the issue is presented squarely—and it seems to me the Senator from Montana and I certainly agree on that—the American people will accept the risks and will back a continuance of the present policy, notwithstanding the risks, even including casualties.

UNITED STATES CHECKS LARD DEAL

Mr. KEATING. Mr. President, I take this opportunity to commend the prompt action of President Johnson in blocking shipments of lard from the United States to Communist Cuba. By acting promptly, the President prevented a small hole in the dike of U.S. economic policy from becoming an even more disastrous breakthrough which would have given all of our European allies even more of an invitation to trade with Castro.

Mr. President, the incident shows that there is a pressing need for closer coordination of trade policies. Within the United States, and under the terms of the Export Control Act of 1949, there is adequate authority to regulate exports, to require licenses, and, if necessary, to refuse licenses in cases where trade would not be in the overall interests of the United States. Yet trade with Cuba has been treated in such an amorphous manner, without form or consistency, that it is technically possible for U.S. merchants to sell many types of food and medicine to Cuba, without any kind of license. Even though such sales would have great foreign policy effects, there is at present no requirement for licensing. The first step surely is for the United States to set its own house in order, and to require in the case of Cuba, as we do for Red China, North Vietnam, and North Korea, that export licenses be obtained for all shipments. In this way our Government could grant permission for items badly needed for humanitarian purposes, such as perhaps certain kinds of drugs in an emergency, but could refuse licenses in a case of this sort, where the motive is primarily profit and the impact would have been disastrous.

The second step in United States economic coordination of trade with Cuba, after we have set our own procedures in somewhat better order, is to press our allies more effectively for a coordinated policy on Cuban trade. The cutting off of aid, small as it was, might have been extremely effective, had it been done promptly after the missile crisis in 1962. It will obviously mean a good deal less today. We should plan for an international conference of all the major industrial nations involved, with a view to working out fair and reasonable procedures on the Cuba trade. We may have to make compromises of other kinds, to get their agreement on Cuba. We may, for instance, have to yield to British pleas to cut off United States aid to Indonesia—a course which many Americans would in any case favor; but we should make clear that cooperation is a two-way street, and that if our allies are going to expect to obtain our cooperation on issues of major importance to them, we should have their cooperation in connection with matters which we consider important. An international conference of major Western industrial nations and Japan would be the best way to make clear our own determination to do everything within our power to insure that the economic strength and resources of the West are not available to Castro in his continuing campaign for the subversion of Latin America.

BULGARIAN INDEPENDENCE DAY

Mr. KEATING. Mr. President, Tuesday, March 3, is the anniversary of Bulgarian Independence Day. Near the end of the last century, the breakup of the Ottoman Empire released the captive peoples of Slavic Europe. Centuries before, the Bulgarian Nation had been a great nation under vigorous and progressive kings. The Bulgarians remembered this, and were determined to have their freedom. After bitter fighting, they gained independence for a ravaged and chaotic country; and by 1912 the dedicated leadership of the liberal parties established Bulgaria as a firm and developing nation. Then tragic wars damaged much of the great work done in education, construction, and industry.

Throughout the interwar years, Bulgaria attempted to repair the injury done between 1912 and 1918. By 1939, conditions were once again markedly

good. Bulgaria was on the point of entering a period of very rapid development. One reason for its growth was new trade with other countries, especially Germany. This led Bulgaria to the sad mistake of declaring war against the Western Allies, along with Germany, in 1941. That was real and tragic evidence that trade brings political influence. That action is a lesson which many nations today should heed. Again war brought Bulgaria suffering and destruction. In 1944, Bulgaria began trying to escape from German control, and offered to sign an armistice with England and the United States. But Soviet Russia was closer than we were; and in September 1944, Soviet troops invaded Bulgaria. With their coming, as everywhere in Europe, arrived the Communist Party and its heartless oppression. The patriots of Bulgaria had been fighting valiantly against both German and Soviet occupation. But the Communist Party, backed by the presence of the Red army, seized all power early in 1945. Then the familiar story of executions, deportations, concentration camps, and rigged elections was repeated all over again. By the end of 1945, another country had been forced into the Communist bloc of satellite subjects.

The Bulgarian people were victims of foreign domination for centuries. Yet they never gave up hope, because there ideas and examples of a better life were flowing to them from free countries elsewhere in the world. It was these ideas and examples which inspired the original Bulgarian independence which we celebrate today. We are confident that under the hopeless and pointless subjugation now exercised over Bulgaria by the Soviet Union, the spark of freedom burns as bright as ever. The Communists' efforts are directed at convincing the Bulgarians that there is no life better than communism. Our task is to prove to them that there is a much better life in freedom. Especially we must congratulate Bulgarian-Americans for their efforts on behalf of their homeland. May they soon celebrate with renewed joy an independence day which will have increased meaning.

NASA ELECTRONICS RESEARCH CENTER—LET US REEXAMINE SUCH DECISIONS

Mr. YOUNG of Ohio. Mr. President, over 100 communities across the Nation requested consideration for the location of the proposed $60 million NASA Electronics Research Center. Apart from the initial investment of $60 million in building it, this facility will cause as much as $50 million a year to go into the local economy and benefit people living in that entire area. In addition, it will have significant long-range value in attracting new industry to the area in which it is located.

When plans for this project were first announced, it was rumored that it was earmarked for Boston. NASA officials dutifully heard appeals by university administrators, scientists, and local officials from 29 locations throughout our Nation, including several in Ohio, seeking this research Center. Then they announced that the Center would go to Boston—on the ground that the nearness of Harvard University, Massachusetts Institute of Technology, and private electronics laboratories gave the best assurance of the Center's success, so they said. Thus far, there is little to indicate that thorough evaluation was given to potential locations distant from the Boston area.

Mr. President, two or three excellent sites were offered by communities in Ohio. Among these were very desirable locations in Columbus, Sandusky, Chillicothe, and the Crile Hospital site, at Parma, Ohio, a city of 100,000, a suburb of Cleveland, and the fastest growing community in our State. Frankly, I believe that no other site owned by the Federal Government is comparable to the Crile Hospital site, which has 324 acres of prime Government-owned and developed real estate. It is sound economy for the Federal Government to use its own land for new governmental facilities. Not only does this save taxpayers' money, but the Government also has the benefit of land use studies which were made at the time of the original acquisition.

In all respects, Cleveland eminently qualifies for this important new facility. It has two first-rate engineering schools—Case Institute of Technology and Fenn College—Western Reserve University, Baldwin Wallace College, John Carroll University, and other outstanding institutions of higher learning. The famed College of Wooster, Hiram College and Kent State University are not far away. In the area of private electronics research, Cleveland possesses one of the oldest and best developed facilities in the country—the Nela Park Research Center of the General Electric Co.—and a host of other private electronics enterprises, including the Thompson-Ramo Products Co.

Furthermore, the Lewis Flight Center, an important NASA facility, already is in a suburb of Cleveland. The Lewis Flight Center could provide staff and facilities to accelerate the operation perhaps a year or two ahead of schedule than if the electronic center were located elsewhere.

The proposed location to which I am adverting is only 12 miles from downtown Cleveland. It is ideally located for a facility of the kind proposed. The airport and the Lewis Flight Center are less than 15 minutes distant by automobile. It takes but 30 minutes or less to reach some of the finest educational institutions in the Nation. Comfortable and lovely residential areas surround the area making it attractive to the highly skilled scientists who will staff the research center.

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

Mr. YOUNG of Ohio. Mr. President, while it is certainly the desire of all Congressmen and Senators that this facility be located at a site which is in the best interests of our space program, it is evident that too much favoritism has been shown to two or three areas in the Nation in regard to space activities to the neglect of other areas, equally satisfactory or superior. Each time a new facility is proposed, we hear the same well-worn argument that it should go to an area which already has institutions with experience in this field. As a result a vicious cycle has formed, and it can almost be predicted that any new important space facility will go to Boston, Houston, or to California. Evidently, communities in the 47 other States of the Union are to be ignored and are not to take part in the space age.

Frankly, I am tired of the argument. I rise today to speak briefly in protest of what has been going on. When we meet with officials of NASA and talk on the subject, we are like supplicants in a matter that has already been decided before our arguments are heard and what we have to offer is made clear.

Furthermore, it is high time that new areas of the country share properly in Federal research and development plans. We have institutions of higher learning in Ohio which are of the topmost rank. I am not convinced that it is necessary that 10 of the Nation's 2,100 universities and colleges, with the University of California, MIT, and Columbia leading the list, should receive 40 percent of the $900 million in Federal research funds awarded to higher educational institutions during the last fiscal year. To the contrary, I am convinced that it was wrong to do so. Federal officials insist that funds must go where the scientific talent is, but by consistently favoring a few universities, such as those to which I have referred, either in California or in the Boston area, of course, talent will naturally flock to those universities. In my own mind I am certain that if Ohio State University, the University of Illinois, the University of Chicago, the University of Wisconsin, the University of Michigan, Purdue University, Indiana University, and other universities in the great State from whence the present Presiding Officer (Mr. BAYH in the chair) comes, or other outstanding institutions of higher learning in the Midwest, were to receive grants comparable to those awarded favored colleges in the Boston area and in California, within a year or two they could claim to have the so-called talent now making those colleges so attractive. They could claim to have much of that scientific talent that is now being spoken of when officials of NASA say that funds must be awarded in those certain areas to which I have adverted.

Mr. President, I fervently believe that now is the time to stop and investigate the entire program of the National Administration and Space Agency. I can assure Senators that NASA officials will have to set forth potent and very powerful arguments for locating the project at Boston, and to explain clearly and to advance logical reasons overwhelming in their clarity for locating in Boston, when other qualified sites, including Cleveland, were rejected. Shortly there will be testimony before the Committee on Aeronautical and Space Sciences, of which I am a member. I shall be on hand asking to be shown why this favoritism, as I look at it, has been perpetuated

and why anything of that sort should be continued.

Between the east coast and the west coast there are 3,000 miles of America. Between Boston and California there are 180 million Americans. Unless there are real and compelling reasons for the decision to select Boston, the people who live in other areas of our Nation feel that they, too, have a right to share in the development of and in the benefits from space research and technology. We seek to have citizens in all areas of the 50 States of our Union contribute to the exploration of outer space and contribute to the supremacy and welfare of our country as they have the skill, the education, and the scientific talent to do so.

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

Mr. YOUNG of Ohio. I am glad to yield to my distinguished colleague.

Mr. LAUSCHE. I wish to commend my colleague for speaking on the subject today. While he and I are from Ohio, I think the issue embraces a much larger territory than Ohio itself. The entire midwest part of our country is involved in a treatment accorded by the Federal Government that is gradually eroding the growth of the Midwest in favor of other areas throughout the country.

My colleague mentioned the fact that hearings were held by a committee of NASA to determine the place in the country to which the center should be assigned. I attended those meetings when Ohio applicants presented their evidence, especially when Columbus and Cleveland did so. I wish frankly to state what while I was there espousing the cause of Cleveland and Cincinnati, I said to myself, "This is just vain talk. The decision has been made." These hearings are an instrumentality to give dignity to the choice of Boston. Subsequent developments rather effectively confirmed the judgment which I had at that time.

The Presiding Officer, Senator BAYH, is from Indiana. When I speak of the Midwest States, I include eight in that area—Ohio, Indiana, Illinois, Iowa, Kansas, Michigan, Minnesota, and Wisconsin.

The statistics and graphs of economic growth show that the trend in those States is downward. I suggest that a substantial cause for the erosion of the economy in the Midwest comes from this propensity upon the part of the central government not to assign to different areas of the country those operations which become the subjects of attracting new industry and retaining old.

The electronic research center is gone. It is assigned to Boston. That is where it was assigned in October of 1962, when the elections throughout the country were being held.

The committee which heard the different petitions was very courteous. It caused us to believe that if we would show what universities we had, what the environmental situation was, what the cultural situation was that there would be an effort to consider Ohio and one or two other States. That was just a facade. That is what it has proved to be.

May I say to my colleague that there is another project in the making, and that is the Environmental Health Center. That will be a huge project, in which research will be done with regard to abolishing noxious materials from the air and eliminating pollution from the waters. The Lewis Research Center was the beginning of the research in the electronics field. As far as NASA is concerned, the Lewis Research Center is the beginning. The Lewis Research Center is located in Ohio. That factor was given no consideration.

With respect to the Environmental Health Center, in Cincinnati we have the beginning of that research work. It is done at what is known as the Taft Health Center in Cincinnati. With respect to the Environmental Health Center, it is rather obvious that the base of the operation will be located in Washington.

On that score, I wish to say something. We had better quit centralizing everything in Washington, not only the great power of spending money, not only the great power of telling people everywhere that Washington best knows what to do in the matter of social science, economics, political science, and culture.

That project will probably cost $50 million. I cannot give the exact figure. It was intended for Washingon. It will come to Washington, although we are again told, "Make your case. Present your evidence. Maybe you will have a chance."

On the idea of concentration, let me state that some day we will realize the mistake of concentration, and especially of concentration in Washington. A stenographer cannot be hired here for less than $6,500 a year, while stenographers throughout Ohio, Indiana, and other States are looking for jobs. Yet we keep expanding activities here when we know there is an inadequacy of personnel, and that because of that inadequacy, we are "paying through the nose."

I am not envious of the States that get certain assignments. I am, however, here to complain about the constant statement that is being made that the Midwestern States do not have the engineering and scientific know-how to do the job. If an examination is made of the number of engineers and scientists graduating from the midwestern colleges, it will be found that those universities and colleges are providing scientists for all the States enjoying Federal contracts.

Mr. STENNIS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. LAUSCHE. I yield.

Mr. STENNIS. What is the pending business?

The PRESIDING OFFICER. The pending business is the substitute amendment for the wheat and cotton farm bill.

Mr. STENNIS. A further parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Who has the floor?

Mr. YOUNG of Ohio. Mr. President, for the information of the Senator from Mississippi, I secured permission to speak on a subject that was not germane to the bill.

Mr. STENNIS. Who has the floor?

Mr. YOUNG of Ohio. I have the floor. I was happy to yield to my colleague, as we concur about the serious situation now under discussion.

Mr. STENNIS. I thank the Senator.

The PRESIDING OFFICER. The Chair recognized the Senator from Ohio [Mr. YOUNG], who subsequently yielded for a brief statement by his colleague, the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. I shall conclude in a moment.

With all the domestic and international problems we have, I hope that we shall not develop in our country a new problem resulting from the fact that the Federal Government is not treating all of its children alike. If we ever adopt the philosophy that those in power, selected by all of the people of the country, can give preferential treatment to their own States at the expense of the others, I submit, Mr. President, that we shall be taking on a new task most difficult of solution.

I conclude by commending my colleague for discussing this subject today.

Mr. STENNIS obtained the floor.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Idaho [Mr. JORDAN] for the insertion of a morning business matter.

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

TRIBUTE TO SENATOR MUNDT OF SOUTH DAKOTA

Mr. JORDAN of Idaho. Mr. President, this is the 25th anniversary of service to South Dakota by our colleague, Senator KARL E. MUNDT. I salute him for his many years of dedicated service to his State and to the Nation. Senator MUNDT has long been a militant foe of communism wherever it is found. Recently he wrote an article exposing Communist school activities which will be of interest to all who share the belief that this menace must be banished from our continent. Mr. President, I ask unanimous consent to place in the RECORD the following article taken from the March issue of Mechanix Illustrated by Senator KARL E. MUNDT, South Dakota.

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

AMERICA'S LITTLE RED SCHOOLHOUSES—A FRIGHTENING REPORT ON HOW THE COMMUNISTS OPENLY TEACH SUBVERSION IN THE UNITED STATES

(By Senator KARL E. MUNDT, South Dakota)

Communist schools that teach subversion and conspiratorial strategies and tactics are operating openly in the United States.

Does that statement come as a shock to you? It does to most Americans, for the existence of such Red institutions in our midst is the best kept secret of the cold war. To find schools of subversion in a Russian satellite, in Cuba or even in some other Latin American countries would not be a surprise. But to find them in our own country—no, it can't happen here. It has happened here. Communist schools are teaching a chosen few of our fellow Americans how to undermine their own country, how to destroy their democratic way of life, how to prepare the Nation for Communist takeover.

Want to know where you can find a school that is controlled by identified Communists? Come along to beautiful Central Park,

Manhattan's bit of country in the city. At the western edge of the park you cross a broad avenue called Central Park West and walk into West 74th Street. It is a well-kept area of apartments and a few business buildings. Down the avenue to the right lies the American Museum of Natural History.

In 74th Street itself, you find mostly four-story buildings—well-preserved brownstones, some red brick structures and a few stone dwellings that have been painted. On the left, at No. 18, is a red brick building, four stories high with dormers on the roof. The building looks clean, as if someone takes good care of it, and the bricks are set off with a white stone trim. There is a black iron balcony and two ornamental columns on the second floor. The building houses the object of your visit, the Metropolitan Music School.

What is the Metropolitan Music School? It is concerned largely with young music students. You will find courses in classical and jazz music being taught to 350 to 400 students each term. You might not think there was anything extraordinary about the school—anything to make it different from other small, private institutions of its type.

However, the facts are these: many of the Metropolitan's teachers are familiar to congressional committee rooms, and the House Un-American Activities Committee once found that 24 persons identified as Communists had taught there. Sidney Finkelstein, cited by congressional investigators as cultural director of the Communist Party, and who tabs himself as an "esthetician," is one of the school's administrators.

The Metropolitan's director, Lilly Popper, invoked the fifth amendment when asked whether she was a member of the Communist Party. She did tell probers that she had been director of the school since it was founded in 1947 and previous to that had been director of a parent institution, the old Downtown Music School at 111 West 88th Street, a few blocks away. Downtown Music had been founded in 1934 and she had held the top post from the beginning.

At Metropolitan, a fourth to a third of the student body is made up of adults. The rest are children or teenagers.

Leonard Cherlin once taught at Metropolitan but later became an anti-Communist and helped investigators expose the school. Cherlin, a graduate of the Juilliard School of Music and of Teachers College, Columbia University, explained how teachers were able to influence the thinking of students who gathered in groups after classes, as students do the world over, and how this influence extended as well to social get-togethers. Cherlin said he had attended closed Communist Party meetings with many teachers from the Metropolitan Music School, including some meetings that were held in Director Popper's quarters in the school building.

With youngsters as well as adults enrolled in a school where at least 24 known Communists have taught, it is reasonable to conclude that Communist Party influence is not limited there to adults alone.

With the kind of history and background that the Metropolitan Music School has, one might be led to wonder how long such an institution could continue to operate. The answer at this point is that the school has carried on successively for some 15 years and still is a growing concern. To repeat a line sometimes used by educational and other institutions, further information can be obtained by calling the school. You'll find it listed in the Yellow Pages, as well as in the Manhattan telephone directory.

Most Communist schools in this country offer courses whose names, at least, are similar to those of courses at typical American institutions. However, the course names often are mere covers. The knowledge offered to students deals with Communist action and the means of bringing down our form of government.

Investigations of Communist schools almost always involve antecedent and descendant institutions. The frequent changing of addresses and names seems to be a standard procedure for Red schools. Sometimes there is continuity in the courses taught. Sometimes there is continuity in the faculty.

Many years ago, the Communist Party established a series of Workers Schools, among them being one in New York City. Classes were held at Communist Party headquarters at 35 East 12th Street. The school was operated to educate persons who already were members of the party.

In a separate development in 1940 a number of teachers resigned or were suspended or dismissed from their teaching posts in the New York City school system as a result of investigations by the Rapp-Coudert Committee. A group of these teachers formed an institution known as the School for Democracy. Four years after this, the old Workers School and the School for Democracy merged to form the Jefferson School of Social Science, which then was located at 575 Avenue of the Americas (Sixth Avenue) in New York. This Red schoolhouse closed its doors in 1956 under congressional pressure. A series of forums was organized a little later, held first at Academy Hall, which will be mentioned again later, and at Adelphi Hall, 74 Fifth Avenue. This was in 1958. In the fall of that year the faculty of the Jefferson School of Social Science opened classes at 80 East 11th Street in Manhattan.

So it went. Names changed. Addresses changed. But the schools all had something in common. They preached the Communist Party line. And there was something else in common, too—the teachers. Among them were Henry Klein, Jesus Colon, Sidney Finkelstein, Dr. Herbert Aptheker and Dr. Hyman Lumer.

Congressional investigators, checking into the background of these five teachers, produced evidence which showed that each one had a history of Communist teaching. When questioned by congressional committees, four of the five evoked the 5th amendment.

Where are these teachers today? You can find them near historical old Union Square in the heart of Manhattan. At the southern edge of the square, Broadway crosses 14th Street and here is located an unpretentious 22-story structure of dirty yellow brick. The address is 853 Broadway and the building houses an institution known as Academy Hall, which was mentioned previously. If you look at the building's directory, you will find a listing for the New York School for Marxist Studies. It, along with the Student Committee on Progressive Education, will be found in room 1922 of the building. The institution, as a matter of fact, could not be accused of flying false colors. The very name of the school hardly would lead one to expect it to teach the benefits of capitalism.

Now, leave the building, walk across a corner of Union Square and turn right on East 16th Street. At No. 100 you will find the Jefferson Book Shop, which specializes in leftist and straight Communist-line publications. On the Jefferson's counter a sharp-eyed browser would note leaflets touting the New York School for Marxist Studies. Tuition at the school is $6 a term per subject. Scholarships are available for those in economic straits, with preference being given to Negroes, Puerto Ricans, trade union members, and industrial workers. Included among the courses offered are "Automation, Its Economic and Social Consequences"; "The Negro Liberation Movement Today," and a "Writer's Workshop."

Throughout the world, there are some 8,000 Red institutions which train students in the devious techniques of how to infiltrate, subvert, and eventually destroy the structure of our democratic society. A surprisingly large number of them can be found in the United States. Among the Communist schools whose names appear on lists compiled by our own Government are these (presented by States):

Commonwealth College, Mena, Ark.

People's Educational Center, Los Angeles, Calif.

California Labor School, San Francisco, Calif.

Abraham Lincoln School, Chicago, Ill.

Boston School for Marxist Studies, Boston, Mass.

Samuel Adams School, Boston, Mass.

Michigan School for Social Science, Detroit, Mich.

Joseph Weydemeyer School of Social Science, St. Louis, Mo.

Tom Paine School, Westchester County, N.Y.

George Washington Carver School, New York, N.Y.

Walt Whitman School of Social Science, Newark, N.J.

Ohio School of Social Sciences, Cleveland, Ohio.

Philadelphia School of Social Science and Art, Philadelphia, Pa.

Pacific Northwest Labor School, Seattle, Wash.

The Seattle Labor School in Seattle, Wash., specializes in developing Communist Party members among labor groups. There are two Schools of Jewish Studies, one in New York and one in Los Angeles. They recruit from among persons of the Jewish faith.

These open schools are by no means the end of the Communist menace in the educational field. Instead, they are but a beginning. Especially gifted (and willing) students from these schools are chosen by local party committees to enter hardcore specialist schools. At one time, years ago, these chosen few went to Moscow for their advanced training. Now they are sent to inner schools that operate in this country, most of them in secrecy. District, regional, and international training courses at an advanced level run anywhere from 1 month to 2 years. The inner-school students pay no tuition, according to former Communist John Lautner who, as an important party functionary, came to know the workings of the Red conspiracy. The party itself takes care of expenses at the inner school while the student prepares for his role as a subversive employee in government, education, private industry, or some other important phase of American life.

Inner-school students undergo constant surveillance and self-criticism to test their devotion to the cause and to find their possible breaking point. It's a hardening process that Max Eastman has called a "sickening discipline in lies, cruelty, crime, and self-abasement."

The young Communist learns how to induce behavioral patterns in others, patterns which are not natural to the American mind. The dedicated Communist's role is to make traditional behavior seem against the better interests of the person concerned, while Communist doctrines come to represent all he wants in life. It's a case of destroying old mores and supplanting them with new ones. The graduate of the inner school emerges as a dedicated Communist with unswerving loyalty to the party and to the Soviet Union. He's trained in controlling others, in seizing power and leadership when his superiors order him to do so.

From the Communist point of view, the best of the advanced schools are the clandestine ones, those never discovered or exposed. Some operate in office or business buildings or at "country camps." Others carry on in private homes. Inner schools now and then are found and exposed, of course. One advanced school whose name appears on the House's subversive organizations list is the Marxist Institute in Oakland, Calif. Three

schools set up as camps were discovered in New York State: Briehl's farm, near Wallkill, cited as a training school for top party leaders; Camp Lakeland at Hopeland Junction, and Camp Unity at Wingdale.

Recruiting candidates for the lower-level schools is a subtle process. First indoctrination may come from a Communist teacher in a non-Communist school. Virtually every issue of Communist-line papers (of which the Daily Worker was the best known) lists forums, club meetings, and lectures designed to attract lonely people to activities that will draw them eventually into the party. A new friend, for example, may ask you to a home gathering where discussions are held. This friend will know and share your interests, for party workers know the likes, dislikes, and habits of the people the party seeks to capture.

Assistant FBI Chief William B. Sullivan warns that these trained agents shadow members of our American industrial and scientific community, spy on our research, conduct an unrelenting campaign to infiltrate and undermine American science and business. The reasons are obvious. The very success of the Communist conspiracy against the United States depends on the intensity of the efforts of agents trained in its schools.

The most appalling factor in this picture is that the agents who carry out the work of the Communist Party are trained in our own country, in schools that, for the most part, are permitted to operate openly. The schools represent one of Russia's cold war weapons which we have been unable or unwilling to destroy. Nor have we counterbalanced them through our own oversea cold war tactics.

Many graduates of the Communist schools in our midst are dedicated individuals who believe they can communize any country in the world without firing a shot. Only time will tell whether they are right, and whether Americans will continue to permit them to be trained for their traitorous work in our own country.

The PRESIDING OFFICER. Is there further morning business? If there is no further morning business, morning business is closed.

Mr. TALMADGE. Mr. President, if there is no further morning business, I ask that the unfinished business be laid before the Senate.

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6196) to encourage increased consumption of cotton (and wheat) to maintain the income of cotton producers to provide a special research program designed to lower costs of production, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute. In this case, the substitute is considered to be original text for the purpose of amendment, and is subject to amendment in two degrees.

Mr. STENNIS. Mr. President, the chief purpose of this proposed cotton legislation is to save the cotton production industry by placing cotton fiber in a competitive position in the marketplace, at home and abroad.

The legislative history of our cotton program over the past several years has been a series of patches, and in many cases, these proposals were adopted to remedy a serious acreage or surplus situation, or to alleviate some other special crisis. We have abundant proof that the present program is unworkable. Even with legislation designed to solve special problems, acreage for the past 5 years—with the exception of 1961 and 1962—has been at the 16 million acreage minimum; and even under these conditions, we find an overwhelming surplus hanging over our heads. The cost has been shocking and has placed our cotton program in a position most difficult to defend.

Under our present system, the large majority of our cotton farmers are hardly making ends meet, while many others have literally been forced off the farm because of increased cost of production, sharp reduction in acreage and declining prices. This has been especially true with our medium and small farmers. Further, we are losing important markets here at home because we are not competitive in prices. This can, and will be fatal to the entire industry unless a remedy is applied in time.

Mr. President, I have been convinced for some time that the present program has not met, and simply cannot meet, the pressing problems facing the cotton industry. If we continue to operate under the present program, we are openly asking for mounting criticism and, eventually, the collapse of our price support program. The general public is not inclined to criticize or condemn a program that has sound objectives and moves forward in an orderly manner to solve its problems. Unfortunately, this has not been the case as far as cotton is concerned.

I am highly encouraged that the Senate Agriculture Committee has approved the pending bill, which is a step in the right direction and which, in my judgment, will go a long way to meet the four basic objectives which I have advocated over the years. This bill will—

First. Protect farm income under a choice program which guarantees a price support of 30 cents per pound for Middling 1-inch cotton to every cotton farmer for his entire allotment, and authorizes 34½ cents per pound price support to those who wish to plant only their domestic allotment. It preserves the national acreage reserve for the small farmer. It would authorize a price support of 34½ cents per pound for all small farms having allotments of 15 acres or less. In the case of Mississippi, this would mean that 77.8 percent of all our cotton farmers would come within the 15-acre, or less, group, and would receive the high price support of 34½ cents per pound.

Second. This plan would permit cotton to compete with synthetic and foreign-grown cotton by preserving the present export subsidy and authorizing a payment in kind to offset the price inequity of domestic mills. Under this bill, our domestic mills could purchase cotton at the export price. Under our export program, a competitive world price has been most successful in increasing exports of cotton, and I am confident that if mills were permitted to purchase cotton at this price, domestic consumption would now be materially increased, and the trend toward the use of synthetics would stop.

Third. Supply and demand would be kept in line by holding acreage allotments to minimum requirements of the present law, and also by a provision designed to encourage farmers to reduce production by paying a slightly higher price support to those who plant only their domestic allotment.

Fourth. This bill will also meet another important criteria by substantially reducing the cost of the present program. The actual cost of the cotton program under present law, for fiscal year 1964, was $790 million. It is estimated by the Department of Agriculture, as shown on page 4 of the Senate Agriculture and Forestry Committee Report, that the cost for fiscal year 1965 will be $448 million if this new legislation is enacted. This reflects an estimated reduction of $342 million. Of course, I am aware that the 1963 crop produced a record yield and the estimated cost of the current crop is based on an assumption that production in 1964 will be less than last year. The cost for this year's crop will therefore be less, even under current law. But using the production estimates for 1964, there will still be a savings of $118 million if this legislation is adopted. This figure is based on an estimated cost of $566 million under current law as compared with the estimated cost under the committee bill of $448 million.

No one can be certain in making such estimates. One estimate is high and the other is low. A more accurate estimate of the savings might be obtained by adding the two estimates together and dividing by two to strike an average. This average would be $230 million and could well be an accurate estimate of the savings.

These estimates, of course, depend upon the weather, the conditions of planting, the conditions of the stand; and, of course, upon the elements, which are uncertain.

In many respects the bill before us is similar to the Cooley bill passed by the House. It has identical objectives but, frankly, the Senate version meets these objectives in a more practical and economical way. In fact it offers stronger hope for realistically coming to grips with the cotton problem. This bill provides essential safeguards to protect farm income with special provisions to assure our small farmers a fair price. It makes cotton fully competitive. It will balance supply and demand, and will reduce the cost to the Government.

It has come as a great surprise to me that claims have been made that this bill is a version of the so-called Brannan plan. It is inconveivable that such an allegation would be made on a legislative proposal designed to help our small farmers and ultimately save our cotton industry from ruin. This bill does not give a cash payment to any farmer, but would authorize the Secretary to give a higher price support to the 15-acre cotton farmer and other farmers who plant within their domestic allotment. This high level of support would be made

available by either a purchase and resale program, through a Government loan, or through a payment in kind.

As I have pointed out earlier, in the case of Mississippi, the 15-acre provision would apply to more than 77 percent of our cotton farmers, but in terms of volume of cotton, it would amount to only approximately 16 percent of the production. It is my understanding that this same general pattern of small farms would hold throughout the Southeast; therefore, the cost of this program for such a large number of farmers would be relatively small.

Mr. President, I note that the Senator from Georgia [Mr. TALMADGE] is in the Chamber. I wish to especially commend him for the fine work he has done, along with other members of the Senate Committee on Agriculture and Forestry, in devising equitable provisions that will apply to what has become known as the small farmer.

Many years ago, I had the privilege—before the Senator from Georgia was a Member of this body—of being one of the sponsors of legislation dealing with the 5-acre farmer. That was a small fragment, but we had to obtain such support as we could as we went along.

I remember that at one time on the floor of the Senate even that little provision was voted out of the bill after the Senator from Louisiana and the Senator from South Carolina had put it into the bill in committee. It was voted out of the bill on the floor. Fortunately, a motion to reconsider was made, and that provision was put back in the bill.

At any rate, this is not a part of the program that costs a great deal of money. At the most, it represents only 16 percent of the total annual production. It helps the operator of the little family-sized farm, and it helps thousands of people, many of whom have this as a main dependence for their so-called money crop. This is a live-and-let-live program.

I commend those who have worked on this problem over the years. I am delighted to see this matter being stabilized, first at 10 acres, and now at 15 acres. It is a just provision, and will not cost a great deal of money.

Mr. President, if this bill is to be accused of promoting the Brannan plan concept, then certainly we would have to classify the A and B program of 1958 and 1959 as the Brannan plan type for it had virtually the same features. Under the A and B program, farmers who participated in the A program were rewarded for reducing their acreage by receiving a higher price support. The A producer sold his cotton to a Government agent for an average of approximately 34.10 cents per pound, and on the same day or days later, another Government agent sold this cotton for approximately 31.24 cents per pound. While the A producers did not receive this estimated 2.76 cents per pound difference in the form of a cash payment as such, they did receive the direct benefits of the higher price; and for all practical purposes, this program was more of a Brannan plan approach than the bill now under consideration. In 1960 the A program participants received approximately 32.42 cents per pound and this cotton was later sold for approximately 29.29 cents per pound.

The Soil Bank of 1957 and 1958 made direct payments to farmers for taking cotton out of production. In 1957 cotton farmers received an average of $54.15 per acre for each acre taken out of production, and in 1958 this payment amounted to an average of $58.95 per acre. If the bill now under consideration is labeled as the Brannan plan, then certainly the Soil Bank of 1957 and 1958 would have to be so labeled. The Soil Bank cost several times more than would the bill under consideration. It disrupted the economy of many of our local communities and completely failed to meet its objectives.

To carry this one step further, the Federal Government has been paying an export subsidy since 1957 amounting to a low of 6 cents per pound to a high of 8½ cents per pound on all cotton exported. The farmer does not receive this subsidy in the form of direct payment, but certainly he is the one who benefits. The above points are convincing evidence that some of our recent cotton programs have much more of a Brannan plan flavor than does the bill under consideration.

At this point, I would like to make an observation that the longer I study the cotton program, the more convinced I am that there is no justification in reducing the price support of cotton unless there is a reasonable chance for a substantial increase in consumption. In the case of cotton there is every indication that a competitive cotton price will materially increase consumption. We have witnessed this theory and it has become a reality in the export program. I believe we would all agree that a reduction in price support to the farmers amounting to 8½ cents per pound would bring general bankruptcy to every cotton farmer in the United States. They simply cannot absorb, and should not be asked to absorb such a drastic adjustment.

Under the bill reported by the Agriculture Committee, the more efficient producers who choose to plant their full allotment would absorb a reduction in price support of approximately 2½ cents per pound and the Government would absorb the balance required to make cotton competitive in the domestic market. I visualize this proposed legislation as an essential pilot project which will for the first time in many, many years give cotton a chance to be fully competitive in the domestic market. The cost will be borne partly by producers and partly by Government with the total cost being much less than the present program. At the end of 4 years we will have the necessary data to evaluate the effects of a competitve price on the consumption of cotton, and will then be in a position to truly determine if a competitive price will increase consumption.

In summary, I would like to say that while this bill is not perfect in every respect, it is a move in the right direction. It is certainly not a Brannan plan approach. It will work to the best interests of the producer, and especially the small farmer; and to the best interests of the textile industry, of the Government, and of all segments of the cotton industry. This bill gives us a chance to vote for legislation which will enable cotton to realistically come to grips with its problems and I hope it will see an overwhelming majority vote.

Mr. President, I conclude with one additional point. I am sorry, but it is true that the basic trouble with the cotton industry is that cotton has been selling at too high a price. The bill is designed, by gradation, to try to reduce the cost of cotton in the marketplace. It asks the Government to carry a part of the load, and it puts a part of the load of these reductions on a segment of the cotton-growing industry itself.

Without claiming any credit whatever, but pointing to the consistency of the Senator from Mississippi with reference to the high price of cotton, my colleague and I from Mississippi were the first Senators from a southeast cotton-producing State to vote to override the 90-percent parity price support. This was back in 1957. It was not a popular thing at that time to cast a vote like that on the floor of the Senate.

I was driven to that position by the realization that something had to be done to enable the cotton fiber farmer to be competitive in the world and domestic markets.

That is primarily our problem today. I represent a State which produces rayon and nylon—not the finished nylon products, but the basic products from which nylon and rayon are made. I believe that our basic problem today is that we are gradually losing our markets. They are going over to synthetics. If the cotton industry is to survive, it must continue to sell for less per pound.

The pending bill, even though far from perfect, is a step in the right direction. A fair trial of it would cost the Government less money and lead us farther down the road to eventual real competitive prices; also, it would not disrupt the condition of the operator of the small family-sized farm to which we referred a minute ago, who is engaged in such an integral and essential part not only in the cotton industry, but in the whole fabric of our social setup in this Nation that some kind of special consideration must be given to him.

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

Mr. STENNIS. I am glad to yield to the Senator from Louisiana. The Senator from Louisiana has worked very hard in the Senate on behalf of cotton since I first came to this body, and before that.

Mr. ELLENDER. Mr. President, the Senator from Mississippi [Mr. STENNIS] is correct when he states that this is not the former Brannan plan payment. In my judgment, that is true; there is no doubt about that.

Mr. STENNIS. I thank the Senator.

Mr. ELLENDER. The bill would provide a payment in some way which would reduce the cost of cotton to the tune of about $300 million at the textile mills. Does the Senator realize that?

Mr. STENNIS. That is true.

Mr. ELLENDER. That is being done in a roundabout way by not making payments direct to the textile mills, but to someone other than the producer, which in this case will probably be the handlers. I wish to emphasize that this is a new departure from the past, in that textile mills will be able to purchase cotton at world prices. That is what I have been complaining about. The cost this year will be $312 million, and as the years go by, the cost may increase.

Mr. STENNIS. I thank the Senator from Louisiana for his comment. With respect to the figure $312 million, I understand a different estimate has been made. Nevertheless, it will be a considerable amount of money, which can only be justified because a condition has been created which has made it impossible for textile companies to buy a commodity which is being produced in this country in a competitive way. The so-called cotton program must adjust itself, as I see it, and come nearer to meeting the demand for a competitive price. The bill puts the burden partly upon the Government, so to speak, and partly upon the cotton producer himself. In that way, I believe the cotton producer can "get out of the woods." That is the justification, as I see it, for the bill. I thank the Senator from Louisiana for his statement.

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

Mr. STENNIS. I am glad to yield to my colleague from Mississippi.

Mr. EASTLAND. My colleague has made an excellent speech. Is it not true that, because of the price discrepancy of 8.5 cents a pound, a mill in this country, in order to compete with a Japanese mill, must revert to the use of synthetics?

Mr. STENNIS. It is almost driven to them. Because of the price disparity, which the Senator from Louisiana and I have discussed in the debate, plus the disparity of 8.5 cents a pound that is created in this country, and which is a large amount for a bale of cotton, the mills have been driven to the use of synthetics.

Mr. EASTLAND. The Japanese price of synthetics is approximately the price of rayon staple fiber. Rayon is competitive with cotton. It costs about 25 cents a pound. Our export price is 24 to 25 cents a pound. Finished goods can be manufactured in Japan and shipped back to this country at a cost lower than the cost in this country. That means that an American mill must use synthetics to bring its cost down so as to compete with the Japanese, who are buying cotton cheaper than the American mill can buy it.

Mr. STENNIS. I believe the Senator is correct. That fact has been thoroughly established; it is not speculation.

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

Mr. STENNIS. I yield to the Senator from Louisiana.

Mr. ELLENDER. I dislike to repeat what I stated last Friday. The strong competition that exists in our country today is not so much with Japan, with Formosa, or with other areas of the world. There is competition among the mills in our country. Ninety-five percent of every yard of goods that is manufactured by the textile industry is sold in this country. According to my way of thinking, the competition occurs among the mills in our country, not so much with Japan.

Irrespective of how much Japan pays for its cotton, even if we could almost give it to our own mills and make Japan pay the world price, Japan could still undersell us. That situation exists not only as to cotton, but also with respect to steel or stainless steel. I understand that Japanese producers can export to our country at such a price as to enable them to make a profit, but American manufacturers cannot compete because they cannot manufacture at the low rate at which Japan sells its goods here. So the situation is not peculiar to cotton. It is low-cost labor.

The amount of cotton that comes from abroad is the equivalent of about 650,000 bales of cotton, and we export about 500,000 bales of textiles. So the difference between the imports and exports is approximately 150,000 bales of cotton. But let us not forget that the principal difficulty is among the mills in our country; it does not arise chiefly from foreign production.

Mr. STENNIS. The Senator refers to conditions in Japan. The wage scale and other things are matters which we cannot control. I refer to matters dealing with the cotton situation. That is an element of cost to our mills which we can control. We put them in the position where they are now by the export subsidy, as the Senator knows.

Mr. ELLENDER. Regardless of what price we sell the cotton for to the textile mills in our country, the competition among themselves will remain.

Mr. STENNIS. This would not eliminate all competition, but it will eliminate it as to the cost of cotton.

Mr. EASTLAND. The question of competition between cotton and synthetics is one question, but also we are trying to equalize the cotton cost to our own mills with what the Japanese pay.

The Senator from Louisiana [Mr. ELLENDER] said that because of the manufacturing cost, the price of cotton does not matter. That might be true in dress goods or expensive fabrics, but in the principal construction of the textile mills, cotton cost is a principal cost.

Mr. STENNIS. There is no other reason why they should be going to synthetics, except in a very limited way, that I know about.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from North Carolina.

Mr. JORDAN of North Carolina. I wish to offer one thought I received from the remarks of the distinguished Senator from Louisiana, namely, that mills compete with one another. That is quite true. Of course, mills compete with one another, but they can compete with synthetic fibers as they can with cotton. They can do it much cheaper, and they are doing it. They are doing it every day, to the extent that they get synthetic fibers. They are buying them instead of cotton. They can buy them cheaper, make satisfactory merchandise, and make a profit.

Mr. EASTLAND. Mills are making a profit on synthetics, are they not?

Mr. JORDAN of North Carolina. Absolutely. One can obtain profit statements from mills that were 100 percent on cotton last year. Some of them lost money; and the ones which broke even were lucky.

Mr. EASTLAND. There is such a demand for rayon that rayon is being rationed. The mills cannot get a large enough supply.

Mr. JORDAN of North Carolina. It is happening every day.

Mr. EASTLAND. It is due to the disparity in cost. The primary reason why the cotton farmer is interested is that he must meet industrial competition.

Mr. STENNIS. Is it not true that the cotton fiber itself, as a raw product for the bill to work on, is even more acceptable than the synthetic product?

Mr. JORDAN of North Carolina. I believe that many textile plants that have been wholly or partially manufacturing from cotton would prefer to stay with cotton if they could merchandise it profitably. But as the distinguished Senator from Mississippi said a moment ago, the farmer is being put out of business. The textile mills can spin the synthetic fiber just as easily as they can spin cotton. There is no problem. The only reason they are not spinning more synthetic fiber is that it has been rationed. They cannot get it, as the Senator stated a moment ago, and the foreign mills are shipping their synthetic material in as fast as they can.

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

Mr. STENNIS. I yield to the Senator from Ohio.

Mr. LAUSCHE. If we create this new type of subsidy, how will we avoid in the future the demands, let us say, of violinmakers, bicyclemakers, and the producers of other things, for subsidies of this type, instead of having their interests protected through tariffs?

Mr. STENNIS. This is a part of the agricultural program for the basic industries, such as cotton and grain, as the Senator knows. We are in a jam with respect to the competitive prices for cotton at home and abroad. The benefits proposed are not for the mills or the manufacturers. The intention is to protect the cotton-growing industry, to enable it to grow the raw material to the point where the growers can keep their heads above water. This will gradually reduce the price of cotton to everyone.

Mr. LAUSCHE. Let us assume that the steel industry gets in trouble and requests a subsidy of the nature of the one provided by the pending bill. Where shall we wind up? That is what bothers me.

Mr. TALMADGE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. TALMADGE. I should like to respond to the question the able senior Senator from Ohio asked.

In this case, the subsidy will go to the domestic manufacturers. The price support goes to the farmers.

First. Our cotton prices rose above the world market prices. Then, in 1954, if my memory serves me correctly, we passed Public Law 480; and today we sell cotton produced in the United States to every country on the face of the earth at 8½ cents a pound less than the cost to our own mills.

So this measure will not be a further subsidy, because the subsidy now goes to two groups—the U.S. cotton farmers and the foreign manufacturers of U.S. cotton. Instead, this bill will enable the domestic industries to catch up in that situation, for today the U.S. cotton textile mills are forced to pay 8½ cents a pound more than the cost of U.S.-produced cotton to any country on the face of the earth.

Mr. EASTLAND. Mr. President, will my colleague yield to me?

Mr. STENNIS. I yield.

Mr. EASTLAND. As the Senator from Georgia has said, this aid will go to the U.S. cotton textile mills, which are faced with a situation which does not confront the cotton textile industry in any other country in the world. As a result of the action of our Government, U.S. cotton textile manufacturers must pay 8½ cents a pound more for the cotton they use than the cost of American-produced cotton to the mills in any of the other countries of the world.

The enactment of this bill will mean that this situation will be handled in an orderly way, and at the same time the effect will be to reduce the cost of raw cotton to the U.S. textile mills.

Mr. LAUSCHE. I have read the testimony at the committee hearings; and on page 338 I find that it was pointed out, in connection with the cotton aspect of the bill, that the United States uses 8,600,000 bales of cotton, and the products of that cotton are sold to U.S. consumers; and the United States imports finished goods made from approximately 600,000 bales of U.S.-produced cotton. The complaints deal chiefly with those imported goods.

However, the pending bill, instead of dealing with the 600,000 bales which caused the trouble, would not only result in payment of the difference between the 2 prices on the 600,000 bales, but also would result in Government payments on the 8,600,000 bales which are used for the production of finished goods sold in our domestic economy.

Mr. EASTLAND. As the Senator from Georgia stated, the competition is not at the mill level. Instead, the competition is between the rayon staple which is favored by producers who operate—largely with European capital—in this country and the U.S. cotton farmers. The bill will equalize the two prices, so as to bring the cost of cotton down to the cost of rayon; and rayon is at about the world price of cotton.

Mr. LAUSCHE. From reading the testimony, I find it was mainly centered upon the unjust competitive position of the U.S. cotton industry with respect to the 600,000 bales which are exported and which result in imports of manufactured goods; but completely forgotton seems to be the fact that the U.S. manufacturers use 8,600,000 bales of cotton in an abundant market, in which our people purchase the goods and pay the prices which are asked.

If the pending bill contemplated subsidizing the producers of the 600,000 bales which are converted into finished products and then are brought back to the United States, and if the bill did not deal with the 8,600,000 bales which are used by the domestic industry, I would say there would be some logic to the proposal. But I simply cannot subscribe to the bill as it now stands, in view of what it would do.

Mr. JORDAN of North Carolina. Mr. President, will the Senator from Mississippi yield briefly to me?

Mr. STENNIS. I yield.

Mr. JORDAN of North Carolina. In respect to the question the Senator from Ohio asked, 2 or 3 years ago the U.S. textile industry went before the Tariff Commission, with the full support of the Department of Agriculture, and asked the Commission to impose an import quota and also to provide equal treatment in the case of all the cotton textiles which are imported, with the result that foreign mills would have to pay the same price that the U.S. cotton manufacturers have to pay for the cotton they use. In other words, if the cotton which is exported—to Japan, for example—costs the foreign producers 8½ cents a pound less than the cost to the U.S. textile mills, the tariff would be that 8½ cents a pound, plus an allowance for the waste factor. That tariff would then be placed on the finished goods imported into the United States, and the proceeds of the tariff would go into the Treasury. But the Tariff Commission rejected that proposal—although it would have cured approximately 98 percent of our problem.

Furthermore, so far as I know, cotton is about the only commodity grown in the United States and subsequently exported and subsequently brought back to the United States in the form of manufactured products.

Steel has been mentioned; but the steel which is imported is produced from iron which is mined in other countries.

Cotton is in an entirely different situation: The cotton produced in the United States is sold to the foreign mills at a lower price, thus permitting them to import their finished goods into the United States at much less than the cost of production of the identical products in this country. As a result, the U.S. textile mills are either forced to go out of business or are forced to convert to the use of synthetic fibers.

Mr. EASTLAND. In that situation the American textile mills have to use synthetic fibers, in order to be able to compete.

Mr. JORDAN of North Carolina. Yes.

Mr. EASTLAND. So this bill deals with a manufacturers' problem.

Mr. JORDAN of North Carolina. Yes, indeed.

Mr. LAUSCHE. A moment ago I believe the Senator from North Carolina stated that the relief requested would have solved 98 percent of the problem.

Mr. JORDAN of North Carolina. Perhaps the Senator from Ohio misunderstood what I said.

Mr. EASTLAND. But the point is that the big problem arises from the competitive situation between the cotton goods imported into the United States and the goods produced in the United States with the use of synthetic fibers.

Mr. LAUSCHE. But I understood the Senator from North Carolina to state that 98 percent of the trouble would be cured by providing the requested tariff relief.

Mr. EASTLAND. But then the cotton would not be competitive with the staple rayon.

Mr. JORDAN of North Carolina. Exactly—although the relief then requested would have cured the difficulty because of the subsidy to the foreign textile mills.

Mr. LAUSCHE. But indirectly the pending bill would make this cotton available to the domestic textile mills at a reduced price.

Mr. JORDAN of North Carolina. But cotton is now being supported, for the farmers. The purpose of this bill is to save the U.S. textile mills.

Mr. STENNIS. That is true, as I understand.

Mr. President, this measure is primarily for the purpose of alleviating the difficulty in that situation, and thus benefiting the cotton goods producers. That is the only reason why this measure is before us, and that is why I am supporting the bill. The bill deals with the situation in which cotton produced in the United States is, following its manufacture by foreign mills, able to force its way into the domestic market, in competition with the cotton goods produced in the domestic mills who produce for the use of the American people. Incidentally, of course, there are some exports.

Mr. President, I conclude, as I said in the beginning, by stating that the chief purpose of this proposed cotton legislation is to save the domestic cotton goods production industry, by placing cotton fiber in a competitive position at the marketplace.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, I ask unanimous consent that at this time I may yield to the Senator from New York [Mr. KEATING], to enable him to make a special announcement on a nongermane matter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MRS. SUSAN WAGNER

Mr. KEATING. Mr. President, I have just been notified of a report which brings great personal sadness to me, and I am sure it will to many other Members of this body. Susan Wagner, the wife of the three-term mayor of New York, has passed away.

Susan Wagner's illness has existed for some time. If the alternative was a long period of suffering, of course, none of us would have wanted that suffering to continue.

Susan Wagner has been a wonderful support to the mayor of New York

throughout his political life. She was a welcome guest at many political and nonpolitical functions, where her magnificent spirit was always displayed in a radiant manner. She was a dedicated and warmhearted soul who had thousands and thousands of friends. She was a devoted mother and wife. She, the mayor, and entire family were unusually close. Although words are tragically inadequate at such a time, I express my deepest sympathy to the mayor and to the fine sons of Susan Wagner in this hour of their grief.

Mr. JAVITS. Mr. President, the city of New York has suffered a very grave loss which is quite apart from the tragedy suffered by Mayor Robert Wagner, Jr., who has lost Susan Wagner, his wife.

Susan Wagner, whom I have known for many years, and who was a friend of my wife's and mine, was not only a dear and wonderful human being, but she was, in my judgment, the first lady in the hearts of the people of the city of New York in a very real way.

Her love for her family and her devotion to her husband were seconded for the people by her deep interest in the cause of bettering the future of the human family, and particularly the conditions of so many of the people who are underprivileged economically in health, in society, or because of prejudices in New York. She was so beloved that one can speak of her in the same way that one would speak of some distinguished public servant.

Although she was not elected, she was anointed by the people of New York.

It is with a real sense of sadness and grief that I make this statement to the Senate honoring a very fine woman who in her own life typified what the wives of important public men go through. They assume a stature. They take on duties and responsibilities which are closely coordinated with those of their husbands, so that it can almost be said that the people have elected not one to high office but two—the public servant and his wife. That was uniquely true in the case of Susan Wagner, to whom I pay this tribute.

Mrs. Javits and I extend our deepest sympathy to Mayor Wagner. He and I on occasions have been political opponents, but he is my friend and I feel that way very deeply in this very sad hour.

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

Mr. JAVITS. I yield.

Mr. HUMPHREY. I thank the Senator from New York for yielding to me for a moment.

First, as a friend of the mayor of New York and of Mrs. Wagner—Susan Wagner—I wish to thank him for his gracious, kind, and considerate remarks. Only a month ago Mrs. Humphrey and I were in New York City. We were honored by a reception at Gracie Mansion, the home of the mayor of New York. It was on that very day that Mrs. Wagner had returned to her home after having been hospitalized for some time. She was very ill. Yet when we suggested that no reception be held, she was the first to insist that the plans be carried out, and that our mutual friends gather together at her home.

I wish to associate myself fully with the remarks that have been made by the two Senators from New York. It has been the privilege of Mrs. Humphrey and myself to know both Bob and Susan Wagner, the mayor and his fine lady, and to know their family. When I heard the sad news that this dear woman had been taken from her family, from her friends, and from this worldly life, I, too, felt very sad. I wish to express my sincere sympathy to Mayor Wagner, the family, and, above all, once again to express my personal thanks for the many kindnesses and considerations that have been so generously extended to the Humphreys by Mayor and Mrs. Wagner. She indeed fulfilled every qualification that has been described here today in reference to a true helpmate, not only to a husband and a father, but to a public official. I thank the Senator for yielding to me.

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM

The Senate resumed the consideration of the bill (H.R. 6196) to encourage increased consumption of cotton (and wheat) to maintain the income of cotton producers to provide a special research program designed to lower costs of production, and for other purposes.

Mr. TALMADGE. Mr. President, first, I desire to compliment the distinguished and able Senator from Mississippi on his outstanding speech.

Second, I am about to suggest the absence of a quorum. I wish the attaches of the Senate would notify all Senators that it will be a live quorum.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 50 Leg.]

Aiken	Hayden	Morton
Allott	Hickenlooper	Moss
Bartlett	Hill	Mundt
Bayh	Holland	Muskie
Beall	Hruska	Nelson
Bennett	Humphrey	Neuberger
Bible	Inouye	Pastore
Boggs	Jackson	Pearson
Burdick	Javits	Pell
Byrd, Va.	Johnston	Prouty
Byrd, W. Va.	Jordan, N.C.	Proxmire
Cannon	Jordan, Idaho	Ribicoff
Carlson	Keating	Robertson
Case	Kuchel	Russell
Church	Lausche	Scott
Clark	Long, Mo.	Simpson
Cooper	Long, La.	Smathers
Curtis	Magnuson	Smith
Dirksen	Mansfield	Sparkman
Dominick	McCarthy	Stennis
Douglas	McClellan	Symington
Eastland	McGee	Talmadge
Edmondson	McGovern	Thurmond
Ellender	McIntyre	Tower
Engle	McNamara	Walters
Ervin	Mechem	Williams, N.J.
Fong	Metcalf	Williams, Del.
Fulbright	Miller	Yarborough
Gore	Monroney	Young, N. Dak.
Gruening	Morse	Young, Ohio

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], and the Senator from Massachusetts [Mr. KENNEDY] are absent on official business.

I further announce that the Senator from West Virginia [Mr. RANDOLPH] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. COTTON], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The committee amendment on the nature of a substitute is open to amendment.

Mr. KUCHEL. Mr. President, third reading.

The PRESIDING OFFICER. If there are no amendments——

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. FULBRIGHT. Mr. President, I wish to address myself for a few minutes to the cotton bill. First, I desire to compliment the senior Senator from Mississippi [Mr. EASTLAND] on his very elucid explanation of it. I shall not attempt to repeat all he has said about it.

I support the bill reported by the Senate Agriculture Committee and I wish to commend the chairman and the members of the committee for their diligence in bringing a bill to the floor. The leadership is also worthy of praise for its efforts in expediting its consideration. It is no secret that an ominous shadow of things to come hangs over the Senate as we consider this vital legislation. It is a tribute to the character of the leadership and the administration that, notwithstanding sectional differences on other legislation which will soon be before us, every effort has been made to consider this vital legislation in advance of the 1964 crop year.

We have heard a great deal of late about poverty, and many hands and minds are being turned to eliminate it as a widespread phenomenon in our society. It will be readily conceded by those working in this field and, I am sure, by the Members of the Senate who have numerous low-income families in their States, that structural change in the economy is a major factor in reducing self-sufficient, proud people to menial labor and the welfare rolls. The bill reported by the committee is in a very real sense part of the attack on poverty, doing its work to prevent economic disaster rather than waiting to salvage the economic and human remnants of a decaying situation. It can give cotton a new lease on life and help the industry to gain a foothold on the pathway toward a freer and more prosperous market. Its effects will be felt throughout the South and Southwest where millions of people depend on cotton production for their daily bread.

It is difficult for many Senators, I am sure, to comprehend the enormous implications of this legislation for my State—500,000 Arkansas people depend directly on cotton for their livelihood—I might say to the distinguished Senator from Tennessee [Mr. GORE], that is slightly more than the population—approximately 30 percent of the State's population. I might point out that this figure does not include those employed in other enterprises dependent on the cotton trade, such as ordinary retail business, automobiles, and so on, that are really dependent on cotton indirectly. The consequences of a failure of cotton as a major crop would be tremendous and incalculable in my State. Countless banks, retail outlets and even whole communities would be in desperate condition.

Arkansas farmers receive on the average about $260 million annually from the sale of cotton and cottonseed. This is more than the receipts from all other crops combined and compares favorably with the total industrial payroll of the State.

It is not difficult to describe the present dilemma of the cotton industry. The price is too high for American cotton to compete in the world market. The price is too high because the costs of production are high and the support price has been set by the Secretary of Agriculture at a level which provides some modicum of profit to the producer. In 1956, the Congress sought to partially resolve this quandary by authorizing payments in kind to exporters in order that cotton produced in the United States could be sold abroad. This helpful step, however, went only half-way, for the U.S. market was not insulated against the same cotton made into cloth and shipped back to our shores to compete with American textiles. In the 2 years ending last July 31, textile imports increased from the equivalent of 414,000 bales to 645,000 bales—an all-time high. When set against the 1954 level of 101,000 bales equivalent and the 1950 level of 83,400 bales equivalent, these figures tell a sad tale for cotton, and particularly for our textile industry.

In the face of this competition, textile producers have not stood still. Forced to buy their basic raw material at or above the domestic support price, while competing with foreign textiles made of less expensive cotton, they have increasingly shifted to other fibers. In the 2-year period ending August 1963, this transition to synthetic fibers was estimated to equal the consumption of 1½ million bales of cotton. Cotton in the meantime has been accumulating in expensive Government storage. To free American cotton from the discrimination of the two-price system and to put our domestic cotton industry on a par with its world competition is no more than fair.

The bill reported by the committee is not perfect, but it will meet the most urgent problems and, I believe, deserves a trial.

Above all, its purpose is to increase cotton consumption. Partially, this will be brought about by bringing the cost of cotton to domestic textile mills into line with that paid by their competitors abroad. Repeated suggestions of quotas and tariff increases have been made to stem the rising tide of foreign textiles coming into the United States. None has been acceptable to the Congress or the Tariff Commission.

As a consequence, we have witnessed a steady decline in cotton's share of the domestic fiber market. In 1962, cotton accounted for 59.4 percent of the fiber milled in this country as against 69.4 percent in 1952—a substantial drop. There are, of course, reasons for this shift, including the qualities of some synthetics and consumer preferences; but the primary problem of cotton is its price. Whatever other problems cotton may have had, foreign competition, underwritten by the cotton export program of the U.S. Government has been a major factor in declining consumption and mounting surpluses.

Payments in the form of Government-owned cotton stocks, to make upland cotton available for domestic use at a price equal to the export price, will not only achieve an end to this discrimination but will also help to bring what is now surplus cotton out of the warehouses and into the channels of trade. We are not dealing with dollars out of the general fund which could be spent otherwise, but with cotton from Commodity Credit Corporation stocks which are estimated to hit 10 million bales this summer. This fruit of our agricultural machine must be utilized. It is a tragic irony that such abundance should be considered a problem while many of our people are ill clad.

The American Textile Manufacturers Institute has calculated an almost exact correlation between raw cotton prices and the price of cloth. If the price of cotton to American textile mills is reduced to a competitive level, I have no doubt that more cotton goods will be bought per consumer dollar. Anyone who has had experience with the textile industry is aware that it is as competitive as any in our free enterprise system. The pennies saved per pound in raw material costs under this bill will end up in the pockets of American consumers.

It should be recognized, Mr. President, that cotton growers are willing and ready to do their bit in this effort. The basic support price will be reduced roughly 2½ cents per pound for cotton grown on normal acreage, and future support price levels will be determined partially on the basis of cost of production. This is a step in the right direction. I believe we all recognize that the ultimate solution to the cotton problem is a reduction in production costs. Only new and better processes of raising, processing, and handling cotton can cope with this problem.

While the provisions of this bill authorizing $10 million per year for research over the next 3 years has achieved far less publicity than some of its more prominent features, it is in the long run the key to cotton's future. In much the same way that our incredible technology and scientific advancements have given American industry the means with which to compete with low cost labor areas abroad, so can changes which are being wrought in agriculture make cotton again competitive in the world market.

The National Cotton Council has proposed a research program centering on the control of insects, disease, and weeds; the improvement of machinery, increased yields, and the improvement of processing techniques. I would hope also that attention would be given to developing uses for cotton and new cotton products. Even discounting this fertile field, it is the council's estimate that in a relatively short period of time the cost of producing cotton can be reduced 11 cents per pound. This is an encouraging prospect. Under the terms of the pending bill, the disparity between the domestic support price and the world price will be roughly 6 cents. If the goal of this research can even be approached, American cotton will have an unsubsidized place on a completely free world market with a good deal to spare. As Mr. Burris C. Jackson, president of the National Cotton Council, said last year:

> Without this kind of program, cotton can have no real hope for surviving as a major industry.

Research now in progress financed by private, State, and Federal sources is good but not adequate to the enormous task of achieving a real breakthrough in this field. The funds authorized by this bill roughly match the amounts now being spent. In addition, their expenditure can be fully coordinated toward the end of cost reduction. Research holds the key to the future of the cotton industry for only research can bring its price into line with current demands.

It would be less than honest, however, to claim that fertilizers, pesticides, or new farm machines alone can achieve this goal. This transformation also involves an acceleration of the changes in the economic structure of many cotton-belt communities which have marked the past three decades. As cotton must be produced with fewer man-hours and at lower cost so also must the manpower thus freed be devoted to profitable industry. Meeting this challenge in this and its many other dimensions the Congress has acquitted itself well in the enactment of the Area Redevelopment Act in 1961, the Manpower Development and Training Act in 1962, and the Vocational Education Act in 1963. All designed to produce jobs and trained people to fill them, these laws will help not only people idled by shifts in the cotton economy but all Americans caught in the economic transitions of the present age.

Mr. President, the domestic acreage allotment plan offered by the cotton producers' legislative committee and the Department of Agriculture is to my way of thinking a fair way to deal with overproduction. Several features commend it and I believe the committee was wise to adopt it.

First. It is a voluntary plan which will cut planted acreage by allowing a support price up to 15 percent above the basic rate when plantings are limited in accordance with the domestic allotment set by the Secretary of Agriculture. It does not, however, disturb acreage history.

Second. This premium may be paid in CCC cotton—a further way to reduce Government stocks.

Third. The small producer is protected by a minimum being established at the smaller of 15 acres or the normal acreage allotment.

In our present predicament this provision is a feasible solution for all. Its essence can be drawn from the statement made before the Senate Agriculture Committee by Under Secretary Charles S. Murphy when he said:

> Although gross producer income from cotton under H.R. 6196 with the domestic allotment choice would be lower than under the bill as it passed the House, net producer income from cotton would be somewhat more. In addition, producers would receive substantial income from alternative uses of acreage which would otherwise be devoted to the production of cotton, such as production of soybeans for which additional acreage is needed. Taking all these factors into account, there would be a substantial increase in the total net income of cotton producers.
>
> This proposal would not interfere with the operation of the release and reapportionment system. At the same time, it would accomplish the necessary reduction in surplus stocks. This makes it unnecessary, therefore, to give further consideration to an acreage diversion plan for the 1964 crop.

Mr. President, the purpose of the bill is twofold—to maintain net producer income at a minimum of cost while collaterally seeking ways to make cotton competitive in the absence of governmental assistance. The concept of export acreage which is written into this bill is a probing effort to test the feasibility of producing cotton at costs under the world market price.

The potential danger of this approach is that cotton which would otherwise be drawn for export from private or CCC carryover stocks will be provided from so-called export acreage. To a limited degree this may come to pass, but there are, I believe, adequate safeguards written into the bill to justify this experiment. Most importantly export acreage will only be allotted by the Secretary of Agriculture when it is determined that the carryover will be reduced at least 1 million bales at the end of the next marketing year—even with the additional production. Should the program outlined in this bill be effective to the point of reducing the carryover below 8 million bales—approximately a year's supply for our domestic needs—the 1-million bale reduction requirement would be suspended. In other words, we will experiment with unsupported production for export so long as Government stocks are declining markedly or the carryover is in line with domestic needs. We must ultimately find a way to produce at the world price and the export acreage idea is a means to test the ability of producers to do so.

Small producers are protected and large producers are given an opportunity to prove any competitive advantage they may have.

Unfortunately, this bill has been labeled costly. Insofar as cotton is concerned, the committee report cites the Department of Agriculture as authority for a saving of $118 million in the first year, when contrasted with costs predicted under the present law. The differences between the costs of this cotton program and the present one in 1965, 1966, and 1967 are substantially greater. We thus have an opportunity to benefit the industry with real hope for a reduction in the cost of the program.

Mr. President, cotton acreage has reached the statutory minimum of 16 million acres. Allotment has been reduced by 2½ million acres in the past 2 years while production surged up by a million bales. Both private and Government stocks greatly exceed the desired carryover and it is obvious that something must be done. The bill before the Senate is, in my estimation, that something. The program it creates is of 4 years' duration—4 years in which the cotton industry can improve itself, push down its costs and expand its markets. This is a chance for the Senate to make a needed contribution to the economic well-being of millions of Americans. I hope the bill will be enacted.

Mr. MUNDT. Mr. President, three basic segments of the agricultural economy are involved in the proposed legislation before us and in the amendments which are on the desks of Senators.

We have just heard a very intelligent and persuasive discussion of cotton. We are all aware of the problems which confront wheat and the efforts that are being made to improve the income of the wheat farmer.

I wish to address myself to the third element of agriculture involved in the proposed legislation, on which we shall be operating this week, and that is the economy of the livestock producer of America.

I expect to support the amendment to be offered later this week by the distinguished Senator from Nebraska [Mr. HRUSKA]. I am a cosponsor of that amendment. I support it because, it seems to me, we must do something this week, as we deal with the proposed legislation, to protect the economy of the livestock industry. It is an industry which is basic to the entire farm program.

The importance of livestock production in the agricultural economy of this country can hardly be overemphasized in any discussion of agricultural income. Approximately one-third of the value of our total farm and ranch production in the United States is represented by the meat from our cattle, hogs, and sheep. Cattle and calves alone accounted for nearly 23 percent of receipts from all farm marketings during the year 1962. Receipts from the marketings of all livestock products amounted to about 56 percent of the total cash receipts from all farm products marketed.

It is generally conceded and, I believe, admitted by the Secretary of Agriculture and the administration, that one of the reasons why the income of livestock producers and feeders has dropped so precipitously and so disastrously is that there has been a continuation of the influx of imports. I believe it is now an established fact that the United States is importing its livestock problem from abroad, and that as we are continuing these imports in devastating amounts, the income of the livestock industry continues at a very low level.

Mr. President, two steps have been announced recently by the administration in the field of livestock production, neither of which will be adequate to meet the serious problem confronting the livestock producers of America. One is the agreement, which has been signed by the major exporters of livestock into this country, which would do nothing to correct the present situation, but would simply perpetuate the continuing high level of imports which has already brought devastation to the livestock industry, and possibly not prevent that high level from increasing even higher. When one tries to cure a problem he finds the problem will not be cured if he permits the cause of the problem to continue, which will happen under the agreement which has been reached between the administration and some of the exporting countries.

The other was the announcement of the Secretary of Agriculture that the beef buying program of the Government would continue from the standpoint of purchasing supplies required for the school lunch program and for various governmental institutions.

The Secretary's announcement was a bit vague. I do not know whether this means that the program will continue at the present level or will accelerate, and if so, to what degree it will be expanded. Obviously, it will avail the livestock dealers of America very little, indeed, if the net result of the stepped-up program means that imported supplies will be purchased to be fed to American schoolchildren. First of all, we must lock the door against a growing influx of foreign imports, before we can operate intelligently and effectively with the livestock problem prevailing in this country.

In my own State of South Dakota, receipts from the sale of meat animals amounted to 62.3 percent of the total cash receipts, which is about 30 percent above the national average. Receipts from the sale of cattle and calves alone amounted to 43.2 percent of the total receipts in South Dakota, compared with the average of about 22 percent for the United States. Obviously, therefore, while South Dakota produces some wheat and produces other products in diversification—not including cotton—our people are vitally interested in having Congress do something now which will be helpful in the area which is the major source of their farm income.

The situation has become so serious that farmers, ranchers, producers, and feeders are now supported in their position and their request by business and professional interests from one end of the State to the other.

The figures I have quoted clearly indicate the importance of the cattle industry to the farmers of the country and to South Dakota. Statistics on this subject have been presented to the Senate on many previous occasions, including the interesting and informative colloquies which took place in the Senate last Friday, indicating that the decline in price received by the farmer for his beef cattle

during the past year can be attributed to the increased marketings from the increased size of the herds and to increasing beef and veal imports. Cattle numbers have been increasing at a rapid rate since 1954. It is time to give serious consideration to the economic impact of the sharp increase of meat imports.

Any analysis must be made on the basis of comparable figures. In 1954, imports of beef and veal and live cattle and calves in terms of carcass weights were equal to 1.8 percent of the total domestic commercial beef and veal production. This figure has fluctuated sharply from year to year, and rose to approximately 10.6 percent in 1962. The figure has continued to rise at that rate, and a little higher, according to preliminary figures presently available from the Department of Agriculture.

When there is an increase of that percentage or of that size, it is obvious that it will have a tremendous impact on the prices received by American livestock producers.

Senators who come from areas which are not particularly interested in livestock production, including my Southern friends who come from textile areas, for example, and those who come from the areas where shoes and watches are made, or where glass is produced, can realize what would happen to their domestic industries if Congress should now decline to challenge such a serious blow at our domestic economy.

I am very hopeful that before final action is taken on this agricultural bill, Senators from beef-producing States in alliance with Senators from other States having similar problems, which are undoubtedly foisted upon them by large imports, can cut the pattern and approve a procedure which can be utilized to help our domestic economy generally withstand competition from the "loin-cloth" economies around the world, where wage rates and taxes are low and from which products can be delivered by cheap ocean freight, even to the interior of America, cheaper than the products can possibly be made by American labor, by American manufacturers, and by American farmers.

The Department of Agriculture in a report of January 29, 1964, indicated that the beef imports of 1963 through November were up 18 percent from the first 11 months of 1962.

I have already alluded to the sharp increase of imports occurring between the years 1954 and 1962. To be confronted with the fact that those imports through November of 1963 increased during the first 11 months of that year by 18 percent clearly indicates that we have reached a peril point, so far as protecting the American economy is concerned. Veal imports during this period were up 7 percent, mutton imports were up 5 percent, and lamb imports were about half as much again as in the first 11 months of 1962. Imports of pork were up 4 percent. Boneless frozen beef imports were up almost 17 percent over the first 11 months of 1962.

It should require no further argument, no further testimony, no further figures to show why the announcement by the administration made with a blare of trumpets and the flying of flags, that it had met the challenge by signing an agreement which would continue the avalanche of imports into this country, but would not permit them to expand further, would be a pyrrhic victory for American agriculture, and certainly cause in perpetuity a succession of the problems now resulting in actual bankruptcy to large elements of the livestock industry.

Assistant Secretary of Agriculture Roland R. Renne, in an address to the American National Cattlemen's Association in Memphis, Tenn., on January 28 of this year, said:

> The U.S. share in world beef imports increased from one-fourth in 1950 to over one-half in 1962, and that further increased imports in 1963 raised the U.S. percentage of total world import figure still higher.

I do not think that any fair critic of those of us who are trying to give some modicum of protection to American industry can allege that we are preaching the doctrine of isolationism, that we are urging withdrawal from the trade markets of the world, merely because we call attention to the bankrupting results of concentrated imports to such an extent that our country alone takes over one-half of the total. We are willing to take our share, but we believe our Government has the same obligation to protect American cattlemen, sheepmen, and hog producers as the governments of other countries have demonstrated in that they feel they have the obligation to protect the farmers and livestock producers of their respective countries.

Mr. Renne went on to say in his speech in Memphis, Tenn.:

> This great increase in beef imports has been encouraged by the increase in import restrictions in other major markets. Today the United States is the only major beef market without any quantitative restrictions and with a very nominal fixed import duty.

I should like Secretary of Agriculture Freeman to tell us why that is true. I would like to have the Secretary of Agriculture, who is supposed to be interested in the American farmer, tell us why the United States should stand alone in its failure to give any sort of protection whatsoever to the livestock industry. If the Secretary does not know, or if he cannot answer, or if he takes his orders from the Secretary of State, then I would like to have Secretary of State Rusk tell us why the United States should stand alone, unique and different from all the rest of the countries of the world. Why should only our Government fail to give protection to its domestic producers? I want to know why, and the meat producers of the country want to know why. And before long many persons working in the textile mills and other industries will want to know why we failed to give American producers at least the same kind of protection that the producers in other countries are receiving from their governments.

We are never given a satisfactory answer. All we know is the dismal situation resulting from the harmful results of a policy specifically tailored to help others and to harm our own producers; and these producers want to know why.

When the Senate votes on the Hruska amendment, it will have an opportunity to do something for the American producers and to put some rhyme, reason, and logic into our trade policies, and thus prevent the continuation of a policy which has set the United States apart as the only nation in which the domestic producers are not protected, but are put at the mercy of all foreign producers who may wish to dump their products in our market.

Mr. HRUSKA. Mr. President, at this point will the Senator from South Dakota yield to me?

The PRESIDING OFFICER (Mr. INOUYE in the chair). Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. MUNDT. I am happy to yield, so as to enable those who read the CONGRESSIONAL RECORD to have the benefit of the logic, reason, and erudition of the Senator from Nebraska.

Mr. HRUSKA. The Senator from South Dakota is most flattering.

A while ago he said those who are being hurt by the imports of beef products and veal would wish to know why U.S. producers do not have the same protection that every other country in the world, with the possible exception of Denmark, provides against imports of this type.

I know the Senator from South Dakota is well aware of the fact that this problem is not confined to the cattle feeders as a class. The latest agricultural census pointed out that among the approximately 4 million farms in the United States, 2½ million had cattle and calves. Of course those farms are widely scattered, and have both beef cattle and dairy cattle. Those cattle use approximately 1 billion acres of land which is generally suited only for pasture and grazing. In addition, they consume approximately 70 percent of the crops harvested in the United States. So we find that cattle raising, cattle feeding, and the packing and distribution of cattle products are spread throughout the Union, in every State, along with the related industries, which include those engaged in the transportation, those who insure the products during transit, those who do the banking and who loan the necessary funds, and of course also the laboring people in the packinghouses and the laboring people in the fields.

To get an idea of the very great scope of the cattle industry, one must realize that sales of livestock have accounted for a much greater total amount than the amounts which result from the sale of the six so-called basic crops in the United States—namely, corn, wheat, cotton, rice, tobacco, and peanuts. Therefore, when we speak of the harm to those who are engaged in the cattle industry and the related activities, we are talking not only about the cattle raisers and the cattle feeders, but also about the entire farm economy; and of course if any Senator receives the mail which the Senator from South Dakota and I and other Senators from the Mid-

dle West receive, he knows that already the retailers, the jobbers, and the retail establishments and service establishments generally in the communities where this industry is concentrated have come down upon evil days, and their prospect looks even darker.

I recite these figures and items at this point for the RECORD, so that all will realize the generally disastrous effect of the situation being superimposed upon our economy as a whole, not only on the cattle raisers and the cattle feeders.

Mr. MUNDT. The Senator from Nebraska is entirely correct; and I appreciate his valuable and significant contribution.

We are indeed dealing with the entire agricultural economy, for certainly the prices of livestock have an impact on the prices of all the commodities raised by farmers, who, in turn, raise the feed used by the livestock; and this situation also has a very definite effect on the bankers, the professional men, and the storekeepers in all the towns and cities of the agricultural area. So I am entirely convinced that this harmful situation will likewise have a harmful effect on the American economy as a whole, because it is impossible to have one of our basic industries continue to be economically sacrificed and stultified, without having that impact felt throughout the length and breadth of America.

Mr. HRUSKA. Mr. President, will the Senator from South Dakota yield again to me?

Mr. MUNDT. I yield.

Mr. HRUSKA. The realized net income of farmers in 1962, as I recall, was $12.6 billion. In 1963, that was reduced by approximately 3 percent, according to the latest estimates. The present projection and estimate is that during 1964 the already reduced farm net income will be further reduced, during the 12 months of this calendar year, by another 5 percent.

So it is all very well to talk about the benefits of a tax-cut bill which, so we are told, will put that much more money into the economic stream and will result in additional sales and in an effect which will be multiplied a number of times; but here we are faced with a serious situation, for whereas in 1963 the general economy rose 5 percent, the farmers' net income fell 3 percent; and the estimate is that in 1964 it will fall a further 5 percent, which will be translated into further losses to the extent of hundreds of millions of dollars—losses which will have their impact not only on the farm community, but also on the bankers whose loans will not be repaid, and on those engaged in service industries in those communities, and on many others. So the Senator from South Dakota has pointed out that this situation will have a very adverse effect throughout the economy.

Mr. MUNDT. Mr. President, the Senator from Nebraska makes a valid analogy when he refers to the tax-cut bill and to the argument that the money thus saved will be spent by the taxpayers to generate new business and new activities throughout the country. We should remember that before a tax is paid, one must have some income. So when it becomes impossible for the great livestock industry to make a profit, the tax cut bill becomes very inconsequential in that respect; and when the buying power of that entire segment of the economy and of all the related businesses and industries is reduced, the result is to destroy a large part of the hope that the tax cut bill would generate new prosperity in this country.

The Senator from Nebraska has called attention to the low level of the farm income during the last few years; and the figures coming from the Department of Agriculture itself show that for several years the parity figure has been hovering between 76 and 78 percent. That is a long way from 100 percent or 90 percent. This path is the pathway to ruin. If it continues long enough, anyone who is making only 76 to 78 percent of what he needs and what is equitable is bound to go broke; it will be only a question of time.

This is one of the reasons why we have had the distressingly low parity figures, which are so low that, if they continue at that level, it will be impossible for the livestock industry to make a profit; and that situation has been brought about largely by means of the imports in astronomical amounts.

Mr. Renne, whom I was quoting before I engaged in the colloquy with my distinguished friend the Senator from Nebraska [Mr. HRUSKA], put it in the following way in his address:

> We are the only major market without any restrictions.

I presume that would eliminate Denmark, perhaps, if it is an exception, because obviously it is not a major market.

Here comes a devil's advocate from the other side. He is working under the Secretary of Agriculture. This is the Assistant Secretary of Agriculture, Ronold R. Renne. He is serving with a man who as yet has done nothing to help with the distressing situation, but he was compelled by candor and persuaded, I suppose in part, by the very intimate knowledge of the problem which his audience had at the time he was addressing them. But he was for some reason or other compelled to put the statement in 30-cent words that anybody could understand:

> We are the only major market without any restrictions.

Again, I ask, why? The American farmer wants to know about it. The producer wants to know about it. He is gradually going broke. Someone ought to tell him why. If it is not the fault of Mr. Freeman, let someone tell him who is responsible. Let us chase this thing down to its source and get a correct answer.

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

Mr. MUNDT. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. I am sure that the Senator from South Dakota will not get the correct answer from the Department of Agriculture or from anyone else in the present administration as to why we are at this time admitting great increases in the importation of meats from the Commonwealth countries of the world. If the Senator could get the truth, he would find that 2 years or so ago our traders—those who cannot wait to trade off American agriculture—to promise the so-called Commonwealth countries that if they would support the effort to get England into the Common Market, we would absorb the imports for which they previously had preference in the United Kingdom. I suppose that statement will be denied, but I am as sure that it is true as I am sure that the Senator from South Dakota is standing there that we were so zealous to get the United Kingdom into the Common Market that we promised almost anything. I say "we." We did not promise. We here in Congress did not have anything to say about it. Our traders—the ones who for some time have been apparently more interested in Western Europe than they are some place else nearer home—promised it.

If the Senator from South Dakota can get a truthful answer—I doubt if he can—he will find that we promised to absorb exports from New Zealand and Australia which previously had found a market in the United Kingdom.

Mr. MUNDT. I am very much afraid that the Senator is exactly correct.

Mr. AIKEN. Do not be afraid. It is the truth, but it will be denied.

Mr. MUNDT. I am afraid what the Senator said is correct. I presume it will be denied. But at least the Senate and the country is entitled to have an answer to the question from the man who is supposed to be helping agriculture and not selling it down the river—Mr. Freeman. He has been charged. It is his responsibility. He ought to give us an answer to the question. If he gives us a correct answer, let us wrestle with the problem.

Mr. AIKEN. If he did, he might lose his job.

Mr. MUNDT. If he loses his job, a successor for him will surely be found. If he gives us a correct answer, we will wrestle with it. If he gives us a phony answer, we can shoot it as full of holes as a paper tent in a hailstorm. I believe we shall find the correct answer to be what, in fact, the Senator from Vermont has just defined it to be.

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

Mr. MUNDT. I am happy to yield to the Senator from Nebraska.

Mr. HRUSKA. The Senator from Nebraska was very much interested in the contribution by the Senator from Vermont. In it he suggested that perhaps there was greater concern with the problems of some nations in Western Europe than there was concern about areas closer to home; namely, the farmers and the economy of the United States itself. That would seem to have its confirmation in the provisions of the agreement executed between Australia and New Zealand and our own country, in which provision was made, among other things, that the United States would take an active and leading role in negotiating the GATT arrangement leading to expanding access to meat-importing countries. The United States presently is the

largest importer of beef and veal of any country in the world. If the prearrangement provisions in the New Zealand and Australian agreements are taken at their face value, it would mean that the United States would take a position at the GATT negotiations starting next May which would lead to even further reductions in our tariff, which now stands at 3 cents per pound, $3 per hundredweight. Not long ago—last fall—we were summoned and appeared before the Tariff Commission to express our opposition to the proposal that the tariff be reduced from 3 cents to 1½ cents, and that the tariff on beef and veal products would be kept on the list for GATT negotiations in May.

In other words, our Government has already committed itself, in the agreements and provisions to which I refer, to a lower tariff and increased imports of beef and mutton without regard to the effect and impact upon the American cattle and the American sheep industry. There is another example fastened in these agreements which will bear out the statement and observation of the Senator from Vermont. It is about time that we unmasked some of these things, go along the line that the Senator from South Dakota has stated, and demand an honest, candid, and fair answer from the Secretary of Agriculture as to how he represented the American farmer and the American economy, in the preparation and execution of those two agreements—the one with Australia, the other with New Zealand.

Mr. MUNDT. What the Senator has said about the pending GATT agreements is disturbing almost to the point of being terrifying. Coupled with what the Senator from Vermont has said, I quite agree that the statement has magnified the importance of what I have been trying to do, and that is to get an answer. I would like an honest answer. I would like a correct answer. If I cannot get that, I should like a phony answer. I would like some kind of answer from the man whose job it is to protect the American farmer and advance his interest.

I do not believe the American farm economy is the exclusive backyard of Secretary of Agriculture Freeman, Secretary of State Rusk, the President, or anyone else. It is a part of the great economy of our country. The people are entitled to know. They are entitled to the facts. They are entitled to the arguments.

They are entitled to the reasons. They are entitled to answers, instead of a great many glib statements which mean nothing to anyone. Once we get answers which are specific, at least we can determine their validity. We can challenge their accuracy if they are inaccurate. We can press for further evidence. But surely it is about time that someone told us who is leading the fight against the American farmer in this administration. Who insists on submerging him with torrents of imports? They do not happen by accident. The administration has the power to stop them summarily by executive action. Who is leading the fight against the livestock industry, and why? Once we identify the enemy and get the reason for it, we shall be better able to operate. Meanwhile I hope that the Senate will approve Hruska amendment and set up some kind of barrier and some kind of guideline to protect the American livestock producer.

I believe that it is time that the U.S. Congress should take a good, long hard look at the trade barriers being raised by our friends around the world, because those trade barriers make us the dumping ground for excessive production of foreign countries everywhere. Those countries include some which we are supporting with taxpayers' money in the form of foreign aid. We could stop that procedure if we merely exercised a little muscle in the State Department, in the administration, and in the Department of Agriculture, and said, "We cannot afford to give you our taxpayers' money to keep you alive while you dump your livestock in our country to kill us."

Somewhere or other we shall have to get some consistency in the whole business of trading back and forth among ourselves and determine whom we are going to aid and why. The way it is proceeding now the program is developing into a nightmare of contradictions.

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

Mr. MUNDT. I yield.

Mr. SIMPSON. Does the Senator know that, at least in the agreements entered into with Australia and New Zealand, there is also a stipulation which does not exactly preclude, but seems to preclude the U.S. Congress from making any law which would disturb the advantage which has been given?

Mr. MUNDT. Yes. I have read that provision with considerable astonishment, because I never before knew that any administration would presume to tell the Congress in advance that it may not legislate in that area or may not legislate in this area, and, unless in fact Congress has become a group of simpering rubberstamps, we should strike with resentment at any such presumptive challenge on the part of the administration.

Mr. SIMPSON. I agree with the Senator. It seems to me that there is an opportunity, by the amendment of the Senator from Nebraska, for the U.S. Senate to give the lie to that type of procedure and disclose to the Department that it cannot do that, and show that it has not done anything for the livestock producer. There is an opportunity for the Senate to give its stamp of approval to an effort to give help to the livestock producer which he has not been given through the Department that we are talking about.

Mr. MUNDT. I agree that there is an opportunity for action on the challenge at the congressional level.

Let us impose some type of quantity restrictions that other major markets have imposed for the protection of their people. Who can tell us what is wrong with that line of reasoning? What fancy, forensic linguist down at the other end of the avenue is going to be able to present an argument as to why we should not provide for ourselves the same kind of protection that is provided by governments which we are supporting with the help of our taxpayers?

I would like to have an answer to that question. I doubt if any Senator is going to answer that, but I would like to have someone at the other end of the avenue answer it. The policies have been written. They have been approved. The administration is boasting of the policies. These are the policies they should be willing to talk about—instead of hiding behind some kind of bureaucratic bush—and give us the reasoning, if one can call it reasoning, which results in any such type of trade promotion.

Let us take action today to give encouragement to the livestock industry of the country and give them some assurance that we want to see them succeed.

Let us take action to make their economy a part of our ever-expanding national growth.

I think it is important that we act on the Hruska amendment favorably and by an overwhelming vote. Such action will serve notice on the exporting countries that we are going to have a system of quotas to protect our own producers. It will serve notice not only in the area of livestock production, but in other areas of our economy which are becoming pockets of poverty solely because of the import of products from abroad.

The easiest way to eliminate a pocket of poverty is to stop it at the source and stamp out the cause, instead of trying to seal it with the taxpayers' dollars in a procedure which is not going to stop these pockets of poverty from continuing to develop.

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

Mr. MUNDT. I yield.

Mr. SIMPSON. First let me say that the Senator from South Dakota is taking a fine approach to this problem. Let me also state that I am wholeheartedly in favor of what he is saying to Members of the Senate.

I wonder if the Senator received a copy of the resolution adopted by the American National Cattlemen's Association, which I hold in my hand.

Mr. MUNDT. I would be glad to have the Senator read it into the RECORD.

Mr. SIMPSON. I should like to read it, in view of what the Senator from South Dakota has said, to show that there are others who feel the same way. This is a great organization, established for the purpose of protecting the economy of the area from where we come.

Mr. MUNDT. I would be glad to have the Senator read it into the RECORD.

Mr. SIMPSON. I read from the resolution:

> Whereas imports on beef are at an all-time high; and
>
> Whereas these heavy imports are seriously depressing our domestic cattle markets; and
>
> Whereas a portion of these imports is of primal cuts which severely damage our domestic price structure—

The Senator from South Dakota will realize that it is virtually the language which the Senator from South Dakota has used. I continue to read:

> Whereas the production potential of beef in certain countries exporting beef to the United States is virtually unlimited; and

Whereas the American producers and feeders are obligated to pay high fixed costs associated with labor, land, local, and Federal taxes and other expenses over which he has no control, which are higher than those of his foreign counterpart—

I inject at this particular time the statement that I placed in the RECORD last Friday figures showing the cost of labor in various countries, mainly from those from which we receive meat imports, which disclosed the great variance in the labor costs in countries exporting their products into this country as compared with the cost of labor in this country. The statement disclosed that those countries can produce such products much more cheaply, and those products are imported into this country with an additional subsidy by virtue of a lack of tariff.

Mr. MUNDT. I read the address of the Senator from Wyoming over the weekend, and profited greatly from reading it. He made a masterly presentation and a convincing argument, which I hope will convince the administration that it should do something for the American farmer and the livestock producer.

We cannot live on hope, and we cannot wait for expected action. The kind of action taken so far has been so completely inadequate that we cannot expect voluntary action to do the job. That is why the Senators from Wyoming, Nebraska, and many other Senators on this side, and many fine Senators from the Democratic side of the aisle, as well, are hoping to write a Hruska amendment into the bill which will be effective.

Mr. SIMPSON. I agree with the Senator. I continue reading the resolution:

Whereas the stability of the American beef industry is essential to the growth and welfare of the entire American economy in all States; and

Whereas continued price depression will inevitably result in removal of capital from the United States to foreign points with concurrent employment losses; and

Whereas the American producer taxes himself to develop an expanded market for his product; and

Whereas in recent years the foreign producer has benefited from our expanded market out of proportion as compared with the benefits derived by our domestic suppliers; and

Whereas quotas so large as to be disastrous to the American producer and feeder, and unacceptable to the American public, may well set into motion restrictive forces which in the long run will have unfavorable impact upon exporting countries: Therefore be it

Resolved, That the American National Cattlemen's Association in convention at Memphis, Tenn., January 29, 1964, recommend to the Congress, the State Department and the Department of Agriculture that quotas on imports of beef and beef products into the U.S. ports of entry be established with principal exporters at levels substantially less than those in recent years—

The Senator knows that the quotas established were based on 2 years, 1962 and 1963, years of alltime high in imports that came into the United States, and this organization inveighed against them. This is a great organization, one of the finest in the country. It is importuning Congress to do something about the problem.

Mr. MUNDT. Indeed, it is one which was self-sustaining through the depression; and it has been one which has been courageously willing to stand on its own feet.

Mr. SIMPSON. That is correct. It is a great organization and an unselfish one. What it has done has been done for the benefit of the producers of livestock.

I understand from some of the officials of this organization that all the State branches of the association likewise have joined in this resolution. There was no dissent from any of the State organizations—only from a few individuals, but it was a spotty dissent.

Mr. MUNDT. I heard from the South Dakota association, urging that we do something, so there was no dissent from the South Dakota branch of the association.

Mr. SIMPSON. That is true of the Wyoming branch of the association.

I continue to read from the resolution:

Resolved, That composition of imports be considered so as to embrace in future quotas cooked and cured meats and sharp reduction in importation of primal cuts; and be it further

Resolved, That should a growth factor be involved in any negotiations, it be at substantially less than the full amount, a provision to encourage the American producer on a continued basis to use his own funds, time and energies to develop the domestic market for beef and use of our surplus feeds—

That to me is one of the significant features of the resolution, because it goes back to the old, rugged individualist principle. The cattleman and the livestock producer are individualists, who want to proceed as we should proceed under a system of private enterprise.

Mr. MUNDT. Precisely.

Mr. SIMPSON. The resolution concludes:

and be it further

Resolved, That copies of this resolution be sent to the President, Members of Congress, the Cabinet, and all affected agencies, Government and nongovernment, together with heads of government of exporting countries.

I was wondering if the Senator from South Dakota would be agreeable to having this resolution inserted in the RECORD.

Mr. MUNDT. Mr. President, I ask unanimous consent that the resolution may be printed in the RECORD.

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

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

Whereas imports on beef are at an alltime high; and

Whereas these heavy imports are seriously depressing our domestic cattle markets; and

Whereas a portion of these imports is of primal cuts which severely damage our domestic price structure; and

Whereas the production potential of beef in certain countries exporting beef to the United States is virtually unlimited; and

Whereas the American producers and feeders are obligated to pay high fixed costs associated with labor, land, local and Federal taxes and other expenses over which he has no control, which are higher than those of his foreign counterpart; and

Whereas the stability of the American beef industry is essential to the growth and welfare of the entire American economy in all States; and

Whereas continued price depression will inevitably result in removal of capital from the United States to foreign points with concurrent employment losses; and

Whereas the American producer taxes himself to develop an expanded market for his product; and

Whereas in recent years the foreign producer has benefited from our expanded market out of proportion as compared with the benefits derived by our domestic suppliers; and

Whereas quotas so large as to be disasterous to the American producer and feeder, and unacceptable to the American public, may well set into motion restrictive forces which in the long run will have unfavorable impact upon exporting countries: Therefore be it

Resolved, That the American National Cattlemen's Association in convention at Memphis, Tenn., January 29, 1964, recommend to the Congress, the State Department and the Department of Agriculture that quotas on imports of beef and beef products into the U.S. ports of entry be established with principal exporters at levels substantially less than those in recent years; and be it further

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Resolved, That should a growth factor be involved in any negotiations, it be at substantially less than the full amount, a provision to encourage the American producer on a continued basis to use his own funds, time, and energies to develop the domestic market for beef and use of our surplus feeds; and be it further

Resolved, That copies of this resolution be sent to the President, Members of Congress, the Cabinet, and all affected agencies, Government and nongovernment, together with heads of government of exporting countries.

Mr. MUNDT. I thank the Senator from Wyoming for his testimony, and the highly valuable and pertinent evidence which he has supplied for the RECORD.

Mr. President, on February 13, 1964, the Crop Reporting Board of the Statistical Reporting Service issued a report which on page 3 states:

On January 1, 1964, the aggregate value of livestock (cattle, sheep, and hogs) on ranches and farms in the United States was $15,253 million. This was a 9-percent decline from January 1, 1963, total and 4 percent below the 1962 value.

Mr. President, obviously this decline in value takes place at the same time that the number of cattle and calves on farms and ranches as of January 1, 1964, was 3 percent higher than those on hand the first of January 1963.

On page 9 of this same report, there is a chart which shows the financial loss in each State because of the depressed livestock market. In my State of South Dakota alone, livestock producers suffered a $56 million devaluation in their assets in livestock. No wonder, Mr. President, that parity during December 1963, dropped to the lowest point it had reached since the depression days of the thirties.

The administration is pledged to help the farmer. The administration is pledged to improve upon the agricultural

programs of past Republican administrations, many of which, I frankly thought, were so inadequate that I opposed them. But instead of improving upon them, instead of helping the farmer, this administration has forced the parity level down even lower, to 76, 77, and 78 percent—to its lowest point since the depression days of the thirties. In part, it has succeeded in driving the parity ratio down to a perilously low point by its obstinate insistence on continuing to import these avalanches of livestock products from abroad.

In the Hruska amendment, which I hope we can act on tomorrow or the following day, lies the opportunity to strengthen the future of the livestock industry which, as I have pointed out earlier, accounts for about 56 percent of farm marketing receipts. These sharp increases in imports of livestock and meat products over the past 4 or 5 years, resulting in the decline in farm prices of beef cattle, provide statistics enough for us to take action to reverse the downward trend of livestock prices.

I therefore urge that Senators read carefully the arguments presented on Friday and today, and that they prepare themselves to vote intelligently, effectively, and constructively to help the livestock industry when the yea-and-nay vote is held in a day or so on the amendment proposed by the Senator from Nebraska [Mr. HRUSKA], and a large number of other Senators with whom I am happy to be associated.

As I stated earlier, this farm legislation involves cotton, it involves wheat, and it involves livestock. I know that the distinguished Senator from Wyoming [Mr. SIMPSON] will have something further to say on the livestock question. I know also that the distinguished Senator from the great wheat State of Kansas [Mr. CARLSON], wishes to say something about the wheat aspect of this three-pronged approach. Something needs to be done to improve the income of the wheat industry, just as something needs to be done to improve the income of the livestock industry. I presume, as a northern kibitzer, that something must also be done to improve the income of the cotton producer, because the people from the cotton belt seem to be seriously distressed.

So, Mr. President, I yield the floor; and in anticipation that the Senator from Kansas [Mr. CARLSON] may have an opportunity to bring this question up to date with his viewpoint on wheat, and so that Senators may realize that we are switching debate from livestock to wheat and so may have an opportunity to listen to the Senator from Kansas, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARLSON. Mr. President, during debate last Friday I stated that I expected to support the McGovern bill, which is a part of the pending legislation dealing with cotton and wheat. I also stated that in my opinion the bill (S. 2357) that was introduced by the distinguished Senator from North Dakota [Mr. YOUNG], and cosponsored by the Senator from South Dakota [Mr. MUNDT] and myself, was a bill in the greater interests of the wheat growers of the Nation.

For that reason, I wish to utilize this time to discuss the bill.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD as a part of my remarks.

There being no objection, the bill (S. 2357) was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

REPEAL OF PROVISIONS RELATING TO WHEAT MARKETING QUOTAS

SECTION 1. (a) Sections 332 and 333 of the Agricultural Adjustment Act of 1938, as amended by sections 311 and 312 of Public Law 87–703, are amended to read as follows:

"PRODUCTION OBJECTIVE

"SEC. 332. (a) The production objective for wheat for any marketing year shall be an amount of wheat which the Secretary estimates (i) will be utilized during such marketing year for human consumption in the United States as food, food products, and beverages, composed wholly or partly of wheat, (ii) will be utilized during such marketing year in the United States for seed, (iii) will be exported either in the form of wheat or products thereof, and (iv) as the average amount which was utilized as livestock (including poultry) feed in the marketing years beginning in 1959 and 1960; less (A) an amount of wheat equal to the estimated imports of wheat into the United States during such marketing year and, (B) if the stocks of wheat owned by the Commodity Credit Corporation are determined by the Secretary to be excessive, an amount of wheat determined by the Secretary to be a desirable reduction in such marketing year in such stocks to achieve the policy of the Act: *Provided*, That if the Secretary determines that the total stocks of wheat in the Nation are insufficient to assure an adequate carryover for the next succeeding marketing year, the production objective otherwise determined shall be increased by the amount the Secretary determines to be necessary to assure an adequate carryover: *And provided further*, That the production objective for wheat for any marketing year shall be not less than one billion bushels.

"(b) If, after the proclamation of the national acreage allotment for any crop of wheat, the Secretary has reason to believe that, because of a national emergency or because of a material increase in the demand for wheat, the production objective should be increased, he shall cause an immediate investigation to be made to determine whether such action is necessary in order to meet such emergency or increase in the demand for wheat. If, on the basis of such investigation, the Secretary finds that such action is necessary, he shall immediately proclaim such finding and the amount of any such increase found by him to be necessary and thereupon such production objective shall be so increased. In case any production objective is increased under this subsection, the Secretary shall provide for such increase by increasing acreage allotments established under this part by a uniform percentage.

"NATIONAL ACREAGE ALLOTMENT

"SEC. 333. Not later than April 15 of each calendar year the Secretary shall ascertain and proclaim the national acreage allotment for the crop of wheat produced in the next succeeding calendar year. The amount of the national acreage allotment for any crop of wheat shall be the number of acres which the Secretary determines on the basis of expected yields and expected underplantings of farm acreage allotments will, together with the expected production on the increases in acreage allotments for farms based upon small-farm base acreages pursuant to section 335, make available a supply of wheat equal to the production objective for wheat for such marketing year."

(b) Section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting "prior to repeal of authority for marketing quotas" after the words "subsequent year" in the provisos in subsections (a) and (b), and after the words "subsequent years" in the proviso in subsection (c)(1) and in the second sentence of subsection (d).

(c) Public Law 74, Seventy-seventh Congress is repealed, and the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the following provisions relating to wheat marketing quotas: (1) the sentence in section 334(1), as added by section 313(4) of Public Law 87–703, relating to paragraph (6) of Public Law 74, Seventy-seventh Congress; (2) the words "and marketing quotas for the marketing year therefor" in the second sentence of section 334a; (3) the first and next to last sentences of section 335, as amended by section 315 of Public Law 87–703; (4) sections 336 and 338; (5) the two provisos in clause (3) of section 339(b); (6) "wheat," in section 372(a); and (7) the last two sentences of section 379c(b).

(d) Section 107 of the Agricultural Act of 1949, as amended (7 U.S.C. 1445a), is amended—

(1) by striking from subsection (2) the following: "if marketing quotas are in effect for wheat";

(2) by striking all of subsection (4);

(3) by striking from subsection (5) the following: "if marketing quotas are in effect for the crop of wheat," and

(4) by striking from subsection (5) the last three sentences thereof.

(e) The following headings contained in the Agricultural Adjustment Act of 1938, as amended, are amended as follows:

(1) The heading of subtitle B of title III is amended to read "SUBTITLE B—MARKETING QUOTAS AND ACREAGE ALLOTMENTS".

(2) The heading of part III of subtitle B of title III is amended to read "PART III—ACREAGE ALLOTMENTS—WHEAT".

(3) The heading of section 335 is amended to read "MINIMUM ALLOTMENT".

FULL PARITY FOR WHEAT FOR DOMESTIC FOOD CONSUMPTION

SEC. 2. (a) Section 107(1) of the Agricultural Act of 1949, as amended (7 U.S.C. 1445a), is amended to read as follows:

"(1) price support for wheat accompanied by marketing certificates shall be at a level equal to full parity price therefor,".

(b) Section 379b of the Agricultural Adjustment Act, as amended, is amended to read as follows:

"SEC. 379b. Beginning with the marketing year for the 1964 crop, a wheat marketing allocation program shall be in effect as provided in this subtitle. Whenever a wheat marketing allocation program is in effect for any marketing year the Secretary shall determine (1) the wheat marketing allocation for such year which shall be the amount of wheat which in determining the production objective for such marketing year he estimated would be used during such year for human consumption in the United States, as food, food products, and beverages, composed wholly or partly of wheat, and (2) the national allocation percentage which shall be the percentage which the national marketing allocation is of the production ob-

jective. Each farm shall receive a wheat marketing allocation for such marketing year equal to the number of bushels obtained by multiplying the number of acres in the farm acreage allotment for wheat by the normal yield of wheat for the farm as determined by the Secretary, and multiplying the resulting number of bushels by the national allocation percentage. If a noncommercial wheat producing area is established for any marketing year, farms in such area shall be given wheat marketing allocations which are determined by the Secretary to be fair and reasonable in relation to the wheat marketing allocation given producers in the commercial wheat producing area.

CERTIFICATES FOR PRIOR CROP WHEAT IF CURRENT CROP UNDERPLANTED

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by amending clause (ii) of the second sentence thereof to read as follows: "(ii) the amount of uncertificated wheat remaining on hand from prior crops".

AUTHORITY TO SUSPEND REQUIREMENT FOR PURCHASE OF CERTIFICATES BY PROCESSORS

SEC. 4. (a) Section 379d(b) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(b) All persons engaged in the processing of wheat into food products shall, prior to marketing any such product for human food in the United States, acquire marketing certificates equivalent to the number of bushels of wheat contained in such product. Marketing certificates shall be valid to cover only sales made during the marketing year with respect to which they are issued, and after being once used to cover a sale of a food product shall be void and shall be disposed of in accordance with regulations prescribed by the Secretary. Notwithstanding the foregoing provisions hereof, the Secretary may require marketing certificates issued for any marketing year to be acquired to cover sales made on or after the date during the calendar year in which wheat harvested in such calendar year begins to be marketed as determined by the Secretary even though such wheat is marketed prior to the beginning of the marketing year, and marketing certificates for such marketing year shall be valid to cover sales made on or after the date so determined by the Secretary. The requirements of this subsection may be suspended for any marketing year or other period by the President in whole or to such extent as he deems appropriate, if he determines that such suspension will result in the more effective regulation of commerce and the better effectuation of the purposes of this Act. In the event of such full or partial suspension, the Commodity Credit Corporation shall buy all marketing certificates offered to it in accordance with the regulations prescribed under section 379e."

(b) Section 379d(c) of such Act is amended by striking out "or export".

REPEAL OF MONETARY PENALTIES FOR PRODUCTION ON DIVERTED ACRES

SEC. 5. Section 339(a)(1) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(a)(1) The producers on any farm (except a new farm receiving an allotment from the reserve for new farms) on which any crop is produced on acreage required to be diverted from the production of wheat shall, except to the extent otherwise prescribed by the Secretary, be ineligible to receive price support on wheat or wheat marketing certificates unless the crop is designated by the Secretary as one which is not in surplus supply and will not be in surplus supply if it is permitted to be grown on the diverted acreage, or as one the production of which will not substantially impair the purpose of the requirements of this section. The acreage required to be diverted from the production of wheat on the farm shall be an acreage of cropland equal to the number of acres determined by multiplying the farm acreage allotment by the diversion factor determined by dividing the number of acres by which the national acreage allotment is reduced below fifty-five million acres by the number of acres in the national acreage allotment."

EFFECTIVE DATE

SEC. 6. This Act shall be effective beginning with the 1964 crop of wheat. Subject to adjustment as provided by law, the production objective for the marketing year beginning in 1964 shall be in the same amount as the national marketing quota heretofore proclaimed, and the National, State, county, and farm acreage allotment for the 1964 crop of wheat shall be those heretofore proclaimed and apportioned, without further proclamation or apportionment. The support levels specified in section 107 (1) and (2) of the Agricultural Act of 1949, as amended by this Act, shall be applicable to the 1964 crop of wheat, notwithstanding the disapproval of marketing quotas for that crop prior to the enactment of this Act.

Mr. CARLSON. Mr. President, it is essential, in my opinion, that there be some farm legislation dealing with cotton, wheat, and livestock—and I would also include dairy products. I believe all these various segments of the farm economy are in difficulty.

I have just returned from the State of Kansas. I would be remiss in my duty if I did not state that Kansas grows about one-fourth of the winter wheat of the Nation. The Senator from North Dakota [Mr. YOUNG] comes from probably the second largest wheat-producing State in the Union. There is also a great wheat-producing area in the Middle West, including South Dakota, Oklahoma, Texas, and Colorado; in addition, of course, to Minnesota and some of the Western States.

There is no doubt in my mind that action is needed based on the net farm income. The other day, I discussed this briefly when the Senator from South Dakota [Mr. MCGOVERN] also discussed the problem. I believe we must agree that we are in grave danger of a serious reduction in farm income that can have a very serious effect on the national economy. I do not like to talk about it, but I believe it is a basic fact that some of the Nation's depressions have started as the result of greatly reduced income in the farming areas. Based on past history, I believe it is best to set apart a little time and stop and look to see if there is not something we should be doing in order to preserve the income of the American farmer.

The American farmer is not asking for any special favors. He is asking for his fair share of the national income.

I believe there are some facts which should be called to the attention of the Senate.

First is the parity ratio, or farm-program goal for agriculture, which has dropped to its lowest level since 1939. In fact, it is down to below 80 percent, probably 76 to 78 percent of parity.

I well remember that during the debates in previous sessions, when anyone talked of less than 90 percent of parity, he would be considered as not being a friend of the farmer. Here we are down to 78 percent of parity.

It is time, in my opinion, to begin to take a look at farm income. I believe we should keep in mind, with regard to agriculture, that farm debt is at a record high. I believe we are all agreed that farming costs are at a record high. These are problems affecting the income of the farmer. Farm production expenses have been rising around $700 million a year. In this, of course, are included such items as increased taxes, interest, wages, machinery, and all the other items that affect the farmer's costs.

The farm population has dropped to the lowest level in our Nation's history. Some would contend that that is in the interest of the average farmer, because it means larger farms and larger production units. Those of us who live in the farming area regret to see such a situation develop.

Farm surpluses continue at high levels. Farm income is declining.

I wish to discuss briefly the bill which was introduced by the Senator from North Dakota [Mr. YOUNG], the Senator from South Dakota [Mr. MUNDT], and myself. The bill is S. 2357. It would amend the present wheat certificate plan. Among the other improved features of this program would be a more simple, workable program. It would be completely voluntary and would contain no marketing penalties. It would assure wheat producers 100 percent of parity for that portion of their crop which is consumed domestically, and world prices for the balance.

The bill before the Senate, as reported by the Committee on Agriculture and Forestry, has a reduced support price, and lacks considerably the 100-percent parity for the amount consumed domestically.

It has been my contention that the farmers are entitled to parity for the amount that is domestically consumed, because the farmer has to buy his machinery and pay for his labor and meet every expenditure that is incurred as the result of farming, on a domestic basis. This is an escalated economy. For that reason, it seems to me, the farmers are entitled to 100 percent of parity for domestic consumption. Under the provisions of S. 2357, the President of the United States could elect to make payments for wheat certificates by the CCC as similar payments are now being made for both the wheat and feed grain programs—or he could elect to make the program largely self-financing by requiring the domestic processors to purchase the wheat certificates as is the case now under the wheat certificate plan.

One of the great savings would be that it would eliminate all Government storage payments on wheat except for price support loans taken out by farmers at the world price support level of approximately $1.30 a bushel. There would be very few such loans, in my opinion.

The bill would repeal wheat marketing quotas and wheat marketing penalties. It would, however, leave in effect the provisions for acreage allotments. Farmers who complied with acreage allotments would be entitled to marketing certificates for price supports.

Those who failed to comply with allotments would still be able to sell their wheat on the open market free of penalty for whatever it might bring.

With many simplifications, the program that results would be a true domestic parity—more commonly known as the two-price system. It is similar to a bill I introduced in the Senate in 1954, which passed the Senate by a vote of 54 to 32. However, it was not approved, but was lost in the conference between the House and the Senate on the farm bill.

The bill utilizes the mechanics of the present law in allocating marketing certificates. These certificates would be restricted to that portion of the wheat crop needed for domestic food consumption. This wheat would be supported at 100 percent of parity.

One of the major advantages of such a program would be that wheat exporters would not be required to purchase certificates and wheat would move freely into export without the need for expensive export subsidies.

Presently there is no restriction on the sale of practically all farm commodities to Russia and Communist-bloc countries. Only wheat, cotton, tobacco, and rice—because of their particular type of price support and the export subsidy involved—have run into trouble. The support level for noncertificate wheat, which would be disposed of largely through exports, would be the same as provided under present law at the world price or approximately $1.30 a bushel.

Under this proposal the Secretary would determine each year the amount of wheat necessary to meet domestic and export requirements. This could not be less than 1 billion bushels. The Secretary would announce each year the acreage allotment sufficient to meet the desired production goal. The national allotment and the State, county, and farm allotments would be arrived at in the same manner as allotments are now determined.

Under the formula the national allotment for next year would be 49.5 million acres, which it is anticipated would produce 1.2 billion bushels. If present export levels could be maintained or even increased—as is entirely possible now—acreage allotments would be much higher. Marketing certificates would be issued for about 500 million bushels or the amount normally consumed domestically. This would be supported at 100 percent of parity, which is currently $2.51 a bushel. The balance would be supported at the lower price support level as provided by existing law, which the Secretary has announced to be $1.30. This would give the farmer a blended price of about $1.80 a bushel for all of his wheat. If the domestic market price were higher than $1.30 a bushel, the farmers would, of course, receive a higher blended price.

In addition to the blended price of approximately $1.80 a bushel, farmers who complied with the program would receive diversion payments the same as under the present feed grain program for cuts in acreage.

The objection to the proposed bill and others which provide a domestic price for wheat consumed at home and a world price for our export wheat is that it will increase the price of bread.

The opposition immediately begins to talk about a bread tax, as the financing could be based on the sale of certificates to the millers. However, in the Young-Carlson bill, the financing could be from the Treasury of the United States, the same as we are financing the marketing of export wheat through subsidy payments.

In order to ease this situation, I suggest that 50 percent of the financing be made through milling certificates and the other 50 percent from the Treasury of the United States.

Even with this suggested change, this plan would be a great saving to the taxpayers of the United States.

The question, of course, presents itself to every Member of the Senate as to the possibility of enacting wheat legislation. I have served in this body many years. When a bill comes from the Committee on Agriculture and Forestry as a part of another bill dealing with the great crop of cotton, I can readily understand that that would be the legislation that would have the best chance of approval. I shall support it. I do that because the bill which has been introduced by the Senator from South Dakota [Mr. McGOVERN] is voluntary. I do not believe it involves as voluntary a program as does the bill I have discussed, but it is a voluntary plan. A wheat farmer can participate if he wishes, or he does not need to.

It seems to me that it is essential that we act on the bill because of the situation that confronts the Nation at present from an agricultural income standpoint.

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

Mr. CARLSON. I am pleased to yield.

Mr. CURTIS. I commend the Senator for his discussion of agricultural legislation. I hope that before final action is taken, the alternative plan the Senator has discussed will be pursued further and presented to the Senate for consideration. I believe it has many advantages over the bill before the Senate.

Mr. CARLSON. I thank the Senator from Nebraska for his comments. The procedure, as we begin this agricultural debate and conclude action on this important subject, will be determined as we go along.

I believe it should be made crystal clear that many of the problems with which we have been dealing for several years are common to both wheat and cotton. It should be equally clear that in the current world relationships, which are of increasing importance to the cause of freedom and important for individual families, the proposal submitted by the Committee on Agriculture and Forestry has been predicated upon three fundamental facts.

The first of these facts is that if we are to avoid denying wheat its reasonable competitive access to secondary markets—to feed uses, to industrial uses, and to reasonable availability for such humanitarian and nutritional usages as the United States, either bilaterally or multilaterally, might from time to time support in any measure—then wheat must be permitted to move at a price level which will not do violence either to our international commitments or to our responsibility to American producers of other grains for feed.

I believe that proposed legislation in the pending bill and others that I have discussed at this time, including the Young-Mundt-Carlson bill, would do that very thing.

The second point, which has apparently been clearly recognized by the committee, is that we must seek to reduce the role of Government, either through positive or "inverse" subsidies, or otherwise, in interference with the private grain trade function of our own great grain trading industry, in moving wheat equitably, reasonably, and competitively into the markets of the world. This is the basis of the export certificate provision of the proposed legislation.

I believe we must realize the importance of the world trade, particularly world trade in agricultural products. Recently the Department of Agriculture issued some interesting facts concerning the importance of exports of farm products. I mention this because the data showed that farm exports reached a high of $5 billion in 1963, and are again headed for a new record in 1964. About 20 percent of the U.S. farm production is exported, amounting to the output of 1 of every 5 acres harvested. That is the real value of farm imports at the present time. Farmers in particular benefit from agricultural exports because they can sell more products, but all Americans benefit as well.

Farm exports create many more jobs in financing, transporting, storing and processing, and marketing of our products overseas. Farm exports in 1963 were enough to fill more than a million freight cars, or 4,500 cargo ships. An average of 12 shiploads left U.S. ports every day of the year.

Farm products today account for $1 in every $4 of U.S. total exports. Our farm exports go to over 125 countries and territories.

Farm exports are one of our best dollar earners. About 70 percent, or $4 billion, of our farm exports in 1963 were straight cash sales. The other 30 percent were sales for foreign currency and long-term credit, donations, and barter, totaling about $1.6 billion.

I have mentioned the export items and their value for cash sales. As one Member of the Senate who urged the sale of wheat to Russia, the Soviet Union, I stated at that time that the wheat would be sold for dollars or for gold. Last week the first cargo of American wheat was delivered to Russia. I am told that within 72 hours, gold or dollars were deposited in a bank in New York in payment for that shipment. I am also told that this week, probably tomorrow, another shipload of wheat will arrive in the Soviet Union and that gold will be deposited within 24 hours for the payment of that wheat. Gold is important to this Nation at present in view of our adverse balance of payments.

We have a great food-for-peace program, and in the new emerging nations,

where dollars are short, U.S. farm products are being used to help.

A third point I wish to make is that the soundness of the principle which has previously been recognized by the Senate and House of Representatives, to the effect that American wheat producers are entitled to an American price level for that portion of their production which goes into primary usage—human food channels within the United States—is clearly the basis of the provision that human consumption wheat should be supported at approximately the $2 per bushel level, which has been current for several months. Our bill would provide the full parity price of $2.51.

We completely reject the arguments that cotton payments are unsound and should be condemned. We likewise reject the argument that the wheat certificate constitutes a "bread tax."

I point out that the probable support level on human food wheat stands at about 5 cents per bushel under the steady price which has held during the most of the past and current selling season. At the present time, that level is about 18½ cents less than March futures sold for last Monday, February 24, 1964. Rather than to catalog it as a bread tax, the Senate should recognize that such a wheat certificate is a means of transferring this portion of the cost of wheat for human food consumption to the users of wheat for such purposes, so that the amount will be in exact proportion to the quantity of wheat they use, rather than to attain that price by the unique combination of a one-price, across-the-board support, plus the consequent storage charges and handling costs, plus the resultant direct or inverse subsidy provisions, and other governmental interference with the private trade export operations, which have so forcefully been brought to our attention in recent weeks, to mention only a few of the corollary facts; all to be assessed against taxpayers, without any regard to the volume of wheat that each taxpayer might use or consume.

I submit to the Senate, therefore, that the wheat certificate proposal provides for using the constitutional provision under which Congress shall regulate the terms and conditions of commerce, and is a well-designed method of augmenting the income of American wheat producers in the marketplace, from which source most of us believe that income should come.

Assuming that the certificate values are set at realistic and equitable levels, which become a part of the price of wheat, going into domestic consumption for food use, and that this level is in the area of the prices which the millers have been paying for bread grain; and assuming the assurances which have been given to the Committee on Agriculture and Forestry, to the effect that the export certificate values will likewise be equitably and reasonably established, in terms of our commitments under the International Wheat Agreement, as well as in terms of the realistic and fair consideration which we must give to other nations, in order that we may be in reasonably sound position to ask for comparable consideration from the rest of the world toward our problems; it then is clear that the proposed wheat certificate program cannot but be recognized as a reasonable and equitable method for dealing with the problem of the impending serious decline in net farm income and resulting substantial damage to the total rural economy—and, indeed, to the economy of the Nation as a whole.

The proposed legislation will also offer the increasing prospect of effectively dealing with the problems of increasing costs of production and the consequent decline in net farm income, which is intolerable in view of the goals for the total American economy, to which the Senate as well as the entire Congress have subscribed.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a portion of a summary of the various bills on which a report was requested, and which was supplied by the Department of Agriculture.

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

S. 2357 provides a permanent wheat domestic parity program beginning in 1964 and repeals wheat marketing quotas. The present system of acreage allotments would remain in effect with the minimum national allotment continued at an acreage designed to produce 1 billion bushels. Price support loans would reflect world prices and feeding value of wheat, and certificates would be issued to make up the difference between such price level and the parity price on an amount equal to the domestic food consumption of wheat. The President is given discretion to require processors to purchase certificates or allow the value of the certificate to be paid directly to producers by the CCC. The present diversion program would remain in effect for 1964 and 1965 but without monetary penalties for noncompliance. Price support and certificates would be conditioned on compliance with acreage allotments and the diversion program.

Mr. CARLSON. Mr. President, I mention these items because I feel that it is essential that at this time Congress enact legislation dealing with this important matter.

Mr. McGOVERN. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. I am happy to yield.

Mr. McGOVERN. I commend the Senator from Kansas, not only for the constructive statement he has made this afternoon, but also for the vigorous support he has given the pending bill from its first day on the floor of the Senate.

I appreciate the point he has made—namely, that the wheat section of the pending bill is not exactly the type of legislation that either he or I would have preferred if we had been thinking only about the most ideal possible wheat bill. However, as he knows, we have to take into consideration the practical obstacles which stand in the way of the enactment of farm legislation of any kind, and the Senate must pass proposed legislation which will prevent a drop of $500 million or perhaps $600 million in farm income.

If the pending bill is enacted, I hope we shall not stand on it forever, but that it will become a platform on which we can work for the full parity goal to which the Senator from Kansas referred a moment ago.

I commend him for the constructive stand he has taken this afternoon, and also for his willingness to support the pending bill, even though it does not go quite as far as he would prefer.

Mr. CARLSON. Mr. President, the Senator from South Dakota knows that it is difficult to legislate in this field. One only regrets—as I do, as a farmer and livestock man in my own right, and as one who comes from the great wheat producing and livestock producing State of Kansas—that the farm organizations have not been able to reach agreement on a program; and I also regret the great division of opinion among farmers themselves. But after spending 2 days last week in the State of Kansas, I am convinced that although many farmers will not be happy about the pending bill, they would be very greatly disappointed if at this time Congress did not pass some farm bill, with the result that the price of wheat would drop to $1.25 a bushel.

As was stated last week by the Senator from South Dakota, I think we should keep in mind that if the price of wheat dropped to $1.25 a bushel, it would be most difficult ever to get the price of wheat back to where it belongs, based on our Nation's high income for labor and for all other stages of the economy except agriculture.

I believe that the feed producers also should think about this point, because if the price of wheat were to drop to $1.25, or below that, I believe it would be only a short time before the price of corn would be approximately 85 or 95 cents a bushel, and the prices of other feed grains would drop accordingly, in which case larger and larger amounts of grain would be fed to livestock, and the supply of livestock would increase accordingly, for under existing circumstances the prices of feed grains are causing great havoc and distress in the livestock industry throughout the Nation. It is quite true that if this situation were to continue, literally hundreds of livestock producers would be driven into bankruptcy.

Mr. JOHNSTON. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. I yield.

Mr. JOHNSTON. The Senator from Kansas has brought out a very important point. At the hearings it was shown that if the price of wheat drops, it will be only a short time before the prices of feed grains will more or less reach a similar level. In that event, not only would the growers then be adversely affected, but those who use feed grains would also be adversely affected, and there would be a surplus all along the line, and that would mean lower prices for all these commodities.

Mr. CARLSON. Mr. President, the Senator from South Carolina, who serves on the committee, on which I also serve, knows that a farmer must have a certain amount of income on which to operate; and if he cannot obtain a sufficient price for the commodity he produces, he must increase the amount of his production; and thus we get into a vicious circle.

Mr. MUNDT. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. I am pleased to yield to the Senator from South Dakota.

Mr. MUNDT. I appreciate the Senator's very effective and intelligent analysis of the wheat problem and the various proposals for correcting some of the serious price potentialities which will confront us if we do nothing.

Recently, I have been receiving letters from wheat producers in South Dakota who are concerned that the net result of this measure, if it is enacted, will not be up to the expectation of many of its supporters, but that, instead, the per bushel income of the wheat farmers will actually be less than it has been during the past few years, under the program the country has had. I wonder whether the Senator from Kansas, who is an experienced farmer, and also is quite an authority on farm legislation, agrees with those who feel that if it were possible to continue the program which has been in operation for the past several years, the wheat farmers would feel better than they will if we enact the pending bill.

Mr. CARLSON. It is true that throughout the country there is some complaint from various groups, including some of the farm organizations, who contend that if the pending bill is enacted—although I am supporting it because I believe we must do something—not enough will be done to assist in the face of the present decline in farm income and in the prices of farm commodities. I am sure many of them would be very happy if the present program, without these controls and without another referendum, were continued.

Mr. MUNDT. I wondered whether the Senator from Kansas had received such expressions of opinion. As I have said, I found them in my State.

Has the Senator from Kansas prepared an analysis of the impact of the committee bill on wheat farmers, as contrasted to the effect of the measure introduced by the Senator from North Dakota [Mr. YOUNG] and cosponsored by the Senator from Kansas and me?

Mr. CARLSON. I do not have an analysis in terms of dollars and cents; but of course the bill introduced by the Senator from North Dakota [Mr. YOUNG], and cosponsored by the Senator from South Dakota [Mr. MUNDT] and myself, would, on the basis of the figures of the Department of Agriculture, cost considerably more than the pending bill would. On that basis, I assume that money would go back to the farmers themselves. Thus, from their point of view, that bill would be more advantageous.

As I have said, throughout the country there is some feeling that although the pending bill is not entirely satisfactory, yet it is much better than a situation in which the price of wheat dropped to $1.25 a bushel.

Mr. MUNDT. I share the Senator's opinion that certainly the pending bill is better than nothing at all.

However, in trying to correct the problem, I believe we should move as far as we can in the direction of obtaining parity income for the wheat farmers. I would not like to have us settle for half a loaf, if we can give them a whole loaf. We do not have too many opportunities to legislate for the wheat farmers; and I do not like to see us settle for a half-way measure, if there is a chance for us to do more for a segment of agriculture which really is suffering.

Mr. CARLSON. Of course as we consider the amendments, we shall have an opportunity to consider the situation which I have tried to lay before the Senate.

Mr. SIMPSON. Mr. President, will the Senator from Kansas yield further to me?

Mr. CARLSON. I am glad to yield to the Senator from Wyoming.

Mr. SIMPSON. Did I correctly understand the Senator from Kansas to say that because of the imports, there is a great amount of distress among the cattle feeders in his State?

Mr. CARLSON. I assure the Senator from Wyoming that the situation of the livestock industry in our States, as well as in the other States, is most critical. Probably I should point out that I have received a letter from an attorney who, in filling out tax returns for those in the farming area in western Kansas, has found definite evidence of a widespread decline in income. I know him personally, and he has lived there for many years. For instance, he filled out 109 tax returns for livestock producers, and only 2 of them made a profit; and in his letter he stated that those 2 did not include the cost of the feed, and that 2 brothers whose returns he filled out lost $117,000 this year.

There is no doubt that cattle feeders are losing $40, $50, $60, and $70 a head. It is a critical and serious situation that I do not believe we can ignore or neglect as we deal with this great industry and the farm economy.

Mr. JORDAN of Idaho. I thank the Senator. The experience that he has related as occurring in his State bears out the experience in my own State.

AWARD BY THE LIBERTY BELL SOCIETY OF THE UNIVERSITY OF PENNSYLVANIA TO SENATOR DIRKSEN FOR OUTSTANDING SPEECH OF THE YEAR

Mr. PEARSON. Mr. President, on Saturday, February 29, the Liberty Bell Society of the University of Pennsylvania conferred an award upon our distinguished minority leader, the Honorable EVERETT DIRKSEN, of Illinois, for making the outstanding speech of the year; namely, one of the closing arguments in the debate on the test ban treaty last year.

It was my honor to accept this award for and in behalf of the Senator from Illinois [Mr. DIRKSEN] and I ask that the statement of appreciation and gratitude written by the minority leader which I have taken the liberty of adding the title, "Salute to the Spoken Word," be printed in the RECORD.

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

SALUTE TO THE SPOKEN WORD

Mr. Chairman, I am truly honored to be asked by your society and by our distinguished minority leader, the Honorable EVERETT MCKINLEY DIRKSEN, of Illinois, to come in his stead and receive for and in his behalf the award which the Liberty Bell Society is conferring upon him for the speech of the year; namely, the moving and persuasive speech which he delivered on the floor of the U.S. Senate as one of the concluding arguments on the controversial test ban treaty.

I am quite intrigued by the purposes and objectives of your society and I am happy to know that in an age of functional speech, when we become so careless about our speech habits, that the spoken word is still so honored and appreciated.

In acceptance and in appreciation for this honor, Senator DIRKSEN asked that I convey his gratitude and offer upon this occasion the following statement as his words:

"Your organization takes its name from the bell, which is such an apt symbol. On that bell, there is inscribed a portion of a verse from the book of Leviticus, which we know as the law. It was a jubilee year for an ancient people and to fittingly observe it a proclamation was uttered, stating very simply, "Proclaim liberty throughout all the land and unto all the inhabitants thereof." For many years, that bell proclaimed festivals, anniversaries, the advent of peace and other notable events, and only when it tolled the death of that great jurist, Chief Justice John Marshall, did it develop a crack and bring to an end its mission as an instrument of proclamation.

"Since the dawn of civilization, all manner of methods and an endless variety of instruments have been used to communicate and to proclaim—the pictures upon the walls of caves, the signal flags, the drums of the forest, the fleetfooted messengers of ancient Greece, the speeches in the Agora of ancient Athens where law was made and customs proclaimed, the early blocked-letter books and pamphlets, the daily newspapers, and the telephone and telegraph. Today, the radio and television have progressively been the instruments of humankind in communicating thoughts and messages.

"But in the whole history of mankind, there has, after all, been no greater instrument to proclaim and to convey thoughts and meanings than the precise words which might drop from the lips of an individual dealing with some central theme and words so marshaled and fashioned as to persuade, to convince, to entertain, to impress, to inspire or to move to action.

"The ancient slave, Spartacus, lurking in the dark corners of the ancient Roman Colosseum could appeal with earnest eloquence to those enslaved with him and so incite them to action that for 3 long years he and his fellow slaves withstood the finest armies of ancient Rome and threatened its very survival.

"Eloquent orators could stand before an Athenian audience and hear them utter the wish, "Hear, hear," and when Demosthenes stood before them and hurled his denunciations at Philip of Macedon, up went the cry in unison, 'Let us march against Philip.'

"Cicero in the Senate of ancient Rome, with his sarcasm, his logic, and his eloquence could vanquish the scowling Catiline and bring an end to his conspiratorial designs.

"But one need not refer merely to the parchments of ancient history for even in our own time one can find examples of how eloquence and logic can move a mass of people to a type of action which they did not contemplate before they heard the spoken word. William Jennings Bryan, standing before a Democrat Convention in 1896, could conclude his speech in behalf of the farmers and the small business people of the country by thundering, 'You shall not press this crown of thorns upon the brow of labor. You shall not crucify mankind upon a cross of gold.' To this good hour, students of

speech study the structure and the power of 'the Cross of Gold' speech, but it went much further because it suddenly catapulted William Jennings Bryan into the nomination of his party for the Presidency.

"Winston Churchill, standing before a joint session of Congress, with two fingers raised as a symbol of the 'V-for-Victory,' could not only enchant them but bring them to action in the cause of freedom.

"Abraham Lincoln, coursing up and down the State of Illinois debating with Stephen Arnold Douglas, the great issue of slavery in 1859, coupled with his masterful speech to the Cooper Union Institute 100 years ago, were not the least of the factors which finally ordained him to become the Chief Magistrate of the Nation.

"So long as men have ears to hear and minds to perceive, the spoken word will influence human thought and conduct and help to shape the destiny of all mankind. Those words may be uttered in a courtroom where the life of a citizen hangs in the balance; they may be uttered in a parliamentary body where policies are fashioned to direct the present and future destiny of a country; they may be uttered from a pulpit where the whole course of life of individuals may be changed for the better; words which may have the effect of determining the selection of the leader of a country, large or small, may be uttered before a political audience where votes are in the balance—and those words might by their logic, eloquence, and power determine the result.

"And so, a salute to the spoken word, which will never vanish so long as men have perception and are prepared to listen. The human voice and what it utters as a result of an inspired brain can yet manage the destiny of all mankind."

SURVEILLANCES BY DEPARTMENT OF JUSTICE

Mr. FONG. Mr. President, I received today a letter from Mr. Herbert J. Miller, Jr., Assistant Attorney General, Department of Justice, responding to the letter I referred to Senator SAM J. ERVIN, JR., chairman of the Subcommittee on Constitutional Rights, Committee on the Judiciary, and which I introduced into the RECORD on February 26, 1964.

I have also referred Mr. Miller's letter to Senator ERVIN and I ask that its text be printed in the RECORD at this point.

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

DEPARTMENT OF JUSTICE,
Washington, March 2, 1964.

HON. HIRAM L. FONG,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I am sure that you are interested in determining the position of the Department of Justice as to the issues raised in the letter of Sidney Zagri which appeared in the CONGRESSIONAL RECORD concerning the case of *United States* v. *James R. Hoffa, et al.*, currently on trial in the Eastern District of Tennessee at Chattanooga.

All protests raised by Mr. Zagri have been ruled upon by the court in the current Chattanooga trial. Defendants and their attorneys filed certain charges and affidavits with the court contending that they had been constantly under surveillance during the period of time that the trial has been in progress.

Five individuals, none of whom is a defendant or attorney for the defense, have been the subject of surveillances consisting entirely of observations by agents of the Federal Bureau of Investigation of their public comings and goings. Similar lawful investigative activities in the course of the Nashville trial, out of which the present charges against defendants grew, resulted in the cogent evidence of obstruction of justice that has been presented during the present trial. At no time have any eavesdropping, wiretapping, microphone installations, trespasses or any invasion of privacy been utilized during such surveillances.

The five persons surveilled were William A. Test, former president of Teamsters Local 515, Chattanooga, Tenn., and now an employee of an insurance company in Chattanooga which is part of codefendant Allen Dorfman's insurance holdings; John Cleveland, organizer for the Eastern Conference of Teamsters, Washington, D.C.; George E. Hicks, president of Teamsters Local 515, Chattanooga, Tenn.; Charles L. O'Brien, business agent of Teamsters Local 299, Detroit, Mich. (defendant Hoffa's home local) who was present in Nashville throughout the last Hoffa trial and is presently awaiting trial under two Federal indictments in Detroit; and Bernard Spindel, codefendant of Mr. Hoffa in Federal criminal trials involving alleged violations of section 605 of the Federal Communications Act (wiretapping), the first of which trials ended in a hung jury and the retrial in a verdict of acquittal.

The surveillances of the public comings and goings of Test, Cleveland, Hicks, and O'Brien were all conducted prior to the empaneling of the jury in the subject case on January 27, 1964. The surveillance of Charles L. O'Brien commenced upon his arrival at the Chattanooga, Tenn., airport at 11:04 a.m., January 23, 1964, and was concluded 46 minutes later at 11:50 a.m., upon O'Brien's entering the Patten Hotel. No further surveillance has been conducted as to Mr. O'Brien.

In the course of this trial the Federal Bureau of Investigation has not ceased to carry out such lawful and necessary investigative activities as are imperative to the proper execution of their duties. At the inception of the trial all agents were expressly directed not to conduct surveillances of the defendants or their counsel and any observation made by agents of defendants or counsel entering or leaving the Patten Hotel or the Federal Post Office Building was entirely incidental to those occasions when the defendants or their counsel were in the public company of the five persons surveilled.

The surveillance of Bernard Spindel was commenced on February 3, 1964, when Spindel arrived at the airport at Nashville, Tenn. Spindel was observed by agents of the Federal Bureau of Investigation to rent an automobile and then drive to Chattanooga where he entered the Patten Hotel and took an elevator to the 9th floor. Thereafter, Spindel's public comings and goings were observed for a period of 3 days ending February 6, 1964. Due to Spindel's admitted history of wiretap activity, the Government believed his presence in Chattanooga might involve violations of section 605 of the Federal Communications Act and other Federal statutes. Agents of the Federal Bureau of Investigation conducted personal observations limited to when and whether Mr. Spindel would leave the hotel. The Government has stated that evidence has been received that Mr. Spindel did, in fact, engage in violations of section 605 while in Chattanooga.

Prior to the empaneling of the jury on January 27, 1964, and never thereafter, agents were assigned to photograph persons unknown to them who appeared on the public streets in the vicinity of the Federal Post Office Building and the Patten Hotel. These photographs were taken for subsequent identification purposes and any observation by agents of the defendants or their counsel on the public streets was entirely incidental. The investigation of allegations of obstruction of justice conducted during the Nashville trial would have been greatly facilitated by availability of identifying photographs of persons repeatedly in and about the courthouse or on the adjacent public streets. Consequently, such photographs were taken at the outset of this trial but again it must be emphasized that even such limited activity was prior to the empaneling of the jury.

Mr. Hoffa has charged that the Government employed an informant who used his position of trust and confidence to spy on the activities of Hoffa and his attorneys in the former's prior criminal case in Nashville. The Honorable Frank Wilson, presiding judge in Hoffa's present trial, after hearing the testimony of William Bufalino, James Haggerty, Jacob Kossman, David Previant, Morris Shenker and Daniel Maher, all either present or past attorneys of record for the International Brotherhood of Teamsters and Mr. Hoffa; Walter Sheridan, Justice Department employee; and Edward G. Partin, the witness whose testimony Mr. Hoffa is challenging, made the following ruling as to defense motion to suppress Partin's testimony (transcript 3212):

"Judge WILSON. The court is of the opinion that the motion to suppress the testimony of the witness, Mr. Partin, should be overruled, having observed the manner and demeanor of the witness on the witness stand, and the testimony of the witnesses, I would find that there has been no interference by the Government with any attorney-client relationship of any defendant in this case.

"I would further find that the Government did not place this witness, Mr. Partin, in the defendants' midst or have anything to do with placing him in their midst, rather that he was knowingly and voluntarily placed in their midst by one of the defendants."

As to Hoffa's allegation that the Government evaded the Jencks Act provisions by taking notes during interviews of witnesses, dictating contemporaneous statements and then destroying such notes, it has been the consistent policy of the Department of Justice to follow such procedure. All contemporaneous statements taken from witnesses in the present case have been turned over to the defense under the provisions of the statute (18 U.S.C. 3500). Various circuit courts of appeal and the Supreme Court in the case of *Killian* v. *United States*, 368 U.S. 231, have approved the above departmental procedures.

Certain cryptic notes made by a departmental representative at various times when information was received from an informant were turned over to the court under the provisions of 18 U.S.C. 3500 and the court ruled that such notes could not be construed as statements of the informant under the Jencks Act.

Mr. Zagri's allegation to the legislative branch of government that Mr. Hoffa is being denied due process because of alleged surveillance by the Government appears to be an attempt to influence the course of his present trial. Judge Wilson on two occasions (transcript 4155 and 4158) has ruled that Hoffa's allegations as to surveillances are matters "that might or might not constitute grounds for a new trial" and that "a hearing will be granted upon the motion after submission of the case to the jury."

From the very nature of the charges against defendants in this case, it is obvious that the Department of Justice was duty bound to take all legal steps at its command to protect the potential jurors until the panel had been selected and seated.

Sincerely,

HERBERT J. MILLER, JR.,
Assistant Attorney General.

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM

The Senate resumed the consideration of the bill (H.R. 6196) to encourage increased consumption of cotton (and wheat) to maintain the income of cotton producers to provide a special research program designed to lower costs of production, and for other purposes.

Mr. HUMPHREY obtained the floor.

Mr. McGOVERN rose.

Mr. HUMPHREY. Mr. President, does the Senator wish me to yield to him?

Mr. McGOVERN. I was about to make some remarks on the pending bill. I do not wish to interfere with the Senator's statement.

Mr. HUMPHREY. Mr. President, I yield to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, I merely wished to make a brief observation in the livestock import question that has been discussed at considerable length this afternoon. The Senate should keep in mind that there are at least two alternatives open to us in dealing with this very serious question.

First is the approach which has been suggested by several Senators that we adopt an amendment to the cotton and wheat bill which would restrict imports of beef into the United States.

It seems to me that the other alternative may be a more practical one, and one which the Senate will wish to consider. That is the proposal which has been introduced by the majority leader, the Senator from Montana [Mr. MANSFIELD], in the bill (S. 2525), which is now pending before the Senate Committee on Finance. That committee has jurisdiction over matters involving international trade and trade policy. The question of beef imports is an extremely complex one, as the Senator from Kansas said a few moments ago. The whole field of international trade is of great importance to the farmers of the United States. It seems to me that we should give careful consideration to taking the normal and orderly route in dealing with a subject as complex as that one. I recognize that there are legitimate and honest differences of opinion as to the proper procedures. I took the liberty of checking with the South Dakota Stockmen's Association. I called their executive secretary today to see if they had any position on the question. He said frankly that they were somewhat confused as to the most feasible way of dealing with the problem, but that at this point they were opposed to adding the amendment to the proposed legislation that deals basically with cotton and wheat.

They would prefer to see action taken by the Senate Finance Committee on S. 2525, the legislation introduced by the majority leader, myself, and other Members of the Senate.

So I think before we take hasty action we might later regret, we should consider very carefully the possibility of the alternative route of acting on the so-called Mansfield bill. If passed in its present form, it will accomplish substantially what is proposed by the amendment that has been suggested by the Senator from Nebraska [Mr. HRUSKA], and it will do it in orderly fashion and a fashion which I think might prevent some embarrassing consequences to us at a later date.

I thank the Senator from Minnesota for yielding to me.

AMENDMENT NO. 447

Mr. HUMPHREY. Mr. President, on behalf of the Senator from North Dakota [Mr. BURDICK] and myself, I send to the desk an amendment proposed to be offered, and ask that it lie at the desk.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie at the desk.

Mr. HUMPHREY. Mr. President, the purpose of the amendment is to alter the language of the bill which provides price support levels for wheat in export from 0 to 90 percent. Our amendment provides 65 to 90 percent.

The Senator from North Dakota [Mr. BURDICK] is the principal sponsor of this amendment, the one who has given leadership to it, I join him because I have never supported a program of 0 to 90 percent of parity. That is not flexibility. That is complete relaxation. I want to have at least some ceiling and floor.

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

Mr. HUMPHREY. I yield.

Mr. BURDICK. The price support range for foreign shipments, if the amendment were adopted, would be precisely the same range as for domestic sales. Is that correct?

Mr. HUMPHREY. Yes; and it would be the same as the bill that passed 2 years ago, which provided for supports at 65 to 90 percent. It provided for one certificate. This bill, because it is a voluntary one, provides for two certificates. On the domestic consumption, it would provide 65 to 90 percent of parity, which would be set at about 70 cents a bushel, to bring the price of wheat to producers to $2 a bushel.

The export part of the bill also would be fixed at between 65 and 90 percent, and it would be set at about 32 or 33 cents to make a price of $1.62 or $1.63 a bushel.

Mr. BURDICK. And the Secretary would have flexibility in setting certificate levels for both domestic and foreign shipments?

Mr. HUMPHREY. Yes.

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

Mr. HUMPHREY. I yield.

Mr. CARLSON. I commend the Senator from South Dakota. I think his proposal would help to improve the bill. Perhaps we may continue to make further improvements.

The Senator from Minnesota urges the enactment of a price support on wheat from 105 to 115 percent. That, too, in my opinion, would be helpful. I think perhaps after a while we may get a good wheat bill out of the Senate.

Mr. HUMPHREY. It was not my privilege to hear all of the Senator's remarks, but I did get a review of his address from the distinguished Senator from South Dakota [Mr. McGOVERN]. As we know, when a bill comes from a committee, it seldom has in it all the provisions that the authors of it wanted to have. For example, I would say that the best wheat bill in the committee was the one introduced by the Senator from North Dakota [Mr. BURDICK], my colleague from Minnesota [Mr. McCARTHY], and myself. I am positive of it. However, I had a little trouble convincing the majority of the committee. My good neighbor and personal friend, the Senator from South Dakota [Mr. McGOVERN] tells me the best bill that was introduced was the McGovern bill. I must confess that, in light of the fact that he has won the approval of the committee, in the main, he may be right. Not every feature of the McGovern bill was reported favorably by the committee, but the framework of the legislation that is before us was his, and I highly commend him for that effort.

But the difference between the Humphrey-McCarthy-Burdick bill and the McGovern bill was modest. One was a direct payment bill under a two-price system, and the other was a certificate type of payment bill. Both bills provided payment for domestic production and export production. Then we go to the Senator from Kansas, who is the "daddy" of the two-price system.

So how happy can we be? The Senator from Kansas gives us the basic outline of the bill. The Senator from South Dakota fills in much of the substance of the bill. The Senator from North Dakota and the Senators from Minnesota seek to add a few trimmings to the bill. I think we shall be able to write a pretty good piece of legislation.

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

Mr. HUMPHREY. I yield.

Mr. CARLSON. In view of what has been stated with respect to the importance and value of other bills, the Senator from Kansas must say that the bill introduced by the Senator from North Dakota [Mr. YOUNG], the Senator from South Dakota [Mr. MUNDT], and myself, is really the height of perfection in this area of legislation. That does not mean that it will be approved in this session; but we are going to work for it.

Mr. HUMPHREY. I had gathered that. I heard some of my colleagues discussing the bill introduced by the Senator from North Dakota [Mr. YOUNG], the Senator from South Dakota [Mr. MUNDT], and the Senator from Kansas [Mr. CARLSON]. I heard them say it was the finest piece of legislation that had been presented to the Committee on Agriculture and Forestry in many a session. I was almost convinced of it.

However, we are up against the fact that we have a bill before us designed to do something that has not been done, namely, improve the income situation for the wheat producers. The choice is not between the bills which each of us introduced and no bill. The choice is between the bill before us, with any amendments we may add, and impending economic trouble for the wheat-producing farmers of this Nation.

If we do not pass wheat legislation along the lines of the measure before the Senate, or wheat legislation that will do something to improve wheat producers' income, there will be nothing but economic trouble in vast areas of this

land. Those areas include States like the two Dakotas, Montana, the Northwestern States of Washington and Oregon, Colorado, Wyoming—parts of northwestern Minnesota, and other States. Many areas are involved.

I read with great concern recently the report in the Wall Street Journal about the impending or possible drop in farm income.

The heading is "Rural Slowdown: Farmers begin to cut spending as they face big drop in 1964 income. Seven hundred million dollars earnings decline seen as farm prices sag; tractor, store sales slip." Then, for friend or foe alike, it asks, "An election year headache?"

I can relieve them of that question mark. It not only will be an election year headache; it will be a headache for every year to come unless we do something about it. I have said many times that when one goes broke, it makes no difference whether one is a Democrat or a Republican. The bills become due.

When we go to that bank or seek refinancing, the banker does not say, "I should like to see your party registration card." All he is interested in is the collateral; he wants to know what the possibilities are of repaying the bank.

Today, I do not stand in the Chamber as a Democrat or because I am engaged in a contest with Republican Senators. The truth is that the only time we ever pass workable farm legislation in the Senate is when we get help from both sides of the aisle. When it comes to economic matters, we must start thinking in terms of the well-being of the country, rather than the well-being of party.

I am not happy these days about what I see happening in rural America, despite the many efforts that have been made by conscientious citizens and dedicated public servants.

Mr. President, we are badly in need of new commodity programs under which America's family farmers will be able to properly share in the wealth of the Nation. For too long those who feed us so well have been underfed. Today, farm income is less than 60 percent of nonfarm income.

Mr. President, we read about subsidies. I want the record to be clear that the American farmer has been subsidizing the American consumer for years. I repeat what I have stated a thousand times if I have said it once—and I shall repeat it another thousand times if it needs saying—that the consumers in America today receive a better quality of food, in larger quantities, in greater variety, and at lower prices than any other consumers anywhere in the world. That is because the American farmer has made it possible through the vast system of processing and distribution. So that there may be no misunderstanding, it does not do much good to produce the raw product unless it can be marketed; and I pay tribute to those who market the products from the farm as well as those who produce them.

What I have tried to do in my years in the Senate is not to promote division among those who process, market, and sell, and those who produce, but rather to achieve a closer understanding; because ultimately, the American consumer is benefited by a marketing system that brings that product to him quickly, and at fair prices.

But after all is said and done, the farmer's share of the food dollar today is less than 38 cents. The farmer is giving the American consumer the best deal he ever had. No one gives him as much.

When I hear Representatives and Senators talking about subsidies for agriculture, I ask, Mr. President, "Who is subsidizing whom?" I know who has been doing the subsidizing. The vast numbers of farm families in America who are producing food at wages no organized worker would tolerate. They have been subsidizing millions of people throughout America. What is more, if the RECORD could be filled today—as every Senator knows—we could demonstrate that much of the so-called subsidy to American agriculture is not a subsidy to agriculture at all.

Today, we have an export subsidy that relates to shipping costs. The merchant marine receives a subsidy but it is charged to the Commodity Credit Corp. We give children surplus food, and it is charged to the Commodity Credit Corp. The food that goes to the needy, to people who are hungry in America, is charged to the farmers. Why is it not charged to the Department of Health, Education, and Welfare? Or to Public Law 480, which essentially is a foreign economic program? Charge it up to the farmers? Charge it up to the Department of Agriculture? That is not fair, but it is done that way. We could document item after item. The farm program is an essential part of our total economic structure, and we cannot close our eyes to the fact that the greatest areas of poverty in America today lie in rural America. The greatest expression of unfair distribution of income is in rural America. Today the people who are threatened with trouble live in rural America.

The financial pages of the leading newspapers in America show every day that profits are going up, that corporation A's profits are up 10 percent, corporation B's profits are up by so much, that Generals Motors profits are up—all of them.

Yet, Mr. President, at the same time these same newspapers carry the statement that next year will show the highest profits that American industry ever has known, that this year shows the highest profits America has ever known. Yet they carry the sad story of a $700 million potential drop in farm income.

So one of the reasons I have argued in favor of bringing up the farm bill, even before the civil rights bill, is that we are dealing with a basic civil right—namely, the right to make a living. There are vast numbers of people in rural America who are having that right denied them today.

ORDER OF BUSINESS

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

Mr. HUMPHREY. I yield.

Mr. FULBRIGHT. I compliment the Senator from Minnesota on his eloquent statement. I wonder if I could ask him, as acting majority leader, if there is any prospect of any votes today on any amendments?

Mr. HUMPHREY. There is.

Mr. FULBRIGHT. Has the acting majority leader announced whether the Senate will remain in session tonight?

Mr. HUMPHREY. I should say that the Senate will not take a recess much before 7:30; it might be later than that.

Mr. FULBRIGHT. I understood that all this week the Senate would remain in session late.

Mr. HUMPHREY. It may stay later tonight. I thought we would give Senators an opportunity to feel happy.

Mr. FULBRIGHT. I was wondering if there was any possibility for a vote on an amendment?

Mr. HUMPHREY. We are going to vote. I wish very much to vote. We are going to vote on as many amendments as we can, but we have not had much luck in getting Senators to call up their amendments; but we shall vote, and we shall vote tomorrow, and we shall vote on Wednesday, and continue until we have voted on the bill one way or the other.

Mr. FULBRIGHT. I thank the Senator from Minnesota.

Mr. HUMPHREY. I wish to say to the Senator, so that other Senators may be on notice, that the Senate will convene tomorrow at 11 o'clock.

Mr. FULBRIGHT. Could we not run into the night this week and finish the bill?

Mr. HUMPHREY. We shall.

Mr. FULBRIGHT. We want to get through with the bill.

Mr. HUMPHREY. The Senator is correct. The Senate might sit much later tonight, but I thought if I would indicate a time between 7:30 and 8 o'clock, that would give some indication to Senators and enable them to make their plans for the evening.

Mr. FULBRIGHT. I thank the Senator.

Mr. HUMPHREY. Mr. President, we have before us a bill designed to protect the income of our wheat and cotton producers by enabling them to participate in voluntary supply adjustment programs. It is extremely important that this bill be passed at the earliest possible time. As I stated, that is why I was one of those who urged its being taken from the calendar and acted upon. Winter wheat is in the ground now and farmers will begin seeding spring wheat in less than a month. To be most effective, farmers should know what their wheat program will be before they start planting. The same is true of cotton. Farmers are beginning to plant cotton in south Texas, and in another month planting will be moving across the Cotton Belt. Cotton farmers also need advance information on what their program will be before they make their plans.

I digress for a moment to comment on the cotton portion of the bill. I believe that Congress would be well advised to pass the Talmadge-Humphrey cotton bill. The Senator from Georgia [Mr. TALMADGE] is the chief architect of that

legislation. I was happy to join him, because I do not like to see a commodity treated on a sectional basis in the Senate. The welfare of the cotton producer and the textile manufacturer is important to the people of Minnesota, as it is important to the people of the State of Washington, or Maine, or Texas, or Iowa. We all live and work in this country together. What happens in one section affects another section. When cotton is in trouble in terms of price or quantity, it means that the American economy is suffering some adversity.

I also believe that we need a textile industry. When the American textile manufacturer, in purchasing American cotton, must pay a higher price than his foreign competitor does for the same cotton, it is perfectly obvious that this is unfair competition. What has been designed in this bill is a proposal that would permit the cotton producer to receive a fairer price for his product, and at the same time the textile manufacturer could buy his cotton at competitive prices with foreign competition.

This is sensible legislation. It has its inadequacies. When I look over any bill, I find many things that I wish we could improve. Again I say, however, that we have to do the best we can with what we have.

Mr. President, if we do not pass wheat legislation early in this session of the Congress, the income of the wheat producer could drop as much as $600 million from the $2.4 billion it earned last year. Wheat farmers are not well heeled now. They certainly are not in a position to take a shock like this. Many of them would be set back for years.

Wheat is an important crop in many States.

It is of less importance than some other crops in the State I am privileged to represent. However, the States which neighbor Minnesota are important in our trade territory. They are important in our Ninth Federal Reserve District. They produce a great deal of wheat. I learned a long time ago that the welfare of a large city like Minneapolis, which is my home city, is dependent upon hundreds of small communities and thousands of small firms which may be within a 300-, 400- or 500-mile trade territory. No place lives by itself. There is no State or city that can get along living by itself. We are interdependent politically and economically. Therefore, when I speak of wheat legislation I no longer speak of a State which is a large wheat producer. Minnesota produces very little wheat. Our production essentially is in soybeans, dairy products, feed grains, cattle, poultry and eggs. Wheat is one of our minor commodities.

Nevertheless, every business in the State of Minnesota, in fact, in the Nation, is affected by the price of wheat. When I hear economists talk about how important the tax bill is—and I voted for and actively supported the tax bill—I would remind them that the tax relief bill will be worth very little or nothing to the people who have little or no net income. The tax comes only to those who have a net income.

Therefore we have a situation in which a vast segment of our agricultural economy might suffer a drop in income to a point where no amount of tax relief can provide any beneficial assistance.

Mr. President, the effects of a slash in income of wheat farmers would be felt across the country. The paralyzing results would not be confined to the farm. Every rural community would be hurt and many would be hurt severely. Communities which rely primarily on wheat farmers for their income would be strangely and unhappily quiet.

Mr. President, there are fewer than 15 million people living on our farms—only about 8 percent of the country's population. The population of the State of California exceeds our total national farm population.

But farmers create millions of jobs for fellow Americans. Ten million people, for instance, have jobs storing, transporting, processing, and merchandising the products of agriculture. Six million have jobs providing the supplies farmers use. Thousands in rural communities across the land make their living providing services required by farmers.

The investment in agriculture exceeds $200 billion. That figure is comparable to about three-fourths of the value of current assets for all corporations in the country. It represents three-fifths of the value of all corporation stocks on the New York Stock Exchange.

Mr. President, if that stock market has a little drop, everyone gets the economic jitters. They are affected with economic palsy.

The minute farm income drops, someone says, "It means cheaper food in the grocery stores."

It is just as important to be concerned about the price of a farm product as it is to be concerned about the price of a corporate stock.

The investment in agriculture represents $21,300 for each farmworker as compared with a manufacturing investment of $16,000 for each worker.

In 1961, when our farmers had a gross income of nearly $40 billion, they spent over $27 billion to operate their businesses. Farmers spend over $2 billion a year for trucks, tractors, machines, and other equipment.

Farming uses more petroleum than any other single industry. More than $3 billion is spent by farmers each year for fuel, lubricants, and equipment maintenance.

We could provide Los Angeles, San Francisco, Seattle, Portland, San Diego and Chicago with electricity for a year and the kilowatt consumption would be about the same as the total needed to keep our farms going.

I mention these things, Mr. President, to show how important farm income is to our entire economy. We have a responsibility to rural America just as a matter of simple justice. But I wanted to show that a sound case for passing farm programs can be made on an economic basis alone.

Earlier I mentioned the Wall Street Journal article on the front page of the February 27 issue, which reported the following:

In Archbold, Ohio, an auctioneer told of a 10-percent decline in used farm equipment prices over the past year.

In Storm Lake, Iowa, a department store manager complained of a 15-percent drop in February business compared with a year earlier.

An International Harvester dealer in Dodge City, Kans., reported a 30-percent drop in truck sales so far this year from the like 1963 period.

The parts manager of a Pierre, S. Dak., implement company told of sales of used tractors off 50 percent so far this year.

Mr. President, earlier this year the Congress passed a tax reduction bill. But the effect of this bill will be vitiated and, for all practical purposes, will be dissipated if there is a substantial drop in agricultural income. We cannot, on the one hand, pump money back into the economy by a tax reduction and, on the other hand, lose the same money through a drop in agricultural income, and have anything but trouble in the American economy.

So I support this bill, Mr. President, and I urge its speedy approval. Both the wheat and cotton proposals are compromises of several bills introduced in this Congress. I introduced a wheat bill late last year and I joined the Senator from Georgia [Mr. TALMADGE] in his cotton bill. Both would support farm income by providing direct payments to producers.

This is the way in which it ought to be done. We ought to get down to direct payments. This is the best way of serving the needs of the consumers on the one hand, and those of the producers on the other, and have an accurate accounting of the costs.

I think the direct payment method is the best way to support farm prices for most crops. I think the day will come when this is done on a wider scale. But to get to the bill under consideration.

The new wheat program is voluntary. It is the so-called certificate program. If it is passed it is estimated that the income of wheat farmers will be around $2.2 billion this year. This is not as much as I would like to see, but it is a step in the right direction.

The problem with cotton is a complicated one. We not only must relieve domestic mills of unfair competition resulting from the export subsidy necessary to move our cotton into world markets, but we must also attack the problem of overproduction of cotton and must price cotton more competitively. And we must do all this without placing an intolerable burden on the backs of the cotton producer.

The new program is designed to reduce Government expenditures and at the same time eliminate the inequity of the present two-price system for cotton. By making cotton available to our own mills at the world price, we will put them in a better competitive position and cotton will better compete with manmade synthetic fibers. The cotton program not only will put a halt to the rising inventory of cotton in Government hands, but will make possible a reduction of these

inventories. This, in turn, will mean a reduction in the cost of operating the cotton program and a big savings for the taxpayer.

The grower will get the benefit of a better income from his cotton as well as the chance to earn payments for cutting back on unneeded production.

Mr. President, this is much more than a farm program. It is in effect an investment in the prosperity of our whole Nation. We cannot hope to maintain an affluent society if two of our largest groups of farmers are oppressed by poverty brought on by programs which do not work under present-day conditions. If we sit by and let our wheat and cotton farmers suffer from an unnecessary economic pinch, we can all expect to join them in the economic squeeze before too long.

Recent studies by reputable economists indicate that without workable price support programs, net farm income would rapidly drop 40 to 50 percent. Some farmers would be hurt even worse. We cannot tolerate even the threat of such a horrible development. We must, as a minimum, update our wheat and cotton programs. There is no time for delay.

Mr. President, I ask unanimous consent that the article published in the Wall Street Journal of February 27, 1964, to which I referred, be printed at this point in the RECORD.

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

RURAL SLOWDOWN: FARMERS BEGIN TO CUT SPENDING AS THEY FACE BIG DROP IN 1964 INCOME—$700 MILLION EARNINGS DECLINE SEEN AS FARM PRICES SAG—TRACTOR, STORE SALES SLIP—AN ELECTION YEAR HEADACHE?

(By Michael G. Gartner)

While their city cousins confidently look ahead to another year of prosperity, the Nation's farmers are worrying about a recession. They already are cutting back hard on their spending in a trend which could become the Johnson administration's first major economic headache.

From Archbold, Ohio, where an auctioneer talks of a 10-percent decline in used farm equipment prices over the past year, to Storm Lake, Iowa, where a department store manager complains of a 15-percent drop in February business compared with a year earlier, rural businessmen offer a gloomy picture of prospects on the farm. "These people are just hanging onto their purses," says P. A. Ekstrom, sales manager for Brady Implement Co., an International Harvester dealer in Dodge City, Kans., as he reports a 30-percent drop in truck sales so far this year from the like 1963 period.

The farm pessimism seems well founded. According to recent Agriculture Department estimates, farmers' net income this year is expected to fall sharply to $11.6 billion from $12.3 billion in 1963. The drop, which would be the second in a row, would push farm earnings to the lowest level in 5 years.

FROM CATTLE TO ORANGES

Hardly a sector of the farming community seems likely to escape an economic downturn—indeed, some already are beginning to feel the pinch. In the Midwest, prices of cattle and hogs—the backbone of the farm economy there—are hovering near the lowest levels in several years. In the Southeast, a bumper tobacco crop last year has carried stocks well above levels in recent years and a 10-percent reduction in acreage allotments is scheduled for this year. In the citrus areas of Florida, California, and Texas, this year's orange crop is expected to be down 6 percent from last year's freeze-damaged harvest and 20 percent below the 5-year average; the grapefruit story is much the same.

But by far the biggest blow to the farm economy will be felt by wheatgrowers. In a delayed reaction to last year's farmer rejection of acreage controls and high price supports, wheat prices are declining. Prices on new-crop wheat for delivery after July now average about $1.65 a bushel, down more than 30 cents from last year. What's more, Agriculture Secretary Freeman has predicted wheat may fall as low as the support price of $1.25 before the year is out. Altogether, net income of the Nation's wheatgrowers is expected to slide to about $1.7 billion this year, down 25 percent from $2.3 billion in 1963.

While farm prices are on the decline, production costs are on the increase. This year production costs are expected to climb to $29.3 billion, up from $28.7 billion last year.

WHEAT LEGISLATION PUSHED

Such statistics haven't escaped the watchful eyes of Washington. With elections looming in November, the administration is busy trying to push through Congress a bill which would give wheatgrowers some relief from the oncoming slump. With a prod from the White House, Senate Democratic leaders have given top priority to efforts to bring the bill to a vote in hope of gaining its passage before the Senate becomes ensnarled in the impending fight over civil rights.

In brief, the administration bill would permit Secretary Freeman to boost the price support to between $1.65 and $2.25 a bushel on domestically consumed wheat and to between $1.30 and $2.25 on wheat for export. It's expected that Mr. Freeman would set supports high enough to restore at least $400 million of this year's expected $600 million drop in wheat farm income.

But the bill's chance of congressional passage remains slim. Even if it passes the Senate, heavy opposition in the House is expected.

So most farmers hold little hope of any big, new Federal help this year and are bracing for a rough time. Their fears are being translated mostly into a slowdown in capital expenditures—spending on such things as tractors, plows, and buildings. "Sales of used tractors are off 50 percent so far this year," laments Donald Irion, parts manager of Oahe Implement Co. in the wheat town of Pierre, S. Dak.

A WIDESPREAD DECLINE

Such reports are by no means isolated. Of nearly twoscore used farm equipment dealers interviewed, about half said sales so far this year were trailing 1963 and they could see nothing ahead to reverse the downtrend.

The capital spending cutback comes partly at the urging of some farm leaders. Garrett Sikkema, president of the Illinois Livestock Feeders Association, this week warned feeders to "tighten their belts" and take a hard look at the present and prospective financial situation of their industry before making any new capital expenditures. "The financial stability of the feeding industry is threatened at this time and it is a known fact that added competition of imports * * * is continuing to contribute to this grave situation," he declared.

Though most spending cutbacks are voluntary, some farmers are facing little choice because of tightening bank credit.

Roby L. Sloan, economist for the Federal Reserve Bank of Chicago, says "many banks have imposed additional limitations on some types of loans, apparently reflecting greater caution on feeder cattle loans following poor experiences in the 1962–63 feeding year."

Economist Sloan notes, too, that banks are boosting collateral requirement and interest rates on some loans to farmers. He says 10 percent of the agricultural banks in the Seventh Federal Reserve District (Iowa and parts of Illinois, Wisconsin, Michigan, and Indiana) now are charging higher rates on non-real estate loans than they did a year ago and that more than a third of the Iowa banks surveyed reported they were requiring additional collateral.

Mr. HUMPHREY. Mr. President, it is my intention during this debate to offer an amendment to add a new title to the bill for the purpose of establishing a bipartisan commission to examine the entire agricultural policy of the United States. President Johnson said in his January 31 message on agriculture that "food and fiber policies must reflect opportunities as well as the problems that accompany abundance." He further stated:

> The need to consider our agricultural policies in this light has recently been reflected in joint resolutions introduced in both Houses of Congress which will establish a bipartisan commission to study the food and fiber programs of the United States.

One of those joint resolutions was one which I introduced in the Senate several weeks ago.

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

Mr. HUMPHREY. I yield.

Mr. AIKEN. Does the Senator from Minnesota think the bill before the Senate would be an ideal vehicle for a so-called food stamp amendment? Apparently it has become stymied somewhere in the legislative processes. I know the Senator from Minnesota thinks that program is very much worthwhile; he and I have been promoting it for the past 20 years. I wonder if this bill would be an ideal vehicle to which to attach it, since the bill seems to be headed for omnibus consideration anyway.

Mr. HUMPHREY. The issue the Senator from Vermont has raised is one which relates to the entire text of the bill.

Mr. AIKEN. It affects the poorer people in other sections, too.

Mr. HUMPHREY. I know there are those who feel that the bill should be limited entirely to the two sections it now contains, the wheat and cotton sections. The amendments I shall offer with the exception of the one I am about to discuss briefly, relate to the two sections.

I strongly support the food stamp program. The Senator from Vermont has been one of the chief advocates of it. I am hopeful the food stamp program will be renewed and expanded.

The House of Representatives, through its Committee on Agriculture, rejected that proposal not long ago. I have been told there is a strong possibility that the House will review that unhappy and unfortunate decision. I hope it will. If an amendment to provide for the food stamp program were to be offered in the Senate, I should like to consider it in the light of what I think the House plans to do. I cannot say I

would vote against it. I would prefer to have an opportunity to think about it.

Mr. AIKEN. With the House as a whole being very consumer-minded and sympathetic to people who are not affluent in worldly goods, it seems to me this might be the only opportunity we would have to continue that program and expand it. It seems to me if we could attach it to this bill and send it directly to the House, the House would accept it.

Mr. HUMPHREY. The Senator may have a good point. We are going to be working on this bill for a day or two. I gather it might be passed this week.

Mr. AIKEN. I understand that consideration will probably be concluded Thursday.

Mr. HUMPHREY. I hope we may be able to pass it at least by Thursday. I would like very much to visit with the Senator from Vermont [Mr. AIKEN] about his proposal. I can think of no piece of legislation that would mean more to the needy people in America than the food stamp plan.

Mr. AIKEN. There are too many people, some of whom we know very well, who forget that perhaps 15 or 20 percent of the people of this country do not know where their next decent meal is coming from. I think the time has come for us to think of them.

Mr. HUMPHREY. I could not agree with the Senator more completely. I shall get in touch with him promptly, and shall discuss with him the possibility of his proposal.

Mr. AIKEN. I should be glad to join the Senator from Minnesota in proposing an amendment to that end.

Mr. MILLER. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield.

Mr. MILLER. The Senator spoke about a possible adverse market situation with respect to wheat if action is not taken by Congress on the proposed legislation. Without, perhaps, having the benefit of such detailed information as the Senator from Minnesota has, I have relied upon the information the distinguished Senator from Vermont [Mr. AIKEN] gave to the Senate the other day, which was that last spring, at the time of the wheat referendum, the Secretary of Agriculture estimated that the production of wheat would be about 70 million acres if the wheat referendum were not approved by the farmers. It was said that if only 70 million acres of wheat were planted, there would be a severe decline in the wheat market.

The other day the Senator from Vermont said that those estimates were substantially in error, and that the best estimates of the Department now are that the production will be approximately 53 million acres. If that is so, there are many of us who wonder whether there will be such a drop in the wheat market. The Senator from Vermont said that the Nation might even find itself in a position where the production this year would be less than the requirements for consumption.

I should like to ascertain from the Senator from Minnesota how he reconciles what he has said about the outlook for a depressed wheat market with what I have just said.

Mr. HUMPHREY. Immediately after the wheat referendum, in which the wheat farmers of the country spoke decidedly, I was one of those who said that was the time for the Government to reconsider its program, to take whatever administrative actions were necessary to insure free market operations, and to watch the practices of the Commodity Credit Corporation, in order not to let them act as a price depressant.

The Department of Agriculture made predictions of vast acreage—acreage which was not planted. The Senator is correct. But I did not make those predictions.

Mr. MILLER. The Senator from Iowa did not wish to infer that the Senator from Minnesota had made false predictions. I believe he will recall that I said the other day that I recognize that he was not one who, when the wheat referendum showed that the farmers had rejected the program, was ready to go into his den and sulk, as some others did. The Senator from Minnesota was active in trying to promote a workable program. I want that to be made clear.

Mr. HUMPHREY. I appreciate the Senator's making that clear.

If the market conditions are as good as I hope they will be, and as the Senator from Iowa feels they will be, the cost of this program, or even the effect of the program we now have before us, will be much less than if market conditions were adverse—that is, if there were to be a very large planting and a large crop. I look upon this measure as a safety valve or protective device in case market conditions do become adverse, in terms of the price, due to the supply or to the world market conditions.

There is considerable evidence that the market will be rather firm. I have listened with keen interest and, I believe, with tolerance and understanding to such comments; and there is considerable evidence to support the statements which have been made by the Senator from Vermont, the Senator from Iowa, and others. If there were to be a large crop in Western Europe, for example—rather than a crop failure—and if we were to have a reasonably good crop in the United States, there could be a rather considerable production of wheat, which, in turn, could—without any new legislation—adversely affect the market price. I do not want to find, about July, August, or September, that the wheat market is "on the skids" and that there is no effective remedy. I prefer to have Congress enact some legislation, voluntary in nature, in order to provide some possibility of price protection under any kind of market conditions. That is why I support this bill.

Mr. MILLER. If that did happen—and I recognize that I am being rather "iffy" in these assumptions——

Mr. HUMPHREY. But others have been much more so.

Mr. MILLER. At any rate, neither the Senator from Minnesota nor I are being "iffy" when we point out that the estimate of 70 million bushels missed the mark by about a country mile, and that the more accurate figure is approximately 53 million bushels.

Mr. HUMPHREY. That is correct.

Mr. MILLER. On the other hand, if this bill is not enacted, will there be no protective device whatever in the law?

Mr. HUMPHREY. There is the national emergency provision which can be used if the existing conditions suffice to make that provision operative. However, I must take counsel of many persons—many of them in the Government and many of them outside the Government—who feel that it would be rather dangerous for us to wait to see whether those provisions of the 1962 act could be placed into effect.

Certain administrative steps can be taken—and I have indicated that I believe they should be taken. Steps also can be taken to bolster the market price. Before this bill came before the Senate, I spoke several times on that point, because I want to be very sure that we take all possible, reasonable, and legal actions, in order to provide a fair income for the wheat producers, rather than require them to rely upon some "lucky" set of circumstances in connection with market conditions.

Mr. AIKEN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. AIKEN. I wish the Senator from Minnesota would tell us why we should be so considerate of the shirt wearers of the country, but not be considerate of the bread eaters.

Section 348 of the bill provides, in part:

> In order to maintain and expand domestic consumption of upland cotton produced in the United States and to prevent discrimination against the domestic users of such cotton.

The bill provides for a subsidy for cotton mills. Why do not we do the same thing for the flour mills, and thus permit them to buy wheat at the same price as that at which it is sold to other countries, and thus get away from the continual charge of promoting a bread tax? Does not the Senator from Minnesota think a bread eater should have as much protection as a shirt wearer?

Mr. HUMPHREY. Certainly.

Mr. AIKEN. After all, there is no greater necessity than food.

Mr. HUMPHREY. That is why I said the best proposal advanced in connection with the wheat program is the Humphrey-McCarthy-Burdick bill, which provides for direct payments to the producers. The whole system of direct payments, such as those called for by the Talmadge-Humphrey bill on cotton, is better. However, I have been unable to convince my colleagues of this.

Mr. AIKEN. But the Department did not recommend that course.

Mr. HUMPHREY. That is true.

Mr. AIKEN. The Department recommends a bill for the relief of the manufacturers, instead.

However, wherever the word "cotton" is used in the bill, I think the word "wheat" should also be used, because I am getting rather sick of hearing the charge that the Department is advocating a bread tax.

Mr. HUMPHREY. But under the provisions of the bill, the price of bread will not rise; let us stop kidding ourselves about that.

Mr. AIKEN. But does the distinguished Senator from Minnesota think the price of a shirt will go down, under the provisions of the bill?

Mr. HUMPHREY. I hope so, but I doubt it. But neither do I oppose the interest of the stockholders, for I think many of the shirt manufacturers will be able to provide decent jobs, if the bill is enacted into law.

Mr. AIKEN. I agree that if the mills receive this benefit, they will have to share it with the workers, whose pay in many instances has been rather low.

Mr. HUMPHREY. And thus provide more and better jobs.

Mr. AIKEN. Ever since I was knee-high, the textile industry has been rather notorious for the low wages it pays. So I certainly hope Congress takes steps to improve that situation, before the already low wages in that industry become so low that they reach the level of pay in the South Pacific; where they would go from there, no one knows.

Mr. HUMPHREY. The Senator from Vermont tells a sad story; the wages in this industry have been low indeed.

But, Mr. President, be that as it may, the present situation in the cotton textile industry is intolerably bad, and the pending bill is better than no bill. One of these days we shall reach a point where the free market is operating and where cotton is produced and can be purchased on the market at competitive world prices. This could be done by providing a production payment in the amount of the difference between a fair return to our producers and the market price. That is the way we should proceed; and the manufacturers agree, and a substantial number of the producers agree. But Congress has been reluctant to do this. I favor it because it will be better for the producers, for the manufacturers, and for the consumers.

On the other hand, hundreds of persons—producers, workers, textile mill operators, and consumers—who have come to my office, constantly have told me, "But you cannot pass this bill." The same statement was made by many Members of the other body. Two or three distinguished Members of the other body said, "The Talmadge-Humphrey bill, providing for direct payments, is great, and it should be passed, but it cannot be passed in the House." And on this side we hear certain Senators say of that bill, "It is great, but it cannot be passed in the Senate."

Mr. President, the bill before us is for the purpose of reducing the supplies of cotton, achieving a better balance for cotton, and providing the world price for our mills, so they will not be subjected to unfair competition by foreign textile manufacturers, and at the same time providing a reasonable price to the producers. The bill has merit. It has some weaknesses. But I have not yet found a bill which did not contain weaknesses.

The only question is, which of the many proposals thus far advanced would be the best? Anyone who claims that any one of these proposals would be a cure-all is deceiving himself and is attempting to deceive the Senate and the public.

I shall not attempt to deceive anyone. I do not find any one of these proposals ironclad or airtight or sure-cure workable. But they are better than doing nothing.

Mr. MILLER. Mr. President, will the Senator from Minnesota yield further to me?

Mr. HUMPHREY. I yield.

Mr. MILLER. I should like to ask the Senator a few more questions, in order to continue our colloquy—first, in regard to the wheat section; and then in regard to the cotton section.

One thing that causes the Senator from Iowa to look with considerable suspicion, and not a little prejudice, toward the wheat section is the following statement in the committee report:

> The two certificates provided in the bill will not only serve to hold budgetary costs in line but permit levels of price support for wheat in relation to its uses. With noncertificated wheat priced at close to its feeding value in relation to corn, substitution of wheat for feed grains would be feasible.

The Senator certainly knows, because there are feed grain producers in his State.

Mr. HUMPHREY. A substantial number.

Mr. MILLER. There are some livestock growers in his State. One of the great livestock markets is in St. Paul. He knows that if wheat competes with the regular feed grains, the feed grain price is bound to drop. He knows that when there are low feed grain prices, there are low livestock prices. He also knows that the prices on livestock today are horrible. A sort of time bomb exists in the wheat section of the bill.

The Senator from South Dakota and I, in a colloquy the other day, discussed the point. I recognize that if we wish to take a pessimistic view of things—if we wish to forecast wheat prices on the basis of a 70 million acre planting of wheat—we may find that we shall have a great deal of cheap wheat.

But in view of the fact that the Senator from Minnesota recognizes that the 70 million acre forecast is radically wrong, and that it will probably be 53 million acres, the Secretary of Agriculture has administrative discretion to take some action. It seems to me it would be rather unfortunate to hold out to our livestock producers and our feed grain producers the possibility of having that type of provision in the bill.

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

Mr. HUMPHREY. I yield to the Senator from South Dakota. We had quite a colloquy on the subject the other day. It is very important that the problem be discussed fully. I do not know whether we shall clarify the situation, but at least we can discuss it.

Mr. McGOVERN. No one is more concerned than I am about the relationship of wheat and feed grain prices to the livestock industry. I have always thought that feed was the basic ingredient in determining the price of livestock. I do not think there is any question about it. We have had a great deal of discussion about the influence of foreign imports on our livestock markets. I believe the basic ingredient in determining the price of livestock and hogs is the price of feed grains.

Mr. MILLER. The Senator from South Dakota and the Senator from Iowa share that observation 100 percent. But apparently we part company when it comes to forecasting what the price of wheat will be next fall.

Mr. McGOVERN. I understand; but I think the point that the Senator is concerned about is that some of the wheat under the bill now before the Senate will move into the market at its feed grain equivalent price.

Mr. MILLER. The committee report states:

> With noncertificated wheat priced at close to its feeding value in relation to corn, substitution of wheat for feed grains would be feasible.

Mr. McGOVERN. The Senator is correct. If we do not pass the proposed legislation, no Senator can predict exactly what the price of wheat will be. But it seems to me commonsense that when we have a price-support level which is set by law at 50 percent of parity, which is $1.26 a bushel—that is the figure the Secretary is bound by law to use on the 1964 crop—and that if that is the only support which is put on the entire wheat crop, the problem that the Senator from Iowa is worried about will be aggravated 10 times over. Then everything would move into the market with nothing to support it other than the compliance wheat support price of $1.26 a bushel.

Mr. MILLER. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. HUMPHREY. I yield.

Mr. MILLER. Is the Senator suggesting that if the Secretary should take the administrative discretion that the Senator himself referred to, and that if the plantings amount to 53 million acres, which is the best evidence now, the ceiling on the price of wheat will be $1.24, merely because that is the maximum support price the Secretary can use?

Mr. McGOVERN. In the absence of legislation, if the Secretary used all the authority at his discretion, and if we could move our exports according to the most optimistic estimates, and if weather conditions should follow the traditional pattern, it might be that wheat would move to $1.40 or $1.45 a bushel. But that is still considerably below the support level that we are suggesting in the bill. The bill would hold wheat at $2 a bushel for about half the crop and would support our exports around $1.55 or $1.60 or higher. It would leave only a comparatively small percentage of the wheat moving into the market at the noncertificate value.

Mr. MILLER. The Senator referred to a small amount. I wonder if he has any estimate of how much the noncertificated wheat would amount to.

Mr. McGOVERN. I judge it would amount to about 200 million bushels—somewhere around 15 or 20 percent of the total crop.

Mr. MILLER. I am sure the Senator recognizes that 200 million bushels of cheap wheat in competition with regular feed grains would depress the feed grains market.

Mr. McGOVERN. I believe this is the way to draw the comparison: Under the bill now pending before the Senate, we would probably have about 200 million bushels of noncertificated wheat, which is the low-priced wheat which the Senator is concerned about.

If we do not pass the bill, we shall have probably 1.2 billion or more bushels of noncertificated wheat all pressing on the feed market. It is quite possible that because of the various conditions to which the Senator has referred, the price would level out at somewhere above the price support of $1.26. It might go as high as $1.40. It might go to $1.45. But I remind the Senator that this is still 60 or 65 cents below the level that we are trying to achieve in the proposed legislation before the Senate.

There are provisions in the bill about which I am not overly enthusiastic. But there is one thing of which I am absolutely sure. If we do not pass the proposed legislation, we shall administer another serious blow, not only to the wheat farmers, but also to the livestock and cattle producers of the country, by causing the whole wheat crop to overhang feed markets.

Mr. MILLER. I am sure that the Senator from South Dakota is sincere in his purpose. The Senator from Iowa is not trying to impugn his motives at all. We all recognize that there can be quite a cleavage in judgment on the question. I am sure the Senator from South Dakota recognizes that 200 million bushels of cheap wheat competing against our feed grains would have a depressing effect on our feed grains market. Would it not?

Mr. McGOVERN. It would have about one-sixth as much of a depressing effect as if all the wheat were moving in the market at that price.

Mr. MILLER. Perhaps one-tenth. But the question is, Would 200 million bushels of cheap wheat not be responsible for a depressing effect on our regular feed grains market? I think that is the question. If the Senator does not desire to answer it——

Mr. HUMPHREY. First, much of the noncertificated wheat will be raised in feed grain deficit areas. Most of the certificated wheat that would be included under these two types of certificates would come from areas in which there is traditional wheat production and in which there is an abundance of feed grains.

Why should a farmer raise noncertificated wheat, when there are plenty of feed grains in the area, if he can get a better price for certificated wheat? The economics of the proposal answers all the worries that arise. That is the wonderful thing about price. Price takes care of some of the biggest troubles we have. If a farmer receives $2 a bushel for wheat, how foolish would he have to be to produce wheat for $1.30? Why do that for feed grains when he can produce corn under the feed grain program under which he can get good production and a good price? The areas that would produce the noncertificated wheat would be the areas of the country in which there are feed grains deficits.

Mr. MILLER. Is there anything in the bill to assure us of that?

Mr. HUMPHREY. No; there is only the commonsense of the farmer, and that cannot be put in the bill.

Mr. MILLER. This bill is not going to be based on the decision as to whether we agree or disagree with the commonsense of the farmer.

Mr. HUMPHREY. He is a pretty shrewd fellow.

Mr. MILLER. He is shrewd enough to recognize the time bomb in the bill; and I am receiving letters from some of them who are shrewd enough to know what is going to happen to feed grains if this provision goes into effect. They know that if there are 200 million bushels of cheap wheat, it will have a depressing effect on the feed grain market.

Is there not some way to restrict production of noncertificated wheat to certain areas, so we will be sure there will not be competition with feed wheat, or is there a way of doing so with noncertificated wheat? I call attention to this point in the committee report——

Mr. HUMPHREY. I have read it twice.

Mr. MILLER. I shall read it for the third time, because it does not say anything about uncertificated wheat being grown in normal feed grain areas. It reads this way:

> With noncertificated wheat priced at close to its feeding value in relation to corn, substitution of wheat for feed grains would be feasible.

It does not say it will be feasible in areas where there are no feed grains; it says it is going to be feasible. That to me is a clear warning. I give the committee credit for being fair about it, and putting it down in black and white, if Senators will take the time to read it.

Mr. HUMPHREY. There are two troubles with the Senator from Iowa's reasoning. The first trouble is that he makes an argument to make the bill a compulsory bill. We already have rejected that. We are not going to tell farmers in certain areas they can or cannot produce wheat that will sell at certain prices, and say that a certain amount is noncertificated. To do this it would be necessary to have basic, mandatory, controls.

The Senator from Iowa would abhor that. We would hear his voice ringing through the Chamber that this is socialism, collectivism. We do not want that happening.

The second point is that the Senator from Iowa says that if he has a choice between a headache and a heart attack, he is going to take the heart attack. We all admit that a little noncertificated wheat will be produced. Everybody knows that in certain instances, that can have some effect on feed grain prices. But almost everybody also knows that most of the noncertificated wheat will be produced in areas of feed grain deficit.

The Senator from Iowa does not want to face an alternative. He likes to deal with theory. He does not like to admit what is going to happen if there are 1.2 billion bushels of wheat noncertificated. Then his corn prices would really ache. Believe me, those "corns" would ache.

The Senator from South Dakota says there might be as much as 200 million bushels of noncertificated wheat. The Senator from Iowa says, "But think of what this is going to do to feed grains."

Let me tell the Senator that if 200 million bushels of noncertificated wheat priced at the feed equivalent value of corn are going to mean a real economic stomach ache, there is going to be a real disaster if the 1.2 billion bushels of wheat are noncertificated. It would be a disaster.

So I suggest to the Senator from Iowa that he content himself with "Dr. McGovern's" formula. He does not say, "Here is a sure cure," but he promises to relieve the Senator of his misery.

Mr. MILLER. I am sure the Senator from Minnesota will not mind if I point out to him that I was not suggesting any compulsory controls; I was merely suggesting that under this voluntary—and I use the word "voluntary" most advisedly—program which has been dreamed up, we should add a little more voluntariness by saying we want the farmers to volunteer to have a program under which they will not raise noncertificated wheat in a certain area. It is still voluntary. I am not suggesting any controls. Of course, those who volunteer to do this will be under some compulsion.

Mr. HUMPHREY. The Senator puts the word "volunteer" in quotes.

Mr. MILLER. In double quotes. I suggest that if a farmer is to volunteer to go into the program, he should volunteer a little further, and not grow noncertificated wheat in a feed grain area.

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

Mr. HUMPHREY. I yield, but I am sorely tempted to "finish off" the Senator on this.

Mr. McGOVERN. Go ahead.

Mr. HUMPHREY. No; I yield.

Mr. McGOVERN. I wonder if the Senator from Iowa would want to offer an amendment that would put all the wheat under a certificate plan?

Mr. MILLER. The Senator from Iowa would like to word it this way: He does not want the noncertificated wheat to be coming in to compete with feed grains. The committee report says it is going to do that. I think we have reached a mighty poor state in our agricultural programs when this is the best we can propose.

Mr. McGOVERN. The Senator from Iowa must be implying that he wants all the wheat to be competing with feed grains.

Mr. MILLER. No; the Senator from Iowa does not say that at all. If one wants to be a pessimist and say that all the "ifs" that the Senator from Minnesota says might happen, are going to happen, I point out that the Senator from Vermont [Mr. AIKEN], who is a most distinguished member of the Agri-

culture Committee, and who has been around the Congress for longer than the Senator from Iowa and the Senator from South Dakota have, pointed out—and he did not use his own figures; he used the Department of Agriculture figures the other day—that we are not going to have a depressed wheat market, certainly not along the lines suggested by the Senator from South Dakota and the Senator from Minnesota.

Mr. HUMPHREY. If that is the case, the noncertificated wheat will be higher in price than the feed equivalent of feed grains. The wheat will be at a higher price. If there is a short supply, the noncertificated wheat price will be above the world market price.

The Senator cannot have it both ways. If the Senator wants to put all grains under controls, let us do it and have it known as the "Iowa compulsion plan." Everyone would have a certificate for everything he grew or no controls could be put on grains. That would be known as the "Iowa emancipation plan." It would mean that every farmer could produce all he wished at the price of the feed grain equivalent. Or there could be a program which would encourage farmers to move into voluntary production controls. There would be some feed grains left over and some wheat left over, not covered by certificates. But that would be primarily in the feed grain deficit areas, because in other areas they would plant more desirable crops. For example soybeans might be produced, at a much higher income.

So the Senator from Iowa is perhaps too worried about a little line in the report. I am almost about to ask unanimous consent to delete that line from the committee report, if it will result in putting the Senator in a state of mental tranquility.

Mr. MILLER. The Senator knows there would be a "small" objection to removing this line from the committee report.

May I ask the Senator from Minnesota another question?

Mr. HUMPHREY. Please.

Mr. MILLER. The Senator from Minnesota and the Senator from South Dakota are wholeheartedly in support of the bill.

Mr. HUMPHREY. I am in support of the bill.

Mr. MILLER. Halfheartedly?

Mr. HUMPHREY. No; I am in support of the bill. I am wholeheartedly in support of my own bill, but that did not gain approval.

Mr. MILLER. Mr. President, there is another part of the bill which I believe merits attention, and I should like to ask the Senator from Minnesota or the Senator from South Dakota, or both, about this, because none of us up in that part of the country grows cotton, but we do grow feed grains, soy beans, and livestock, so naturally we are interested in that part of the cotton bill.

On page 15 of the committee report, there is a table which shows that under present law some 14,900,000 acres would be planted in cotton under present law, but if we pass this bill there would be only 12,600,000 acres planted, which means that 2,300,000 acres would be taken out of cotton planting, for which the producer would be paid.

Then on the next page, page 16 of the committee report, it says, in addition to other benefits the producer would get, such as support payments and the like, that:

> In addition, producers choosing the domestic allotment would have the opportunity to earn income from alternative uses of the acreage that would otherwise be devoted to the production of cotton.

Mr. HUMPHREY. Yes.

Mr. MILLER. It seems to me there would be danger there. Perhaps we should pay the farmer more for taking acreage out of production, as we did in the emergency feed grain program; but in the emergency feed grain program we do not permit them to plant cotton because they cannot grow cotton. Now we would permit the cotton producer to grow soybeans and feed grains, and in addition would be paying him.

Mr. HUMPHREY. Let me yield to the distinguished Senator from Mississippi [Mr. EASTLAND] who is quite familiar with that section of the bill. He will be glad to answer the Senator's question.

Mr. EASTLAND. I agree with the Senator about corn. In many areas of the South, corn is not a problem. There is a need for soybeans, and soybeans would be planted largely on this acreage. The Department of Agriculture states that we need 3 million additional acres of soybeans. Soybeans at present are directly competitive with cottonseed—seed cotton. Two-thirds are in vegetable oils and fats which are directly competitive with soybean products. If it does not go into cotton, we have cut down on two-thirds of the cotton that the producer would be making into food, vegetable oils, and fats.

Mr. HUMPHREY. That is a good point to mention.

Mr. MILLER. May I ask the Senator from Mississippi this question. Then why have we not permitted the growing of soybeans? Why should we pay for taking acres out of production?

Mr. EASTLAND. We would be reducing the cotton stocks and thereby reducing the cost of the cotton to the Treasury.

Mr. HUMPHREY. By a substantial amount.

Mr. EASTLAND. The Senator from Minnesota is correct.

Mr. MILLER. Yes, but my point is this: If we reduce costs to the Treasury, that is commendable, but why should we permit a farmer to take cotton out of production and turn right around and plant soybeans?

Mr. EASTLAND. He would be turning right around and growing the same thing that would be grown there if it were in cotton.

Mr. MILLER. All right. Then why do we pay him for taking acreage out of production?

Mr. EASTLAND. Because we are reducing the surplus of cotton—the lint.

Mr. HUMPHREY. The existing program is more costly than the one being contemplated, as the Senator from Mississippi has wisely and most fortunately pointed out, because it has not been stressed too much in this discussion that competition from cottonseed oil and cottonseed meal which would result from continuation of a high level of cotton production would more than offset anything that was paid out under this program.

Mr. MILLER. I thank the Senator from Mississippi. He has given us valuable and helpful information; but if it is profitable for a man to take cotton out of production and grow soybeans, why must we pay him to change the crop?

Mr. EASTLAND. There is a tremendous surplus of cotton. This is one way of reducing the stocks. It costs $90 million a year to pay the storage fees. This is one small item. We are saving the Treasury money, and we are giving support to the industry on a sound basis, to enable it, in future years, to stand on its own feet without a subsidy.

Mr. MILLER. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. MILLER. Why does not the cotton farmer take some of his cotton out of production and put it into soybeans without any loss or prodding from the Federal Government?

Mr. EASTLAND. Why does he not do that?

Mr. MILLER. Yes.

Mr. EASTLAND. Because he is planting cotton there.

Mr. HUMPHREY. Because under the existing price support——

Mr. MILLER. Would he not make more money growing soybeans?

Mr. EASTLAND. The Secretary of Agriculture stated that we need 3 million additional acres of soybeans.

Mr. HUMPHREY. I believe what the Senator from Iowa is indicating is that if soybeans are good as a crop as I believe they are, as he believes they are, and as we have found them to be, why does not the cotton farmer in certain areas automatically reduce his cotton plantings and go into soybeans?

Mr. MILLER. That is what I am trying to get at.

Mr. HUMPHREY. The answer is that under the existing price support program, which will expire, the farmer finds that he can continue his traditional marketing production, using his regular machinery and the type of skilled labor he utilizes for this kind of operation, and can get a better income than if he shifted to soybean production.

Mr. EASTLAND. The factor of acreage allotments is also involved. Land values in a cotton area are based on them. If he switched to another crop, the farmer would lose that advantage. The value of his farm is so protected. I believe if we took all acreage controls off cotton, there would not be as much cotton planted, because planting is carried on, in many cases, to protect the history of cotton planting. The farm retains its value based on a history of cotton planting. I believe that is only one of the reasons, however.

Mr. MILLER. Mr. President, will the Senator from Minnesota yield further?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator

from Minnesota yield to the Senator from Iowa?

Mr. HUMPHREY. I yield.

Mr. MILLER. Apparently the record shows that soybeans will be grown on retired acres, but I notice that the committee report states that the acreage otherwise devoted to production of cotton could be used for alternative purposes.

Was any consideration given in committee as to whether the alternative use should be confined, for example, to soybeans, rather than to any other crop?

Mr. EASTLAND. I told the Senator's colleague that I would favor an amendment to provide that corn should not be planted on the land. Oats and feed grain, on which there are no crop controls, could be planted, or at least I do not see why they should not be planted.

Mr. MILLER. What about soybeans only?

Mr. HUMPHREY. There are no acreage controls on soybeans.

Mr. MILLER. I realize that. Suppose an amendment were to provide that if there were to be an alternative use, it should be soybeans, of which, the Secretary of Agriculture indicates we need more. I wonder if the Senator from Mississippi would be amenable to such an amendment.

Mr. EASTLAND. No; I stated to the Senator's colleague that I would vote for an amendment that corn should not be planted on this land because of the enormous amount of money we use to subsidize the corngrowers of this country.

Mr. MILLER. The Senator from Iowa realizes that that is what the Senator from Mississippi indicated he had told my senior colleague from Iowa. But the question is, since it appears that the soybean crop is what we are discussing——

Mr. EASTLAND. I do not know that that is all we are discussing. We are talking about pastures. We are talking about vegetables. We are talking about fruits. Of course, it depends on the area. In some areas it might go into fruits, for which there might be a demand. In some areas it might go into vegetables, for which there might be a demand. In some areas soybeans would not grow at all.

Mr. MILLER. I appreciate very much the Senator's indicating his attitude. An effort will be made to talk things over. Perhaps we can reach an agreement which will make the bill a better bill. I thank the Senator from Minnesota for yielding.

Mr. HUMPHREY. I thank the Senator from Iowa for his questioning. As he has said, this discussion with the Senator from Mississippi has been very helpful. I should like to explore the possibility the Senator from Mississippi has indicated with respect to the matter of the corn crop because of our type of corn program.

Mr. EASTLAND. So far as corn is concerned, I believe it would be perfectly safe, because none of the land would be planted in corn anyway.

Mr. HUMPHREY. So far as we know.

Mr. McGOVERN. Mr. President, the Department of Agriculture has estimated that of the 2 or 2½ million acres of cotton acreage that would be diverted, about one-fourth would probably be devoted to soybeans, about one-fourth to feed grains, and the remainder probably would be devoted to hay and pasture, or taken out of cultivation.

According to these estimates, only about one-third of 1 percent of the feed grain crop of the country would be grown on diverted acres.

AMENDMENT NO. 448

Mr. HUMPHREY. Mr. President, I send to the desk an amendment to establish a Commission on the U.S. Food and Fiber Policy, as recommended by the President of the United States in his agricultural message.

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

Mr. CURTIS. Mr. President, I rise to speak concerning the amendment which will be offered by the Senator from Nebraska [Mr. HRUSKA], for himself, and Senators AIKEN, ALLOTT, CARLSON, DOMINICK, HICKENLOOPER, HOLLAND, JORDAN of Idaho, KUCHEL, MECHEM, MILLER, MUNDT, PEARSON, SIMPSON, TOWER, and myself. It is amendment No. 434.

I ask unanimous consent that I may suggest the absence of a quorum, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the role.

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

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

Mr. CURTIS. Mr. President, the amendment to which I referred prior to suggesting the absence of a quorum would place an import quota on fresh, chilled, or frozen beef, veal, mutton, and lamb.

I shall not read the amendment in full. It is directed toward preserving the American market for the American farmer. I hope Congress will take action to curb the excessive importations of meat. We are facing a disaster so far as the price of livestock is concerned.

This impending disaster is not limited to ranchers and feeders and farmers who raise a small amount of livestock and sell it. Feed of all kinds is turned into livestock production. The excessive imports affect agricultural producers of hay and grain, and pastures, and all manner of feed grains.

I hope that the Members of the majority party will take due notice of this important situation. I hope that it does not become a political issue. If it does, I am sure the American people will hold responsible the political party which controls the Congress and the executive department.

I would rather have a solution than an issue. It would be most disastrous for our country if we were to have a depression. If we have a depression, it will probably start with agriculture. If we have an agricultural depression, one of the things that will set it in motion, as much as or more than anything else, will be disastrously low prices for livestock.

That time is here now. We face a situation of excessive imports. Yet the farmer, the rancher, and the feeder have no one in the executive branch who speaks up for them as their friend.

I call attention to the fact that only as far back as 1957 our imports of beef and veal amounted to 2.5 percent of our total production. It has gone up since that time. In 1958 it had jumped to 6.3 percent of our production. In 1959 it was 7.2 percent. In 1960 it dropped, for some reason or other, to 4.9 percent of our production. In 1961 it went up to 6.3 percent. In 1962 it went to 8.9 percent. In 1963 it was almost 11 percent.

After it was allowed to reach these unreasonably excessive and damaging levels, the administration entered into an agreement with Australia and New Zealand to freeze these injustices at an average of the imports for 1962 and 1963.

It was a tragedy that no member of the Cabinet felt a responsibility to oppose that disastrous action. The Secretary of Agriculture supported it. The Secretary of Commerce, if press reports are true, labeled those who criticized it as "whiners." I believe it is time for Congress to notice what is taking place. Immediately after the agreements with Australia and New Zealand, the Australians boasted that for the first time they had been guaranteed a future in the meat market in the United States.

Why do we try to make all our agricultural programs so complicated? Would it not be simpler to start by saying that whatever market exists in the United States, shall first be given to the American producers? I believe that is the responsibility of Congress. Section 8 of article I of the Constitution provides among other things:

> The Congress shall have power to regulate commerce with foreign nations.

Under a false plea of bringing peace to the world, Congress has delegated that power to the executive for about 30 years, and there has not been any peace since.

A good citizen of Nebraska, who is a hobbyist in shortwave radio, happened to tune in to an Australian broadcast after this administration and the Secretary of Agriculture had frozen the existing injustice on the American people. That broadcast gleefully told about the advantage that Australia had gained by its agreement with the United States. They scoffed at the idea that there was supposed to be a slight reduction from the 1963 imports by saying that that was a small price to pay for the permanent place that they had secured in the American market.

Why should we surrender the market in the United States when we have an agricultural situation of surpluses resulting from a price-support program that costs a great deal of money, and when we are wrestling with overproduction? Why, then, do we invite imports into this country?

Those who have argued for the surrender by Congress to the executive department of the power to control imports and exports have always ended by say-

ing: "We must do this to provide a peaceful world." I challenge them to prove their case. There has been no peace in the world since the silly trade agreement idea was first introduced. When the bombs dropped on Pearl Harbor on December 7, 1941, who was Japan's best customer? It was the United States. What was the first country in South America to go Communist? It was Cuba; and no country in the history of the world has ever had the trade concessions that Cuba has had from the United States.

I challenge the proponents of free trade and the trade agreements to prove their case.

They have offered it under a promise that it would bring prosperity, it would restore employment, and would provide peace. We know that today the cotton industry is in great trouble, and that one of the factors is imports. Not long ago Congress passed a program to provide grants to the States to support commercial fishing. Why? Because we would not face the problem of fish imports. Today, there is a feeling of depression. There are lower prices on every farm and every ranch and in every town or city supported by agriculture because of depressed livestock prices.

Our Government has had the audacity to take this injustice, give it permanence, and enter into an agreement with Australia and New Zealand to guarantee them a sizable portion of the domestic market.

It has been quite humiliating to me as a member of the Committee on Rules and Administration, when asked to look into the wrongdoing and corruption that went on under the dome of the Capitol, to learn that a part of the wealth accumulated by the individual whom we are investigating consisted of fees received from meat importers. Why do we make the entire agricultural program so complicated? Why must American people be paid to use products manufactured in American factories? Why must we pay foreigners to take our products? Why make the program so complicated and expensive? Why do we not give to American farmers the market that exists here?

How can we exercise control of production or influence the supply in any way by restricting production within the United States, and then leave the doors open for unlimited imports to flow in the United States?

Why should we restrict the production of feedstuffs, and then invite the importation of meat and meat products? If the meat were produced outside the United States, of course the corn, the oats, the alfalfa, the hay, the sorghums, and all the other feeds used in producing the meat would also have been produced outside the United States—although that is not quite correct, because some persons operate in the livestock feeding business just beyond the boundaries of the United States, and buy feed grains under an export subsidy, and feed their livestock there, and then import it to the United States.

I presume that before the vote on this amendment is taken, all sorts of promises will be made; and it will be suggested that the amendment should be referred to the committee. I think the situation is so serious that the committee should study it, but I do not think it necessary that we withhold action. The Hruska amendment is a very modest one, and it should be adopted now.

In addition, the Finance Committee should hold a hearing on the broad picture involved in the excess imports of livestock and meat and meat products.

The Hruska amendment would limit the imports of these items to the additional amount imported in the 5-year period ending December 1, 1962. That would be some relief from the administration's agreement with Australia and New Zealand, which would limit the imports to the average for the period 1962–63. But, in addition, it would bring some relief to agriculture. It is at least one move which we can take now to prevent a disastrous farm depression—which is what we are headed for if in the next 3½ years we do as we have done in the last 2½ years, in taking action so damaging to the rural areas of the United States.

Mr. AIKEN. Mr. President, at this point will the Senator from Nebraska yield for a question?

Mr. CURTIS. I am glad to yield.

Mr. AIKEN. Does the Senator from Nebraska know how much the price of the various cuts of meat to the consumers has been reduced since the large increase in imports has been permitted? Has that saving been passed on to the consumers? I have not observed any indication of it in the restaurants.

Mr. CURTIS. Not in any large degree. The big item in the cost of the food to our people is the charge for labor, including the labor in connection with packaging, advertising, transportation, refrigeration, and so forth. As the Senator from Vermont well knows, the price paid to the farmer often is not reflected at all in the price charged to the consumer.

Mr. AIKEN. Yes.

Mr. CURTIS. It is claimed that in connection with meat, the reduction flows on in some way, in terms of the price, to the consumer. I think some distributors have passed on the difference; I believe others have not done so. But I also believe that the U.S. consumer never gains from importations, for in the long run they drive out the competition at home; and thus in the long run the consumers pay more.

Mr. President, certainly this agricultural bill is a proper one to which to add an amendment to curb the importations of meat and meat products.

As a member of the Finance Committee, I shall vote for the Hruska amendment, and I hope it will become law. I believe it should. Even if it does, I believe that the plan of the Finance Committee to hold hearings is still a good one, and such hearings will be in order, because we are dealing with an important situation; and the Ellender amendment, which is offered to the Agricultural Adjustment Act of 1938, will bring some relief, although it will not satisfactorily settle the whole matter.

For some time I have felt that we should take the 1957 level of imports as a base. They were reasonable imports. In no sense did they constitute an embargo on foreign meat and meat products, nor was there any intention that we should hold our imports in the future down to the 1957 level.

When the last Trade Agreements Act was considered in 1962, I offered an amendment which would have established the policy with respect to agricultural products that we should take 1957 as a base, that our imports be limited to the 1957 level, and that every effort be made to maintain our exports at the 1957 level. The amendment obtained a sizable number of votes but, of course, fell far short of adoption.

In the early part of 1963, the Congress passed the feed grains bill. That feed grains bill contained many features that were not satisfactory. Nevertheless, it was a vehicle by which an endeavor was made to do something for American agriculture. When the feed grains bill was pending, the Senator from Nebraska now speaking offered an amendment which would have imposed a 25-percent additional ad valorem tariff on livestock, meat, and meat products whenever they exceeded the 1957 level.

At that time we obtained about 28 votes. We fell far short of enough votes for enactment of the measure.

However, at the present time every Senator must be aware of the disastrous situation which our livestock industry is facing. It is disturbing to every producer of livestock, every worker, and every businessman in a city or town supported by agriculture. It is of grave concern to every country banker and to every city banker who depend upon the rural market. Those people know that an unwise and unfair action has been taken by our Government to give the market away. They are aware that the responsibility rests in Congress to do something about it. They may formalize their statement in legal terms, but they know that under our system of government the regulation of foreign commerce is the responsibility of the legislative branch.

I hope that we can meet that responsibility before consideration of the agriculture bill is completed. I commend to Senators the Hruska amendment. I urge its adoption as an amendment to the bill.

Mr. President, I yield the floor.

Mr. HRUSKA. Mr. President, first, I should like to compliment my colleague on the statement that he has made. I thank him sincerely for his declared support of the Hruska amendment. I believe that this body recognizes in the Senator from Nebraska, who has just spoken, that he has consistently supported the position that is reflected in the Hruska amendment. The position he has taken with reference to the tariffs and the increase in tariffs is well known because of the pendency of proposed legislation that he has introduced. I am sure that the Senator is aware that the two agreements, the one with Australia and the one with New Zealand, are predicated on the proposition that there will be no increase in tariffs of the United States on either beef or veal products. Am I correct in making that assumption?

Mr. CURTIS. I believe that is correct. There is practically no tariff on meats now. In 1948, prior to the trade agreement with the same countries mentioned, there was a tariff of 6 cents a pound. That tariff was cut in half. A tariff of 3 cents a pound is no protection at the present time. The implication of these agreements that there would be no tariff—that the countries involved were guaranteed that amount of our market—is a desertion of rural America on the part of the Government officials responsible for these agreements.

Again I commend the Senator for taking the lead in offering the amendment.

Mr. HRUSKA. Mr. President, within the past few weeks I believe that the Senator from Nebraska and his colleague appeared before, sent statements to, or had statements made before the U.S. Tariff Commission. On that occasion the purpose of the hearing was directed to the proposition that the present tariff of 3 cents a pound should be reduced to a cent and a half, and that the subject be included on the list to be discussed in the so-called Kennedy round of GATT negotiations to be held in May of the present year. Has the Senator any comment on that subject in line with his proposed legislation on the subject?

Mr. CURTIS. That is true. Not only has our Government failed to give heed to the plight of the livestock producers of the country, but also they have on two fronts attacked their own people—

First. in proposing further to reduce the tariff;

Second. in the recent agreements which would authorize an injustice upon the livestock producers.

Mr. HRUSKA. The paragraph in the United States-Australia agreement which refers to the tariff, paragraph No. 2, reads as follows:

> Australia undertakes to limit its exports to the United States upon the understanding that Australia will not be adversely affected by such limitations in relation to the position of other substantial suppliers in the U.S. market, and so long as Australia's access to the U.S. market for beef, veal, and mutton is not limited by an increase in the duties on these products.

In other words, if the Congress should undertake to increase the duties on those products, it means that Australia's agreement undertaking to limit its exports into the United States would come to an end. Is that a fair interpretation of the agreement?

Mr. CURTIS. That is what the agreement provides. I do not accept the premise that legally Congress is without power to act both as to quotas and as to tariffs if we so choose.

Mr. HRUSKA. To say the least, however, a provision of that kind contained in the agreement is a little presumptuous, since one independent and coequal branch of the Government would undertake to tell another independent and coequal branch of the Government what it shall or shall not do.

Mr. CURTIS. That is correct; without the consent of the Congress the agreement was made. Also it puts the country in an awkward position of subsequently committing an unfriendly act in attempting to do something about the situation. The agreement should not have been entered into.

Mr. HRUSKA. Among other provisions in the bill there is the one that our country "will take an active and leading role in negotiating in the GATT arrangements leading to expanding access in meat importing countries."

That is a commitment in the agreement. Since the United States is now the second largest importer of beef and veal of any country in the world, if that prearrangement is taken on its face, it must mean that the State Department and the Department of Agriculture will take a position at the GATT negotiations next May looking toward a further reduction of the already ridiculously low tariffs on beef and mutton. In other words, by this agreement our Government has already committed itself to a lower tariff and to increase imports of beef and mutton, without regard to the effect upon the cattle and sheep industries.

Mr. CURTIS. That is correct. The propaganda issued in reference to the Australia-New Zealand agreements to the American farmer has been to the effect that it was merely a hold-the-line agreement, and that imports would not be increased.

But in addition to freezing the amount of their present excessive imports, the paragraph read by the Senator shows they went further and made additional concessions to foreign producers.

Mr. HRUSKA. I have searched the agreement, and though it has limited imports, beyond that the concessions are in favor of the exporting country, whether it be Australia, New Zealand, or, most recently, Ireland.

Mr. CURTIS. That is correct.

Mr. HRUSKA. I thank the Senator very much for permitting me to ask these questions.

Mr. CURTIS. Mr. President, I hope when the roll is called there will be sufficient votes for the Hruska amendment to grant this much-needed protection to our livestock producers.

I do not know how long this Government can continue to run away from problems and solve them by appropriating money. That is the course followed with respect to many commodities.

This is not an amendment that would attract the interest of the livestock producers only. Producers of all types of feed grains, hay, alfalfa, those who have pastures, workers in our stockyards and packing plants, and those who provide the services to make our great packing plants grow have a stake in the Hruska amendment. Agriculture generally, a great segment of the American economy, is involved.

Let us not be fooled. Who is it that is paging Senators from the floor at this very hour, lobbying against the Hruska amendment? I know of two such instances. They were both importers of meat.

Is this a bill for American agriculture, or is it a bill for American importers?

A great many individuals make their living or transact their business as it relates to agricultural production, particularly livestock, and they have a stake in this provision.

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

Mr. CURTIS. I yield.

Mr. MILLER. Do I correctly understand that there are importers who are actually trying to put pressure on Members of the Senate to reject the Hruska amendment?

Mr. CURTIS. They are not trying to put pressure on me, but I know of an instance in which they have been busy around the building lobbying against the Hruska amendment. Importers—at least, their calling card identified them as importers of meat—are in this building lobbying against the Hruska amendment this afternoon.

Mr. MILLER. The Senator certainly knows that within the past 3 years the volume of imports has increased 162 percent, while our domestic production has increased only 10 percent. One wonders how much more imports must be increased before the importers will be satisfied.

Mr. CURTIS. They will never be satisfied, and the promoters of free trade will never reach the millennium they proclaim. We have had nothing but war since they foisted their program on the United States. Drive across the east coast of the Nation and look at the poultry houses that are closed up. Journey to Lincoln, Nebr., where 2,000 watchworkers who were employed there have left. The work is done in foreign countries.

I do not advocate an embargo. I do not advocate "no trade at all." But there is commonsense in everything. Our imports of products of which we have a surplus are excessive, and they should be curtailed.

ADDITIONAL COSPONSORS

Mr. HRUSKA. Mr. President, I ask unanimous consent that the request made of the Senator from Nebraska by both Senators from the State of Nevada to add their names as cosponsors of the Hruska amendment be agreed to.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I am very happy that the Senators from Nevada have joined in this amendment. I believe that more than a majority of Senators would like to support it. I know the administration has made a terrible mistake in the agreement entered into. I hope it will not compound the injury done by joining importers in lobbying against the Hruska amendment, because we should enact the Hruska amendment now before we get into a prolonged debate on civil rights. Then, as soon as possible, there should be committee hearings by the Finance Committee on the total overall meat importation problem.

The adoption of the Hruska amendment would not prevent committee hearings, and certainly promise of committee hearings should not be used as an argument against adopting the Hruska amendment. The Hruska amendment is No. 434, and reads in part:

> The total quantities of fresh, chilled, or frozen beef, veal, mutton, and lamb which may be entered, or withdrawn from ware-

house, for consumption during any period of twelve months shall not exceed the average annual quantities of such products imported into the United States during the five-year period ending on December 31, 1962.

A while ago I read into the RECORD the figures for the past few years. In 1963 we imported 11 percent, or thereabouts, of our total veal and beef production. In 1962 it was about 8 9 percent.

The administration entered into an agreement freezing imports at the average of those 2 years. The Hruska amendment would take off the year 1963 and consider the 5 years previous. It would grant considerable relief from the very bad agreement entered into, without the consent of Congress, and I am sure without the approval of any responsible agricultural group in the country. I do not know any of those groups that support the recent agreement with Australia and New Zealand.

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

Mr. CURTIS. I yield.

Mr. HICKENLOOPER. At a meeting in the Kansas City area, in the heart of the beef production area——

Mr. CURTIS. It was not Kansas City; it was Omaha.

Mr. HICKENLOOPER. That is getting close to the fringe, but I believe it was pointed out on the floor Friday that about 2 or 3 months ago at that meeting the beef producers and the swine producers met not only with members of the Department of Agriculture, but also the State Department and recommended against the action which the State Department took. A couple of weeks after that meeting, when they were diametrically opposed, and were on record as opposed, to the action of the administration in fixing import quotas at high levels, pointing out the dangers that would occur, this action was taken. So they do not have the approval, so far as I know, of any livestock producing association.

Mr. CURTIS. But with certain open opposition.

Mr. HICKENLOOPER. With certain open opposition. Another point that was mentioned on Friday which might also be pointed out at this time, is that we have a measure which is a vehicle that can be used to correct the situation—namely, the Hruska amendment.

In answer to the administration's claim that it should be handled administratively rather than legislatively, I can only point out that the administration's leader in the Senate—and I have joined him—has seen fit to file a bill to correct this legislatively. Why? Because administratively it is not correcting it and shows no particular evidence of correcting it. So that would seem to me to be one of the most careful arguments, even if it is said that the majority leader himself and others, not only of the administration's party but of the other party, feel that it will not be corrected administratively—and it must be done legislatively—here is the vehicle and the opportunity to do it.

Mr. CURTIS. I thank the Senator for calling that to our attention.

Mr. HICKENLOOPER. The bill filed by the majority leader has gone to committee. It is not a proposed amendment to this bill, but it indicates the belief that the result must be achieved legislatively. This is the opportunity to do it, with the Hruska amendment.

Mr. CURTIS. I join the Senator from Iowa [Mr. HICKENLOOPER] in praising the majority leader. It was not an easy thing for him to do.

Mr. HICKENLOOPER. It was not.

Mr. CURTIS. But this action of the administration is so outrageous and shocking to everyone who has concern for rural America that within a matter of hours the administration leader in the Senate filed a bill to grant some relief. I joined in that. I know it was a difficult thing for him to do. I commend him for doing it. I believe now that the administration, instead of fighting such efforts, should join in trying to bring about justice even though at such a late date.

There is another important reason why it should not be done administratively. I do not know that we have reached the point in America where all the brains are found to be in the Executive. I know all the power is flowing from there rather fast. But the Constitution says, in article I, section 8:

The Congress shall have power to regulate commerce with foreign nations——

Mr. HICKENLOOPER. That has not been passed on yet by the Supreme Court, has it?

Mr. CURTIS. I do not believe so.

Mr. HICKENLOOPER. In spite of the plain language, the Supreme Court has not "had at it" yet; has it?

Mr. CURTIS. It is an oversight if it has not interfered in that field.

Every Senator and every official take an oath to uphold the Constitution of the United States. That, to my mind, means what it says. The Constitution provides:

The Congress shall have power—

Then it goes ahead and enumerates many powers—

to regulate commerce with foreign nations—

It is not an Executive prerogative. The Executive acted without the consent of Congress, openly against the wishes of the great livestock industry, openly against the interest of the livestock producers, the businessman, the bankers, the workers—everyone connected with the industry related to livestock and meat production.

I believe that the Congress has no alternative but to act, and act now. The longer we let this situation continue, the more the foreign countries will rely upon its validity and the more difficult it will be to have it changed. That is why I say I am for the Hruska amendment, I am for committee hearings. I believe both are necessary.

That may salve some consciences in some quarters, by voting "Nay" on the Hruska amendment on the ground that there should be committee hearings. Such a vote would be a mistake. There should be both. Before the injustices brought about by these outrageous agreements are imbedded into the economic fabric of Australia, New Zealand, and the United States, the Congress should act to grant some relief.

The way to do that is to support the Hruska amendment. Then the overall picture should have such further attention and such further relief. Frankly, I believe any imports over 5 percent are outrageous, and I still believe legislation ultimately should restrict it back to the 1957 level, but for now—the immediate bill—my colleague from Nebraska has chosen a wise course, a course that cannot be resisted by those who are friends of the farmer. It would give a great amount of relief at once.

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

Mr. CURTIS. I am happy to yield.

Mr. HRUSKA. Does the Senator see any inconsistency in opposition to the amendment which the senior Senator from Nebraska has proposed, on the ground that it has not had any committee hearings, with the position taken by the majority only last week, when it successfully advocated placing on the calendar a complex and far-reaching bill dealing with constiutional questions, with human relationships, with social relationships, and business relationships of the civil rights bill, which has not had any hearings in this body except for one witness interrogated by one Senator? Is there any inconsistency in the mind of the Senator from Nebraska in seeking committee sessions on this relatively simple operation embodied in the Hruska amendment as opposed to no committee hearings on the complicated legislation which is on the calendar, debate on which will start in a very short time?

Mr. CURTIS. There is no inconsistency whatever. There is no inconsistency in supporting the Hruska amendment. If any Senator raises his voice and says, "We must have some committee hearings before we pass the Hruska amendment," I hope he will tell us whether he asked for committee hearings before the administration entered into the agreement with Australia and New Zealand. That question was not submitted to any committee of Congress. It was done on a diplomatic level under this ridiculous procedure that Uncle Sam can buy his way to peace and to the solution of all the world's problems. We will find out, after awhile, that we cannot bribe the world with foreign aid, with donations and trade concessions, and continue to earn its respect.

If we knew of a hardware merchant who was overstocking his store with more than he could sell, and yet he continued to buy, we would not respect him; and if we did not respect him, we could not trust his judgment and we could not follow him.

Uncle Sam is caught with an oversupply of agricultural commodities, and he continues to buy and buy. Will the intelligent people of the world respect us? Of course they will not. If they do not respect us, will they follow us? Of course they will not.

We must do the proper, businesslike thing for our own people, or we cannot expect the intelligent people of the world to follow our views.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the committee substitute, which is being considered as original text for the purpose of amendment.

Mr. DIRKSEN. I understand that presently no amendment to the committee substitute is pending.

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. It is my understanding that the distinguished Senator from Louisiana [Mr. ELLENDER] would like to submit his amendment to the cotton title of the bill, and have his amendment made the pending question, with the understanding that there will be little, if any, debate on that amendment tonight.

Mr. ELLENDER. So far as I am concerned, there will be no debate on it tonight.

Mr. DIRKSEN. I see—but there will be debate on the amendment tomorrow.

I wish to ask the majority leader whether he has contemplated having the Senate convene at an early hour tomorrow. In that connection, I also wonder about the situation for the remainder of the week—in terms of whether the committees will be able to meet during the morning.

Mr. MANSFIELD. It is the intention to have the Senate convene tomorrow at 11 a.m., and to have the Senate convene on Wednesday at 10 a.m. The Senate has already spent 3 days on this bill, and we hope to reach a point where one amendment—and I understand there are many to be offered—will be offered to the pending committee sustitute.

I understand from the Senator from Louisiana [Mr. ELLENDER], whose word I always take, that he does not contemplate having speeches made tonight on his amendment to the committee substitute.

Mr. DIRKSEN. I believe I fully understand the problems confronting the majority leader in connection with the bill. I understand that thus far there have not been requests for authorization for committees to meet during the sessions of the Senate during the remainder of the week. Because of the existing controversy and the feeling about both of the titles of the pending bill, I believe that, insofar as possible, Senators should be present to hear the debate on the bill. Under the circumstances, I would object to any request for authority for committees to meet when the Senate is in session.

Mr. PELL. Mr. President, I wish the RECORD to show that some of us have canceled our engagements for today, because we understood that rollcall votes would be taken today. Because of that assumption, these engagements were canceled in good faith.

AMENDMENT NO. 438

Mr. ELLENDER. Mr. President, to the committee substitute, I call up my amendment No. 438, and modify it as follows: On page 2, in line 13, after the words "use of", strike out "a year prior to 1963", and insert in lieu thereof: "another period, subject to such adjustments as may be equitable,".

The PRESIDING OFFICER. The modification will be made.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the modified amendment of the Senator from Louisiana to the committee substitute be printed at the appropriate point in the RECORD.

There being no objection, the amendment, as modified, to the committee substitute, was ordered to be printed in the RECORD, as follows:

Beginning on page 8, line 2, strike out all through page 19, line 3, as follows:

"TITLE I—COTTON

"SEC. 101. The Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new section:

" 'SEC. 348. In order to maintain and expand domestic consumption of upland cotton produced in the United States and to prevent discrimination against the domestic users of such cotton, notwithstanding any other provision of law, the Commodity Credit Corporation, under such rules and regulations as the Secretary may prescribe, is authorized and directed for the period beginning with the date of enactment of this section and ending July 31, 1968, to make payments through the issuance of payment-in-kind certificates to persons other than producers in such amounts and subject to such terms and conditions as the Secretary determines will eliminate inequities due to differences in the cost of raw cotton between domestic and foreign users of such cotton, including such payments as may be necessary to make raw cotton in inventory on the date of enactment of this section available for consumption at prices consistent with the purposes of this section: *Provided*, That for the period beginning August 1 of the marketing year for the first crop for which price support is made available under section 103(b) of the Agricultural Act of 1949, as amended, and ending July 31, 1968, such payments shall be made in an amount which will make upland cotton produced in the United States available for domestic use at a price which is not in excess of the price at which such cotton is made available for export.'

"SEC. 102. Section 385 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: 'This section also shall be applicable to payments provided for under section 348 of this title.'

"SEC. 103. (a) Section 104 of the Agricultural Act of 1949, as amended, is amended by adding the following new subsection:

" '(c) The Secretary of Agriculture is hereby authorized and directed to conduct a special cotton research program designed to reduce the cost of producing upland cotton in the United States at the earliest practicable date. There are hereby authorized to be appropriated such sums, not to exceed $10,000,000 annually, as may be necessary for the Secretary to carry out this special research program. The Secretary shall report annually to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture and Forestry of the Senate with respect to the results of such research.'

"(b) Section 103 of the Agricultural Act of 1949, as amended, is amended (1) by inserting '(a)' before the first sentence thereof; (2) by changing the period at the end of the second sentence thereof to a colon and adding the following: *'Provided*, That the price support for the 1964 crop shall be a national average support price which reflects 30 cents per pound for Middling one-inch cotton.'; and (3) by adding at the end of such section the following new subsections:

" '(b) If producers have not disapproved marketing quotas, the Secretary shall provide additional price support on the 1964, 1965, 1966, and 1967 crops of upland cotton to cooperators on whose farms the acreage planted to upland cotton for harvest does not exceed the farm domestic allotment established under section 350 of the Agricultural Adjustment Act of 1938, as amended. Such additional support shall be at a level up to 15 per centum in excess of the basic level of support established under subsection (a) and shall be provided on the normal yield of the acreage planted for harvest within the farm domestic allotment.

" '(c) In order to keep upland cotton to the maximum extent practicable in the normal channels of trade, any additional price support under subsection (b) of this section may be carried out through the simultaneous purchase of cotton at the support price therefor under subsection (b) and the sale of such cotton at the support price therefor under subsection (a) or similar operations, including loans under which the cotton would be redeemable by payment of the amount for which the cotton would be redeemable if the loan thereon had been made at the support price for such cotton under subsection (a), or payments-in-kind through the issuance of certificates which the Commodity Credit Corporation shall redeem for cotton under regulations issued by the Secretary. If such additional support is provided through the issuance of payment-in-kind certificates, such certificates shall have a value per pound of cotton equal to the difference between the level of support established under subsection (a) and the level of support established under subsection (b). The corporation may, under regulations prescribed by the Secretary, assist the producers and persons receiving payment-in-kind certificates under this section and section 348 of the Agricultural Adjustment Act of 1938, as amended, in the marketing of such certificates at such time and in such manner as the Secretary determines will best effectuate the purposes of the program authorized by this section and such section 348. In the case of any certificate not presented for redemption within thirty days of the date of its issuance, reasonable costs of storage and other carrying charges as determined by the Secretary for the period beginning thirty days after its issuance and ending with the date of its presentation for redemption shall be deducted from the value of the certificate.'

"(c) Section 401(b) of the Agricultural Act of 1949, as amended, is amended by striking in the second sentence thereof before '(8)' the word 'and', changing the period at the end thereof to a comma and adding the following: 'and (9), in the case of upland cotton, changes in the cost of producing such cotton'.

"SEC. 104. Section 407 of the Agricultural Act of 1949, as amended, is amended by inserting after the first proviso in the third sentence thereof the following: *'Provided further*, That beginning August 1, 1964, the Commodity Credit Corporation may sell upland cotton for unrestricted use at not less than 105 per centum of the current loan rate for such cotton under section 103(a) plus reasonable carrying charges:'

"SEC. 105. The Agricultural Adjustment Act of 1938, as amended, is amended by adding a new section as follows:

" 'SEC. 350. In order to provide producers with a choice program of reduced acreage and higher price support, the Secretary shall establish for each farm for the 1964, 1965, 1966, and 1967 crops of upland cotton a farm domestic allotment in acres. The farm domestic allotment shall be the percentage which the national domestic allotment is of the national acreage allotment established under section 344(a) applied as a percentage of the smaller of (1) the farm acreage allotment established under section 344, or (2)

the higher average actually planted or regarded as planted on the farm (excluding acreage regarded as planted under sections 344(m)(2) and 377) in the two years preceding the year for which such allotment is established: *Provided*, That any farm planting 90 per centum or more of the allotment shall, for the purpose of (2) above, be considered as having planted the entire farm allotment: *Provided further*, That, except for farms the acreage allotments of which are reduced under section 344(m), the farm domestic allotment shall not be less than the smaller of 15 acres or the farm acreage allotment established under section 344, but this proviso shall be applicable to the 1964 crop without regard to the exception stated herein. The national domestic acreage allotment for any crop shall be that acreage, based upon the national average yield per acre of cotton for the four years immediately preceding the calendar year in which the national acreage allotment is proclaimed, required to make available from such crop an amount of upland cotton equal to the estimated domestic consumption for the marketing year for such crop. The Secretary shall proclaim the national domestic acreage allotment for the 1964 crop not later than April 1, 1964, and for each subsequent crop not later than December 15 of the calendar year preceding the year in which the crop is to be produced.'

"SEC. 106. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(1) The following new section is added to the Act:

"'SEC. 349. (a) The acreage allotment established under the provisions of section 344 of this Act for each farm for the 1964 crop may be supplemented by the Secretary by an acreage equal to such percentage, but not more than 10 per centum, of such acreage allotment as he determines will not increase the carryover of upland cotton at the beginning of the marketing year for the next succeeding crop above one million bales less than the carryover on the same date one year earlier, if the carryover on such earlier date exceeds eight million bales. For the 1965, 1966, and 1967 crops, the Secretary may, after such hearing and investigation as he finds necessary, announce an export market acreage which he finds will not increase the carryover of upland cotton at the beginning of the marketing year for the next succeeding crop above one million bales less than the carryover on the same date one year earlier, if the carryover on such earlier date exceeds eight million bales. Such export market acreage shall be apportioned to the States on the basis of the State acreage allotments established under section 344 and apportioned by the States to farms receiving allotments under section 344, pursuant to regulations issued by the Secretary, after considering applications for such acreage filed with the county committee of the county in which the farm is located. The "export market acreage" on any farm shall be the number of acres, not exceeding the maximum export market acreage for the farm established pursuant to this subsection, by which the acreage planted to cotton on the farm exceeds the farm acreage allotment. For purposes of sections 345 and 374 of this Act and the provisions of any law requiring compliance with a farm acreage allotment as a condition of eligibility for price support or payments under any farm program, the farm acreage allotment for farms with export market acreage shall be the sum of the farm acreage allotment established under section 344 and the maximum export market acreage. Export market acreage shall be in addition to the county, State, and National acreage allotments and shall not be taken into account in establishing future State, county, and farm acreage allotments. The provisions of this section shall not apply to extra-long-staple cotton or to any farm which receives price support under section 103(b) of the Agricultural Act of 1949, as amended.

"'(b) The producers on any farm on which there is export market acreage or the purchasers of cotton produced thereon shall, under regulations issued by the Secretary, furnish a bond or other undertaking prescribed by the Secertary providing for the exportation, without benefit of any Government cotton export subsidy and within such period of time as the Secretary may specify, of a quantity of cotton produced on the farm equal to the average yield for the farm multiplied by the export market acreage as determined pursuant to regulations issued by the Secretary. The bond or other undertaking given pursuant to this section shall provide that, upon failure to comply with the terms and conditions thereof, the person furnishing such bond or undertaking shall be liable for liquidated damages in an amount which the Secretary determines and specifies in such undertaking will approximate the amount payable on excess cotton under section 346(a). The Secretary may, in lieu of the furnishing of a bond or other undertaking, provide for the payment of an amount equal to that which would be payable as liquidated damages under such bond or other undertaking. If such bond or other undertaking is not furnished, or if payment in lieu thereof is not made as provided herein, at such time and in the manner required by regulations of the Secretary, or if the acreage planted to cotton on the farm exceeds the farm acreage allotment established under the provisions of section 344 by more than the maximum export market acreage, the farm acreage allotment shall be the acreage so established under section 344. Amounts collected by the Secretary under this section shall be remitted to the Commodity Credit Corporation and used by the Corporation to defray costs of encouraging export sales of cotton under section 203 of the Agricultural Act of 1956, as amended.'

"(2) Section 376 of the Act is amended by adding at the end thereof the following: 'This section also shall be applicable to liquidated damages provided for pursuant to section 349 of this title.'

(3) Subsection (f)(8) of section 344 of the Act is amended by inserting after the language '75 per centum of the farm allotment for such year' the following: 'or, in the case of a farm which qualified for price support on the crop produced in such year under section 103(b) of the Agricultural Act of 1949, as amended, 75 per centum of the farm domestic allotment established under section 350 for such year, whichever is smaller'.

"(4) Section 377 of the Act is amended by inserting in the first proviso after the language '75 per centum or more of the farm acreage allotment for such year' the following: 'or, in the case of upland cotton on a farm which qualified for price support on the crop produced in any such year under section 103(b) of the Agricultural Act of 1949, as amended, 75 per centum of the farm domestic allotment established under section 350 for any such year, whichever is smaller'.

"(5) Subsection (b)(13)(B) of section 301 of the Act is amended by deleting the words 'cotton or'.

"(6) Subsection b(13)(G) of section 301 of the Act is amended by deleting ', cotton,' wherever it appears.

"(7) Subsection (b)(13) of section 301 of the Act is amended by adding after subparagraph (G) new subparagraphs as follows:

"'(H) "Normal yield" for any county, for any crop of cotton, shall be the average yield per acre of cotton for the county, adjusted for abnormal weather conditions and any significant changes in production practices during the five calendar years immediately preceding the year in which the national marketing quota for such crop is proclaimed. If for any such year the data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, shall be used as the actual yield for such year.

"'(I) "Normal yield" for any farm, for any crop of cotton, shall be the average yield per acre of cotton for the farm, adjusted for abnormal weather conditions and any significant changes in production practices during the three calendar years immediately preceding the year in which such normal yield is determined. If for any such year the data are not available, or there is no actual yield, then the normal yield for the farm shall be appraised in accordance with regulations of the Secretary, taking into consideration abnormal weather conditions, the normal yield for the county, changes in production practices, and the yield in years for which data are available.'"

and in lieu thereof, to insert:

"SEC. 101. The Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new section:

"'SEC. 348. If the Secretary determines that such action will serve to maintain and expand domestic consumption of upland cotton produced in the United States, notwithstanding any other provision of law, the Commodity Credit Corporation, under such rules and regulations as the Secretary may prescribe, is authorized to make payments through the issuance of payment-in-kind certificates to persons who consume raw upland cotton, hereinafter referred to as "processors", at a rate not exceeding 10 cents per pound on that part of the raw cotton consumed by each processor in excess of 100 per centum but not in excess of 120 per centum of his base during the period beginning August 1, 19644, and ending July 31, 1966. A base shall be established for each processor equal to twice his consumption in terms of gross weight of bales of raw upland cotton for all his operations in the calendar year 1963, except that if there was no consumption during the base year or if consumption during the base year was abnormal, the Secretary may by regulation provide for use of another period, subject to such adjustments as may be equitable, in the establishment of the base. Payments to processors shall be made on the basis of consumption of cotton, as determined by the Secretary, for such accounting periods as the Secretary determines will facilitate administration of this section: *Provided*, That a processor receiving payments on such basis shall refund to the Commodity Credit Corporation in such manner as may be prescribed by regulations of the Secretary any amount received in excess of the amount payable under this section on the basis of actual consumption of cotton during the entire period August 1, 1964, through July 31, 1966, as determined by the Secretary. In the case of any processor with no cotton consumption prior to enactment of this section, payments to such processor shall be made on one-tenth of his weekly or monthly consumption of cotton, as determined by the Secretary, at a rate not exceeding 10 cents per pound.'

"SEC. 2. Section 103 of the Agricultural Act of 1949, as amended, is amended by inserting '(a)' before the first sentence thereof and by adding at the end of such section the following new subsection:

"'(b) Notwithstanding any other provision of law, the level of price support to cooperators for the 1964 and 1965 crops of upland cotton, if producers have not disapproved marketing quotas for the crop, shall be that which reflects 30 cents per pound for Middling inch: *Provided*, That the Secretary may provide additional price support to cooperators through issuance of payment-in-kind certificates on the first ten bales of cotton produced on each farm allotment at a rate equal to the difference between the basic support level for the crop and the support

level for the 1963 crop. Payment-in-kind certificates issued under this section and section 348 of the Agricultural Adjustment Act of 1938, as amended, shall be negotiable and shall be redeemed by the Commodity Credit Corporation for cotton under regulations issued by the Secretary. The Corporation may, under regulations prescribed by the Secretary, assist the producers and persons receiving payment-in-kind certificates under this section and such section 348 in the marketing of such certificates at such time and in such manner as the Secretary determines will best effectuate the purposes of the program authorized by this subsection and such section 348. In the case of any certificate not presented for redemption within thirty days of the date of its issuance, reasonable costs of storage and other carrying charges as determined by the Secretary for the period beginning thirty days after its issuance and ending with the date of its presentation for redemption shall be deducted from the value of the certificate.'"

"SEC. 3. Section 385 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: 'This section also shall be applicable to payments provided for under section 348 of this title.'"

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session tonight, it take a recess to 11 a.m. tomorrow.

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

ORDER FOR RECESS FROM TOMORROW UNTIL 10 A.M. ON WEDNESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session tomorrow night, it take a recess until 10 a.m. on Wednesday next.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM

The Senate resumed the consideration of the bill (H.R. 6196) to encourage increased consumption of cotton (and wheat) to maintain the income of cotton producers to provide a special research program designed to lower costs of production, and for other purposes.

AMENDMENT NO. 449

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment to H.R. 6196, and ask that the amendment be printed and lie on the table, to be called up at a later date.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed, and will lie on the table.

Mr. WILLIAMS of Delaware. Mr. President, the purpose of the amendment is to repeal the price support on tobacco. Recently the Surgeon General of the United States issued a report which condemned the use of tobacco and pointed out its injurious effects on the health of the American people.

Notwithstanding this fact, in the past fiscal year we spent about $40 million of the taxpayers' money to support and encourage the increased production of tobacco, a product which has been condemned so strongly by the Surgeon General of the United States.

It is time to recognize the inconsistency of this position. The amendment which I have sent to the desk would repeal the price support program and thereby remove further commitment of the taxpayers to support and encourage the production of a commodity which the Surgeon General has condemned as being injurious to the health of our people.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. The amendment shows great initiative on the part of the distinguished Senator from Delaware. It is one thing to propose legislation designed to induce people to stop smoking, but it is quite another to continue to pay Government subsidies to grow tobacco.

The amendment of the Senator from Delaware may serve an important social purpose by reducing the amount of smoking, particularly among our young people.

I shall listen to the debate with great interest, particularly to the reasons given by those who feel that the $40 million the Senator has mentioned, or a similar amount, should be paid by the Department of Agriculture to support the production of a commodity which is being condemned, at the same time, by another Department of our Government.

I commend the distinguished Senator from Delaware for his initiative in presenting this amendment. It is typical of what we have come to expect of our distinguished colleague from Delaware. I am sure that his amendment is deserving of the most thoughtful consideration.

Mr. WILLIAMS of Delaware. I thank the Senator for his comment. In the past fiscal year we spent $16 million for price support operations for this commodity. Under title I of Public Law 480 we subsidized the sale of approximately $23 million worth of American tobacco, this was sold for foreign, so-called soft currencies, and $1,106,000 worth was disposed of under title IV. That makes a total expenditure of $40,973,000.

Of course there will be some recovery from these sales for soft currency; however, to a large extent this represents a direct loss or subsidy. To that extent American taxpayers are subsidizing the production of tobacco, a commodity which has been denounced by the Surgeon General as being injurious to the health of the youth of our country.

The amendment would not write into law any restriction on the use of tobacco. It would merely stop a procedure under which the American taxpayers are being asked to subsidize the production of this commodity which has been denounced in very strong terms by the Surgeon General.

Mr. LAUSCHE. I commend the Senator from Delaware for making his proposal. It strikes me that he is attempting by his amendment to demonstrate the inconsistency of the course being followed by our Government. On the one hand we are proclaiming to the citizens of our country and the citizens of the world that smoking is damaging to health and should be discontinued, while on the other hand we are subsidizing the production of tobacco. I should like to ask the Senator's permission to become a cosponsor of the amendment.

Mr. WILLIAMS of Delaware. I welcome the Senator of Ohio as a cosponsor, and I ask unanimous consent that his name may be added to the amendment.

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

Mr. LAUSCHE. Mr. President, tomorrow I contemplate offering an amendment to demonstrate another inconsistency in our approach to economic and farm problems. I am sure that when the law was adopted to subsidize the sale of cotton to foreign importers, it was argued that the subsidization would be beneficial to the grower of cotton in the United States.

We are now in 1964, and the very persons who urged the subsidization of cotton exports are now complaining that the subsidies are damaging their economy within the United States. They now say, "Since you have a subsidy on the exportation of cotton, to make it available to foreign processors cheaper than it is made available to U.S. processors, you must give us relief, and the relief is to subsidize our processors."

They have created the subsidy for exports. They now say, "Let us keep the subsidy on exports, but grant us another subsidy to American processors."

My amendment is designed to repeal the subsidy on cotton to the exporters of the United States. They cannot have their cake and eat it, too.

Mr. WILLIAMS of Delaware. The Senator from Ohio has made a very constructive suggestion. I pointed out earlier that in the late fifties the price support on cotton had been reduced downward to about 28.9 cents per pound.

As we reduced the price support, we reduced our inventory to a little less than 5 million bales of cotton. Instead of continuing this direction where we could eventually eliminate this unweildly inventory which was being carried in our warehouses, the administration, in 1961, by Executive order raised the price support to around 33 cents per pound, with the result that the inventory jumped to 11.5 million bales. We will add another 2 million or 3 million bales this year.

Instead of recognizing the cause of this increase in the inventory and reducing the support price, and thus starting an orderly reduction, the bill before us proposes to subsidize the textile industry. This industry does have a problem, but it will not be solved by creating an entirely new subsidy which will cost the taxpayers an extra $300 million a year. Furthermore, the tremendous cost of this bill is not included in the President's budget. Here is an expenditure of an extra $300 to $400 million which is not a part of his budget.

I said the other day that this bill could properly be labeled budget-buster No. 1.

If it is passed it will be a clear indication that the administration has no intention of carrying out its promises of cutting expenditures.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. In the opinion of the Senator from Delaware if it was a mistake to subsidize the export of cotton, was the choice to be made, to compound that mistake now by providing a subsidy for processors, rather than to repeal the subsidy?

Mr. WILLIAMS of Delaware. To accept the principle that is outlined in the bill now before us, which is to pay the textile industry a differential between the world market price and the domestic price of cotton, and continue a high support price at the same time, is in my opinion merely a new multi-billion-dollar subsidy program. Once this principle has been adopted in connection with cotton, what will prevent someone from presenting a valid argument that we should adopt this principle for other commodities?

Why should not wheat be made available to domestic millers so that they can produce flour for the American housewife, at the same price level at which wheat is being made available to the Russian consumer?

As the Senator from Ohio [Mr. LAUSCHE] knows, we are selling wheat to Russia today at about 60 cents a bushel lower than it is available to the American consumer. I believe that is wrong, but here today instead of correcting this situation we are being asked to expand it further.

By the same token, livestock feeders today must pay the American price for feed grains. If we are to readjust the price of cotton for the textile mills to the world level, what argument have we against permitting a readjustment of prices for feed grains to the world price?

To expand this principle, which is nothing more than a dressed-up version of the Brannan plan, to all commodities would cost an extra $3 to $5 billion annually.

Mr. LAUSCHE. I do not know whether the Senator from Delaware asked me a question, but perhaps the impression that is sought to be made upon the Senate and the people of the United States is that in Washington are men who are capable of achieving miracles, and that they will solve all the problems. The modern economists, the prophets of the theory that one can spend more each year than is taken in, will come up with a cure. But if we subsidize the processors of cotton, how can we escape subsidizing those who are in the livestock business or are engaged in businesses related to wheat?

Logic means nothing. There is a will to attain an objective; and with that will, the objective will be achieved, regardless of inconsistency. If it is necessary to produce logic, the great proponents of this fantastic plan will go to some college or university, and bring up some economist with a modern, new theory who will demonstrate that black is white and white is black, that WILLIAMS knows nothing; that LAUSCHE knows nothing; that COOPER knows a little—not as much as he thinks he knows; but that HUMPHREY knows everything.

Mr. HUMPHREY. The Senator is closer to the truth than he realizes.

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

Mr. LAUSCHE. I yield.

Mr. COOPER. At least I am not speaking.

I do know that the Senator from Delaware has submitted an amendment relating to tobacco. Did he submit it for printing?

Mr. WILLIAMS of Delaware. Yes. The amendment has been sent to the desk and will be called up later during the discussion of the bill.

Mr. COOPER. Does the Senator intend to call it up for debate?

Mr. WILLIAMS of Delaware. Yes. I do not think there should be too much opposition to it. In the light of the fact that the Surgeon General has pointed out the danger of using tobacco it appears that the least we can do is to repeal the law requiring the U.S. Government to support its production.

I do not think Congress should object to repealing a program which requires the taxpayers to subsidize the increased production of this commodity. This amendment would repeal the mandatory provision of the law under which the taxpayers support the production of this commodity.

Mr. COOPER. That can be debated when the Senator calls up his amendment.

Mr. WILLIAMS of Delaware. There may be a little opposition to it, but I hope there will not be too much.

Mr. COOPER. There will be opposition and from me. I am sorry the Senator did not come before the Committee on Agriculture to offer the amendment.

Mr. WILLIAMS of Delaware. So am I. But the Texas steamroller was moving, and the bill was reported by the committee even before I knew its consideration was contemplated. At the last minute orders came from the White House. The bill had to be reported and considered before the civil rights bill.

As the Senator from Kentucky knows, there was no time even to obtain a copy of the bill before an attempt was made to make it the pending business. I regret that there was no chance for the committee to consider not only this amendment but also the many other amendments now before the Senate.

Mr. COOPER. I understand the purpose of the Senators' amendment to be to abolish the price support program for tobacco farmers.

Mr. WILLIAMS of Delaware. That is correct.

Mr. COOPER. We shall have a chance to debate that later, if the Senator offers his amendment for a vote.

The report "Smoking and Health" has been of concern to everyone. I have read the report. I do not know how many Members of the Senate have read it. I do not propose to discuss its merits this afternoon. I shall say only a few words about it now, in view of the fact that the Senator has submitted his amendment.

The report "Smoking and Health" represents findings, not new research. It is based on old research. I do not wish to derogate it; all of us are interested in health. I should say that I would have to place its basic proposition before even my own interest in a matter which is of great importance to my own State.

The Advisory Commission which was appointed by the Surgeon General upon the suggestion of President Kennedy was directed to conduct its work in two phases. One phase was to make a report upon the health issue; the second phase was to concern itself with the implementation of the report, to decide what to do about the report. The second phase has not yet been undertaken. I understand that it will get underway at an early date.

Also, as the Senator from Delaware knows, the Federal Trade Commission has announced that it will conduct hearings on the implementation of the report, and it has been speculated that the Federal Trade Commission may attempt to regulate the labeling of tobacco products. Further, bills dealing with the subject have been introduced in the Senate.

If the Senator is interested in health, I would like to know what he believes would be accomplished by his amendment, if it should be adopted, unless it is the Senator's intention to seek to prohibit the production or sale of tobacco in this country.

Mr. WILLIAMS of Delaware. The amendment does not propose to prohibit or restrict the production or sale of tobacco. The amendment merely would repeal the mandatory provisions of the law under which the taxpayers support the production of tobacco.

Mr. COOPER. The effect of the Senators' amendment would be the unlimited production of tobacco at the cheapest prices, with no kind of governmental grading for quality. The Senator says he is thinking about health, but his amendment would flood the country with millions upon millions of pounds of low quality surplus tobacco produced at cheap prices.

The only effect of the Senator's proposal would be to increase the volume of smoking tobacco—and at the expense of the farmer. The manufacturers would buy tobacco cheap, and would continue to produce cigarettes, and the people who like to smoke cigarettes might be able to buy them at a lower price. The only ones who would be ground down under the proposal made by the Senator from Delaware would be the tobacco farmers. I shall oppose his amendment.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HUMPHREY. I was interested in the Senator's definition of a noncontroversial amendment.

Mr. WILLIAMS of Delaware. I think I got the definition from my good friend from Minnesota who said one day before he introduced a bill that he always examined both sides. That is what I did. I adopted the Senator's definition, although I recognize that there may be

some slight controversy. However, the amendment is submitted in all seriousness. This amendment would repeal the mandatory provision under which taxpayers are required to support the production of a commodity which has been denounced by the Surgeon General as being injurious to the health of the taxpayers.

Mr. HUMPHREY. I am not an expert in these matters, but I join with my good friend from Kentucky in saying, without considering the medical or health aspects of the product, that no program has cost the Government less or has worked better than the price support, acreage allotment, and marketing quota program for tobacco. That is not necessarily justification for a program as such. There are other aspects of this matter, and I am sure we shall wish to discuss them.

But I wish the Senator from Delaware to know that any action by the Committee on Agriculture and Forestry to rush this bill to the calendar of the Senate was not taken at the direction of the White House. I want the RECORD to show clearly that the White House was not asking for that, because the White House was demanding that the civil rights bill be brought up at once. However, it so happens that the majority leader and the majority whip of the Senate who occasionally meet with the President, were of the opinion that the authorization bill for procurement for the Department of Defense should first be brought up, and that next the farm bill should be brought up. I take some responsibility for that; and I am sorry if the Senator from Delaware was not nimble enough of foot or quick enough of limb—although I know he is certainly quick enough of mind—to be able to get this far-reaching amendment before the Senate; and I want the Senator from Kentucky [Mr. COOPER], whose judgment I always respect, to have a chance to examine this matter and to testify about it and to produce witnesses, because I would not want any spontaneous, impromptu, ill-considered, or intemperate action taken on these important matters.

Mr. COOPER. I hope the Senator from Minnesota will be here tomorrow.

Mr. HUMPHREY. I will.

Mr. WILLIAMS of Delaware. Mr. President, after listening to the persuasive arguments of the Senator from Minnesota, I wish to state that I would be glad to join him in sending the whole bill back to the committee where hearings can be held.

Mr. HUMPHREY. Oh, Mr. President, the Senator from Delaware need not take on such a heavy burden. Let us just send his amendment to the committee.

Mr. KEATING. Mr. President, will the Senator from Delaware yield briefly to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. The Senator from Delaware has made the most constructive suggestion of any made today—namely, to recommit the bill—so that it may be further studied—while we return to the point where the President—who wanted the civil rights bill to come before us first—will again be able to exert his influence on the distinguished leadership on the other side of the aisle, to bring the civil rights bill before us.

But to speak specifically on the tobacco amendment, I suggest that the Senator from Delaware sit down with the Senator from Kentucky [Mr. COOPER], and perhaps with his colleague from Kentucky [Mr. MORTON], and perhaps with the distinguished Senator from Oregon [Mrs. NEUBERGER]——

Mr. HUMPHREY. Yes, that would be a most delightful trio.

Mr. KEATING. And perhaps something reasonable can be worked out. There is nothing like negotiation, in attempting to deal equitably with these problems. That is just a suggestion which I hope will be helpful.

Mr. WILLIAMS of Delaware. Mr. President, all I am trying to do under this amendment is to repeal the law under which the American taxpayers are now required to underwrite the production of tobacco—a commodity which has been determined by the Surgeon General to be injurious to the health of American citizens.

Certainly this amendment is a constructive one. It does not go into the field of the recommendation by the Surgeon General that tobacco be removed from the market. The amendment merely proposes that none of the money of the American taxpayers be used to underwrite the production of tobacco. After all, why should the money of the taxpayers be used for that purpose?

Why should the taxpayers be required to pay $40 million annually to subsidize the production of tobacco?

I am not a doctor, and I am not trying to evaluate the opinion of the Surgeon General; but it is an opinion from a responsible source, and we cannot ignore it.

Furthermore, we should realize that no one has argued that tobacco is beneficial to the health of Americans, whereas many persons have argued that tobacco is injurious to the health. Certainly there are many better uses to be made of the money of the American taxpayers than to use it to encourage increased production of tobacco.

Mr. COOPER. Mr. President, I must say—no matter what the Senator from Delaware says, and I, too, have very great respect for his ability and his outstanding integrity—that I think he has gone a little far in attempting to place his judgment about tobacco above that of the Advisory Commission, and in attempting to decide more than the Commission has decided, and in attempting to decide what shall be done before the Commission has finished its work, and in attempting to usurp even the prerogative of the Federal Trade Commission, which itself may attempt to go too far.

I repeat that the only result of the amendment would be to flood the country with cheap tobacco, and ruin the tobacco farmer. I intend to oppose his amendment with all my might.

Mr. WILLIAMS of Delaware. Mr. President, this amendment will not in any way interfere with the Federal Trade Commission or any other agency in any of their decisions. The amendment will not interfere with anything except the flow of money from the U.S. Treasury for the purpose of subsidizing the production of an increased crop of tobacco. The amendment merely states that the taxpayers' money should no longer be used to subsidize the production of tobacco. I think the amendment is a very modest approach to this problem, which was so forcefully called to our attention by the Surgeon General.

Mr. HUMPHREY. Mr. President, I hope the Senator from Kentucky and the Senator from Delaware will be able to work out some arrangement. It seems to me this will give us plenty to do in the days ahead.

THE 1964 CONSERVATION SERVICE AWARDS

Mr. MORSE. Mr. President, on February 24, Secretary of the Interior Udall made awards to outstanding private citizens and organizations for the great record they have made in furthering the cause of conservation.

One of those selected was Mr. Henry Gerber, of Klamath Falls, Oreg., whose long and distinguished career in conservation has been a source of great strength to the State of Oregon and to the entire Nation.

I have worked closely with Mr. Gerber over the years during my service in the Senate. I know of no one in my State who has been more helpful to me on all conservation and reclamation projects than Mr. Gerber.

I was particularly delighted that his great ability was recognized by the Secretary of the Interior in making this award.

Mr. President, I ask unanimous consent that the Secretary's announcement of the awards may be printed in the RECORD.

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

SECRETARY UDALL ANNOUNCES 1964 CONSERVATION SERVICE AWARDS

Two judges, a State official, two organizations, and two other leading conservationists have been named to receive the 1964 Conservation Service Awards of the Department of the Interior, Secretary Stewart L. Udall announced today.

The awards are made annually to private citizens and organizations for outstanding efforts in furthering the objectives of natural resource conservation programs.

Honored for impressive service activities in the field of conservation were: Hon. Dan H. Hughes, of Montrose, Colo., former district judge and member of local, State, and national advisory boards of the Bureau of Land Management; Hon. J. E. Sturrock, of Austin, Tex., former county judge and general manager of the Texas Water Conservation Association; Earl Coe, of Olympia, Wash., director, State department of conservation and former secretary of State and member of the State legislature; Theodore Roosevelt Association, New York; the Secretary's Advisory Board on Wildlife Management; Henry Gerber, of Klamath Falls, Oreg., chairman of the State advisory board to the Bureau of Land Management; and Sebastian Williams, Marysville, Wash., member of the Tulalip Indian Tribe.

The Conservation Service Award to Judge Hughes recognizes his many years of devoted

efforts, strong support, and activity participation in land and water resources conservation. Judge Hughes is chairman of the National Advisory Council, Bureau of Land Management, a member of the Colorado Water Conservation Board, and has been appointed by the Governor as a member of the committee to rewrite the Colorado Water Code.

"As a result of your efforts we have such projects as the Uncompahgre, the Colorado-Big Thompson, the Colorado River Storage and participating projects, and the Fryingpan-Arkansas," wrote Secretary Udall in a letter to Judge Hughes.

"Your contributions as a member of the local, State, and National advisory boards of the Bureau of Land Management have been important in the development of land management policies and programs."

Judge Sturrock was cited for his work over the past three decades in furthering water resource development and conservation on a State and national scope. "You recognized the necessity for a broad and coordinated approach to water resources problems and projects, and have shown rare vision in making plans for the future," Secretary Udall said.

"In the role of coordinator, catalyst, manager, and worker, you played a major part in developing a unified water plan for the State of Texas. Through key positions in the National Reclamation Association and as Director in the National Rivers and Harbors Congress, your role in connection with national water resources has been a most significant one."

In honoring Mr. Coe for his service in the interest of resource problems of the Pacific Northwest, Secretary Udall wrote, "As a private citizen, legislator, and State official you have distinguished yourself as an effective conservationist dedicated to an orderly and comprehensive resource development program."

"Your work on behalf of the Hanford Generating Plant, the Pacific Northwest-Pacific Southwest Interconnection, and optimum development of the Columbia River has brought significant benefits to your region and the Nation."

Work of the Theodore Roosevelt Association for more than 44 years in education and public service in the field of conservation was praised by Secretary Udall in his letter to Oscar S. Straus, president of the association. The association was instrumental in the reconstruction of the Theodore Roosevelt Birthplace Home in New York City and the preservation of Sagamore Hill at Oyster Bay, Long Island, both with valuable collections of Roosevelt memorabilia, furnishings, and books.

The association has perpetuated the ideas Theodore Roosevelt believed in and tried to embody in practice for the conservation of the Nation's natural resources. "In doing this," Secretary Udall said, "it has performed a valuable service in educating the public and influencing public opinion for an enlightened policy of conservation."

Presenting the Conservation Service Award to the Advisory Board on Wildlife Management, Secretary Udall hailed the board's report "Wildlife Management in the National Parks" as a contribution of national significance "which has materially strengthened the Department of the Interior's conservation program." At the request of the Department, the board reviewed wildlife policies and management programs of the National Park Service to determine their adequacy under constantly changing ecological conditions and land use patterns.

Comprising the board are Chairman Dr. A. Starker Leopold, associate director, Museum of Vertebrate Zoology, University of California; Dr. Ira N. Gabrielson, president, Wildlife Management Institute and a former Director of Fish and Wildlife Service; Dr. Clarence Cottam, chairman, board of trustees and executive committee of the National Parks Association, and director, Welder Wildlife Foundation, Sinton, Tex.; Thomas L. Kimball, executive director, National Wildlife Federation; and Dr. Stanley A. Cain, chairman, Department of Conservation, University of Michigan.

In their report, submitted March 4, 1963, the board members brought to bear a collective personal knowledge and professional judgment covering nearly all major parks and monuments in the entire national park system.

The board's report "has become widely recognized as a classic definition of departmental and National Park Service principles and policies relative not only to park wildlife but to the fundamental purposes, appropriate uses, and national and worldwide values of the national park system itself," Secretary Udall said.

In reviewing the conservation achievement of Mr. Gerber, Secretary Udall congratulated him for his ardent support of the Department's varied programs for resource management and cited his "distinct contribution to the programs of the Bureau of Land Management in its management and conservation of the Nation's land and natural resources."

Mr. Gerber has been a member of a Grazing District Advisory Board almost continuously since 1936. For many years a member of the State Advisory Board to the Bureau of Land Management, he is now chairman of that board and the Oregon cattle representative to the National Advisory Board Council for Public Land Management.

"You have rendered excellent service in connection with the Vale Project in Oregon, a major range rehabilitation program on 6.5 million acres of rangeland," said Secretary Udall. "You have continually worked at creating an atmosphere of good will between the Department and the users of the Federal range."

Secretary Udall presented the Conservation Service Award to Mr. Williams for his progressive "efforts and leadership in conservation of the fishery resources of the Pacific Northwest, particularly in waters on and adjacent to the Tulalip Indian Reservation."

Mr. Williams is a member of the Tulalip Tribes, Inc., of the Tulalip Reservation and was former business manager for the tribes' industrial programs.

"You have worked diligently with tribal leaders, and with Federal, State, county, and community leaders interested in the fishery program," Secretary Udall said. "Through your farsighted concern for the conservation of the fishery resources, you have encouraged and promoted close cooperation between tribal groups and the non-Indian communities in this important program."

TEXAS INDEPENDENCE DAY, MARCH 2

Mr. YARBOROUGH. Mr. President, today is Independence Day. Texas Independence Day. One hundred and twenty-eight years ago, 59 men, English speaking and Spanish speaking, born in Texas, in Mexico, in Canada, in all the British Isles, in Virignia and Pennsylvania, and in 9 other States of the American Union, all then residents of Texas, met in a blacksmith shop at Washington-on-the-Brazos River, and declared Texas independent from Mexico.

When the Texas Declaration of Independence was signed, Santa Anna with several thousand men held the Alamo in San Antonio under seige. Santa Anna had besieged the chapel-fortress since February 23; it was held by 186 brave men under the command of Colonels William B. Travis, James Bowie, and David Crockett, men born in Spanish and Mexican Texas, men born in the British Isles, men born in a dozen States of the American Union. Some were old veterans like Bowie Knife Creator James Bowie, or Frontiersman Davy Crockett. Some were mere boys, not yet 15 years of age. All fought to the death. There were no survivors in their battle for liberty, when the Alamo fell on March 6, 1836, just 4 days after independence was declared.

This Declaration of Independence was the first such declaration in the world to declare the failure of the government being opposed, to support a public system of education, as a cause for revolution. This the Texas patriots did in the following language:

> It has failed to establish any public system of education, although possessed of almost boundless resources (the public domain) and, although, it is an axiom, in political science, that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government.

Mr. President, Texas established her independence by the valor of her people and by force of arms.

Sam Houston, commander of the victorious Texans at the Battle of San Jacinto, April 21, 1836, was born March 2, 1793. March 2 is a double holiday: It is Texas Independence Day and the birthday of the liberator, Sam Houston.

Mr. President, within 10 years of the Texas declaration, Texas was admitted as a State in the Union. As a consequence of that act, California, New Mexico, Nevada, Utah, Arizona, and portions of Colorado and Wyoming were acquired by the Union, and our flag was carried to the Pacific coast, our manifest destiny achieved.

Mr. President, our people have spanned the continent, our new frontiers of land were won on this continent long over a century ago, but the higher boundary, the greater frontier, called for in the Texas Declaration of Independence, has not yet been realized.

Full education of our children is an American dream, a Texas dream. This 88th Congress has passed five education bills to help make that dream come true. But there is much more to be done, on a State and National level. The cold war GI bill now on the Senate Calendar cries out for passage. Texas suffers in 35th place among the States in the education of our children.

Free public education for all children through junior college, now available in very few States in the Union, should now become a must for every State, and its opportunity open before every American child.

We can best serve the spirit of March 2, the spirit of 1836, the spirit of the Alamo, and the spirit of San Jacinto, by establishing such public systems of education as will meet the needs of the second half of the 20th century now.

This is the great goal, the unfinished task ahead of us, as it was in 1836. Let us move forward with this unfinished work.

ACTIVITIES OF NATIONAL COUNCIL OF CHURCHES IN SUPPORT OF CIVIL RIGHTS LEGISLATION

Mr. THURMOND. Mr. President, I have received in my office a copy of a letter written by Maj. Edgar C. Bundy, executive secretary of the Church League of America, in Wheaton, Ill., to Mr. Mortimer M. Caplin, U.S. Commissioner of Internal Revenue. In this letter Major Bundy raises a most valid question about activities of the National Council of Churches of Christ in the United States of America in behalf of the so-called civil rights legislation now pending in the Congress. As I understand our tax laws, Mr. President, these activities by the National Council of Churches are in violation of the tax-exempt privileges which have been granted to it. This letter and the attached letter from the National Council of Churches to executives of State Councils of Churches and other interested persons, dated February 5, 1964, clearly show that the National Council of Churches is engaging in political activity of a lobbying nature. The letter from the National Council of Churches further stresses the importance of placing pressures on the U.S. Senate, both in person and by mail, in order to try to railroad the strongest possible so-called civil rights legislation through the U.S. Senate.

I ask unanimous consent, Mr. President, that Major Bundy's letter to Mr. Caplin and the attached copy of the letter from the National Council of Churches in behalf of the so-called civil rights legislation be printed at this point in the CONGRESSIONAL RECORD, so that the Members of the U.S. Senate will have a better understanding of the types of pressures being used to railroad this legislation through the Senate—even in violation of the internal revenue laws of this country.

Mr. President, I am also calling these letters to the attention of the chairman of the House Ways and Means Committee and of the chairman of the Senate Finance Committee, for appropriate study and consideration.

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

FEBRUARY 27, 1964.

MR. MORTIMER M. CAPLIN,
U.S. Commissioner of Internal Revenue, Washington, D.C.

DEAR MR. CAPLIN: I should like to call your attention to the enclosed photographic reproduction of a letter dated February 5, 1964, on the official letterhead of the National Council of Churches of Christ in the United States of America.

You will note that the executives of the National Council of Churches are openly lobbying for the passage of current proposed legislation now under consideration by the Congress, namely the so-called civil rights bill. Mention is made of a lobbyist, one James Hamilton, who is maintained by the National Council of Churches in Washington, D.C. for the purpose of "working on legislation." Furthermore, you will notice that the National Council of Churches is attempting to influence clergymen everywhere to support the particular legislation in question.

It is my understanding that the laws enacted by the Congress, under which an organization may possess and retain its tax-exempt status, forbid such organizations from engaging in any activities designed to influence the passage or defeat of legislation. If my understanding is correct, it is clear that the National Council of Churches has violated the tax laws in the present instance, at least. In view of this fact, I should like to ask you how the National Council of Churches is able to retain its tax-exempt status?

As executive secretary of the Church League of America, a tax exempt organization which has always scrupulously observed the requirements imposed by law, I should like to receive your official opinion as to:

(1) Whether or not the National Council of Churches has violated the tax laws in light of its self-disclosed activities as revealed by the letter of February 5, 1964; and

(2) Whether or not the Department of Internal Revenue will conduct an investigation into the apparent violations of the tax laws by the National Council of Churches.

Furthermore, I should like to know whether your Department will inform me of its final determination in this matter relative to the National Council of Churches.

I shall await your reply with great interest.

Very truly yours,

EDGAR C. BUNDY,
Executive Secretary.

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST,
New York, N.Y., February 5, 1964.

Executives of State Councils of Churches; Other Interested Persons.

DEAR FRIENDS: Congratulations to you and all of the people in your State whose support has made it possible for the civil rights bill to reach the floor of the House of Representatives.

There are now a number of things for us to do:

1. Ask those who have been working on the civil rights bill in your communities to watch the progress of the bill and be prepared to contact their Congressmen to support passage of a strong bill with FEPC and public accommodations. They can tell from the progress of the bill in the House whether a barrage of telegrams, telephone calls and even visits to their respective Congressmen may be useful.

2. Our own representative in Washington, James Hamilton, and others working on the legislation expect the Senate to be our major problem. A filibuster is likely. Watch the newspapers for any indication of when the bill will reach the Senate.

3. Be prepared, at the time the bill is announced to reach the Senate, to have delegations ready from your State to come to Washington in as large numbers as possible.

4. We plan round-the-clock church services in Washington at the time the bill comes to the floor of the Senate and during any filibuster which develops.

5. Will you send us a list of clergymen whom you know would be willing to serve as a kind of preaching mission in our church services in Washington at the time of the filibuster?

6. The moment the bill is announced to reach the Senate, a massive letter writing campaign will be necessary. Remind everyone that their letters, telephone calls, and visits have made the progress of the bill possible. Official Washington leaders have said to us that it is largely the church which has made the legislation move forward.

Congratulations again, for each person who wrote a letter, sent a message, or interviewed a Senator or Congressman truly is the church.

Whenever we do things in an orderly lawful fashion it encourages all people. Therefore, the legislation has more importance than the placing of a law on the statute books. The passage of such a bill indicates our belief that America can still accomplish things in an orderly fashion.

Please let us have your list of ministers as soon as possible. We hope you will also report any progress in the mobilization of the people of your State.

Cordially yours,

ROBERT W. SPIKE,
Executive Director.
ANNA ARNOLD HEDGEMAN,
Coordinator, Special Events.

AGRICULTURAL ACT OF 1964—THE COTTON AND WHEAT PROGRAM

The Senate resumed the consideration of the bill (H.R. 6196) to encourage increased consumption of cotton—and wheat—to maintain the income of cotton producers to provide a special research program designed to lower costs of production, and for other purposes.

Mr. THURMOND. Mr. President, the cotton program proposed by H.R. 6196 constitutes an attempt to deal with what it, to many of us, an old problem, which through continuing deterioration has become a deadly serious one. The dilemma of the cotton industry in the United States was both predictable and predicted, but it is no less a dilemma because of the fact that it required something less than clairvoyance to anticipate its occurrence.

U.S. grown cotton is rapidly becoming noncompetitive.

For 8 years now, domestic manufacturers have not been able to buy cotton at the price which foreign manufacturers could buy it. At the present time, the domestic manufacturers must pay about 8½ cents more per pound than do foreign manufacturers. According to the Department of Agriculture, the cost of cotton has averaged 55 percent of the selling price of manufactured cotton products. The results of the two-price system are twofold.

First. Imports of cotton products have increased from the equivalent of about 181,000 bales in 1955 to nearly 700,000 bales in 1963.

Second. Since the last quarter of 1960, cotton has suffered a direct competitive loss to synthetic fibers of almost 2 million bales.

This is a problem of the entire cotton industry, from the producer to the broker who sells the manufactured product. It is by no means a problem of the manufacturer only, for the manufacturer can shift his production to synthetics, as he is increasingly doing. It is a problem for the cotton industry in its entirety.

The public also has a large stake in this program. There can be no question of the fact that the more noncompetitive cotton becomes, the greater the amount which will end up in Government storage, and the higher will be the cost of the cotton program to the Government. Despite a cut in the national acreage allotment of more than 2 million acres, annual storage and handling charges on Government cotton have increased during the last 2 years from $25 million to about $75 million. As taxpayers, the public has a big stake in the solution of this problem.

The public also has a stake in the problem as consumers. According to a

recent study correlating the price of raw cotton and the price of cotton cloth, changes in the price of one was almost invariably reflected by proportionate changes in the other. Thus the premium above the world market price paid by domestic manufacturers for raw cotton is ultimately paid by the consumer, and the elimination of the two-price system would accrue primarily into the pocketbook of the consumer.

The elimination of the two-price system for cotton has repeatedly been recommended in this body. In the 2d session of the 85th Congress, the Senate passed Senate Resolution 287, which authorized an investigation of the factors bearing on the plight of the domestic textile industry. Pursuant to this resolution, a very thorough investigation was conducted by a special subcommittee of the Senate Commerce Committee. Numerous hearings were held both in Washington and at various other points in the country. In its report to the Senate filed on February 4, 1959, the subcommittee recommended:

We recommend immediate elimination of the two-price system on cotton which adds to the competitive disadvantage of the cotton textile industry vis-a-vis foreign producers of cotton textiles who use American grown cotton to manufacture textile products sold in our markets. If it is not feasible to eliminate the two-price system on cotton immediately, we recommend that tariffs on imported cotton products be increased by an amount equal to the difference in cost between foreign produced and domestically produced cotton products resulting from the two-price cotton system. If the two-price system is to be eliminated gradually, as is envisaged under legislation now in effect, we recommend that tariffs be increased immediately to compensate for differences in cost resulting from the two-price cotton system, and that these additions to the tariff be scaled down as the price differential to foreign and domestic purchasers of American cotton is reduced or eliminated.

This same subcommittee has each year reviewed the history of the textile industry and has kept the Senate advised as to the situation in supplemental reports. For instance, in its report to the Senate on March 14, 1961, the subcommittee stated:

We are encouraged to see that the Department of Agriculture is currently examining possible alternatives to the present price support program for cotton which has resulted in a two-price system penalizing American cotton manufacturers. We recommended that this investigation be completed as rapidly as possible with a view to the elimination of the two-price system. If this system is to be eliminated gradually, we recommend that tariffs and/or fees be increased immediately to compensate for differences in cost resulting from the present two-price system, and that these tariffs be scaled down as the price differential to foreign and domestic purchasers of American cotton is reduced or eliminated.

In April 1962, the subcommittee reported to the Senate that under the President's seven-point program on textiles:

The Department of Agriculture was directed to explore and make recommendations to eliminate or offset the cost to U.S. mills of the adverse differential in raw cotton costs between domestic and foreign textile producers.

The explorations of the Agricultural Department resulted in absolutely nothing, however, and in its report of July 18, 1963, the Textile Subcommittee recognized that Congress would have to take action in the matter. The subcommittee reported:

We agree fully with President Kennedy that the inequity of the two-price system of cotton costs remains as a unique burden upon the American textile industry, for which a solution must be found in the near future.

This peculiar anomaly resulting from our agricultural price support program must be eliminated. This is a matter which can be corrected by legislative action, and it is our sincere hope that an agreement can be reached in the House and the Senate which will remove this intolerable competitive disadvantage before the end of the present session of Congress.

As is quite clear from the excerpts from the reports which I have quoted, the Textile Subcommittee has repeatedly urged that the situation be remedied by the imposition of an import equalization fee. This the various administrations have refused to do. Indeed, the negotiation of the long-term cotton textile agreement in Geneva has apparently precluded the possibility of obtaining the imposition of an important equalization fee.

The domestic subsidy is, therefore, apparently the last and only alternative available by which we can permit the U.S. manufacturers to purchase cotton at the world market price. If this step is not taken by the Congress, the mills will have no alternative but to switch to the manufacture of synthetics.

This they have already demonstrated their capability to do. I personally know of many instances in which manufacturers which have traditionally been exclusive producers of cotton products have experimented with running synthetic fibers on the machinery heretofore used exclusively for manufacturing cotton. Their experiments have been successful. There is not the slightest doubt in my mind that if legislation to make cotton available to them at the world market price is not forthcoming, they will have no alternative but ultimately to cease manufacturing cotton products.

In my opinion, the choice before this body today is whether we will continue to have a cotton industry on anything like the scale it now exists. However much each of us might prefer a different approach, the bill before us presents the only one which is possible of attainment and which will effectively deal with the dilemma.

This bill will permit the U.S. manufacturers to buy cotton at the world market price, and thus remain in the business of producing cotton products.

It will provide a continuing market for domestically produced cotton which will otherwise surely end up in Government storage at great cost to the taxpayer.

It will give the producers, both large and small, a chance to grow cotton profitably, while permitting a test of the ability of U.S. farmers to compete in the world market without any supports.

The bill also provides for the first time an authorization of a substantial sum, $10 million, for research toward the reduction of the cost of producing cotton. This is where the ultimate solution to the entire cotton program lies. There is no reason why such problems as the boll weevil cannot be entirely eliminated if sufficient effort is devoted to that end. Other reductions in cost of production can also be accomplished.

In the interim, I do not believe there is any other way to keep the cotton industry alive than is provided in this bill. I urge that the Senate pass the cotton program in H.R. 6196 as it was reported by the committee.

AMENDMENTS

Mr. HUMPHREY. Mr. President, I send to the desk an amendment to the cotton and wheat bill (H.R. 6196) to provide for national food and fiber reserves.

The PRESIDING OFFICER. The amendment will be received and printed.

Mr. HUMPHREY. I also send to the desk an amendment relating to the operations of the Commodity Credit Corporation, and in particular the matter of giving priority to private channels and facilities of trade in the Commodity Credit program of storage marketing operations, and the use of Government-owned storage facilities only if privately owned storage facilities are not adequate, and in such manner as not to displace or compete with privately owned facilities.

I ask unanimous consent that the text of the two amendments be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed. Without objection, the two amendments submitted by the Senator from Minnesota will be printed at this point in the RECORD.

The amendments are as follows:

AMENDMENT 448

Amendment to encourage increased consumption of cotton, to maintain the income of cotton producers, to provide a special research program designed to lower costs of production, and for other purposes

At the end of the bill add the following new title:

"TITLE III—ESTABLISHMENT OF COMMISSION

"SEC. 301. This title may be cited as the 'Commission on United States Food and Fiber Policy Act.'

"SEC. 302. (a) There is hereby established a bipartisan commission to be known as the Commission on United States Food and Fiber Policy (hereinafter referred to as the 'Commission').

"(b) The Commission shall be composed of twenty-five members appointed by the President as follows:

"(1) Five to be appointed from persons engaged in farming;

"(2) Five to be appointed from persons engaged in the marketing of farm commodities or products;

"(3) Five to be appointed from persons engaged in the processing of farm commodities;

"(4) Five to be appointed from the general public; and

"(5) Five to be appointed from the Federal Government.

"(c) Vacancies in the Commission shall not affect its powers, but shall be filled in the

same manner in which the original appointment was made.

"(d) The President shall designate one of the members of the Commission to serve as Chairman.

"(e) Thirteen members of the Commission shall constitute a quorum.

"Compensation of members of the Commission

"SEC. 303. (a) Members of the Commission appointed from the Federal Government shall serve without compensation in addition to that received for their services as officers or employees of the Federal Government, but they shall be reimbursed by the Commission for travel and, in lieu of subsistence, a per diem allowance in the amount authorized under the Travel Expenses Act of 1949, as amended, for Federal employees.

"(b) Each member of the Commission appointed from private life shall, whenever the President determines such action necessary or appropriate, receive compensation for each day on which the member is engaged in the performance of duties of the Commission for travel and, in lieu of subsistence, a per diem allowance in the amount authorized under the Travel Expenses Act of 1949, as amended, for Federal employees.

"Staff of the Commission

"SEC. 304 (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

"(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

"Duties of the Commission

"SEC. 305. (a) The Commission shall make a comprehensive study and investigation of any and all matters which relate to the food and fiber policies of the United States and of the direct and indirect effect of such policies on all segments of our society. In carrying out such study and investigation the Commission shall give special consideration to—

"(1) the import and export policies and practices of foreign nations with respect to food and fiber and the effect of those policies on the United States;

"(2) the various systems used by this Nation for marketing of agricultural commodities and products;

"(3) the effectiveness of our present policies in the use of food internationally, and how such policies might be improved;

"(4) the problems of rural poverty in the United States;

"(5) the strategic reserve policies of the United States;

"(6) the cost of and the benefits derived from the various food and fiber programs of this Nation; and

"(7) the method of extending and expanding Public Law 480 without injuring commercial markets.

"(b) The Commission shall submit to the President, not more than eighteen months after the date of enactment of this act, a report of its findings and recommendations with respect to the food and fiber policies of the United States. The Commission shall cease to exist thirty days after the submission of its report.

"Expenses of the Commission

"SEC. 306. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act."

AMENDMENT 450

Insert in the proper place:

"SEC. —. Subject to any other statutory provisions which apply to the Secretary and Commodity Credit Corporation in carrying out their activities and responsibilities, it is the sense of Congress that in carrying out price support and other programs of the Department, the Secretary and Commodity Credit Corporation shall, to the maximum extent practicable consistent with the fulfillment of the Corporation's purposes and with the efficient and effective conduct of its operations, give priority to private channels and facilities of trade in its storage and marketing operations and use Government-owned storage facilities only where privately owned storage facilities are not adequate and in such manner as will not displace or compete with privately owned facilities."

THE THIRD ANNIVERSARY OF THE PEACE CORPS

Mr. HUMPHREY. Mr. President, yesterday, March 1, 1964, was the Peace Corps' third birthday. On March 1, 1961, President Kennedy signed an Executive order which established the Peace Corps on a temporary pilot basis. The President took this action so that the Congress would have available to it a source of information and experience to aid it in considering the merits of the Peace Corps bill which was transmitted a few weeks later.

During the last 3 years the Congress has enacted much legislation of great importance, both to this Nation and to the free world.

I do not now say that of these many acts the Peace Corps Act was the most important. But even now, if someone pressed me, I would readily concede that 25 or 50 years from now history may well have proved that it was.

And even now I must confess to a special feeling of pride and achievement whenever my thoughts turn to the Peace Corps. To think even for a moment in the course of a busy day of our Peace Corps volunteers, now 7,500 strong including those in training, working in 45 countries to help them to meet critical needs for trained manpower and to promote mutual understanding, warms my heart and lifts my spirits.

There is much concrete evidence of the achievements of the Peace Corps during the last 3 years.

You may recall, Mr. President, that when the Peace Corps was established, there was little doubt that the less developed countries overseas needed the kind of trained manpower skills Peace Corps volunteers could provide. But there was much doubt, not only overseas but right here in this country, as to whether or not young American men and women could live and work effectively overseas under living conditions which were a far cry from what they were used to here in the United States. People at home and abroad wondered if young Americans had gotten too soft. People openly spoke of the so-called silent generation.

The past 3 years have laid these doubts to rest.

The demand for Peace Corps volunteers from abroad far exceeds the number the Peace Corps has chosen to try to supply. There could be no better evidence of the value foreign countries place on the Peace Corps.

Americans in ever increasing numbers are volunteering for Peace Corps service. During each of the last 3 months the number of applications for Peace Corps service has set a new record: 4,812 applications were received in December, 5,037 in January and the astounding number of 5,634 in February.

During the last 3 months, almost as many Americans applied for Peace Corps service as did in the whole of fiscal year 1962, the Peace Corps' first full year of operations.

Despite the demand from overseas for more volunteers and the mounting number of applications for Peace Corps service, the Peace Corps under the able leadership of Sargent Shriver continues to grow at a rate which strikes exactly the right balance between confidence and conservatism. This year's Peace Corps authorizing bill, which was reported without objection by the Committee on Foreign Relations last Thursday, and which was approved by the Senate today, actually calls for a somewhat smaller rate of input of new volunteers next year than is planned with the funds available for this year.

With applications for Peace Corps service reaching alltime highs, this means that the Peace Corps will be able to apply even more rigorous selection standards than it has in the past.

By this I do not in any way mean to suggest that the quality of Peace Corps volunteers now is not excellent. When Sargent Shriver testified before the Foreign Relations Committee last week, he pointed out in response to a question from the chairman, my friend the Senator from Arkansas, that only 4.5 percent of the volunteers who have been assigned to service overseas had failed to complete their full term of service because of inability to adjust or similar reasons. This, all experts agree, is a truly phenomenal record. It testifies to the skill of the Peace Corps staff, both here and overseas. But above all it testifies to the quality and dedication of those Americans who have volunteered for Peace Corps service.

The volunteers have also more than justified the hopes of those of us who believe in the long-term contribution that humanitarian, nonpolitical, people-to-people programs can make to the success of the foreign policy of the United States. The volunteers have been able to continue on the job—enjoying the respect and affection of the people whom they serve—in Peru, the Dominican Republic, Honduras, and, most recently, Panama, notwithstanding the fact that diplomatic relations between the United States and these countries have been or are now interrupted.

I believe that this record amply demonstrates the wisdom of the amendment to the Foreign Aid Act which Senator KEATING and I sponsored last year. That amendment made it clear that Aid Act provisions requiring the termination of aid should not require termination of the Peace Corps or other people-to-people programs such as the Fulbright pro-

gram and certain food-for-peace activities.

On any birthday, it is as appropriate to peer into the future as to review accomplishments of the past.

The Peace Corps obviously enjoys the full and affectionate support of President Johnson. Both in his speech to the Congress after President Kennedy's death and in his state of the Union message he singled out the Peace Corps for special praise.

Certainly, regard for the Peace Corps both overseas and in the United States has never been higher.

This kind of support cannot but auger well for the Peace Corps' future.

What remains to be done? Much tribute has been paid to the extraordinary ability, enthusiasm and administrative skill of Sargent Shriver and the Peace Corps staff he has assembled. Now that the Peace Corp has established itself it is even more important for it to continue to value highly the imagination, intelligence and "get it done" vitality which has animated the Peace Corps during its infancy and youth. To preserve these qualities for the long pull is in many ways a greater challenge to the staff and to the volunteers than was the creation and early development of the Peace Corps.

These efforts should not be confined to improving the Peace Corps' selection, training, programing and administration. A whole new area is deserving of the serious attention of the Peace Corps' staff. In his special message to the Congress of March 1, 1961, President Kennedy said:

> The benefits of the Peace Corps will not be limited to the countries in which it serves. Our own young men and women will be enriched by the experience of living and working in foreign lands. They will have acquired new skills and experience which will aid them in their future careers and add to our own country's supply of trained personnel and teachers. They will return better able to assume the responsibilities of American citizenship and with greater understanding of our global responsibilities.

To date slightly more than 700 volunteers have returned from overseas after completing two years of Peace Corps service. Many of them are continuing their education. Many have found employment in the Foreign Service, the AID, USIA, and other Federal agencies which can put to good use their special talents and experience.

But this is just the beginning. This year about 3,000 volunteers will return and next year about 3500.

Last year, the Congress authorized the Peace Corps to undertake programs to insure that the skills and experience which former Peace Corps volunteers desire from our investment in their training and service abroad are best utilized in the national interest.

But this is not a job which should be left to the Peace Corps. Nor is it one which should be the primary responsibility of the Federal Government.

It should be a concern of every American in and out of public service to see what can be done to help fulfill the third purpose of the Peace Corps Act—that of promoting a better understanding of the peoples of other countries on the part of the people of the United States—by making good use of the services of former Peace Corps volunteers.

Right here in the Nation's Capital we have a shining example of what local initiative combined with former Peace Corps volunteers can do. I refer to the project at Cardoza High School which has received so much attention.

If that and similar projects could multiply throughout the land, we would have taken yet another step towards fulfillment of the goals John Fitzgerald Kennedy set for the Peace Corps, goals which under the leadership of President Johnson we will continue to strive to achieve.

Happy birthday, Peace Corps. May you have many more.

PRESIDENT JOHNSON'S TELEVISED PRESS CONFERENCE

Mr. HUMPHREY. Mr. President, before we conclude today's business, I want to comment briefly on President Johnson's live television press conference of last Saturday. The President did a remarkably good job. He was frank and he was candid. He answered those questions of public policy that needed sincere, frank, and detailed answers.

President Johnson's style and his manner are those that give the American people confidence in the President of the United States. I saw the press conference and in the evening news telecasts I was able to see portions of it again. I cannot help but feel that millions of Americans must have been reassured by the demeanor and the manner of their President. He was a big man in every way. He exemplified confidence and knowledge of the subject matter to which his attention was directed.

He was poised and he was calm. His words were expressed in measured tones.

He did a fine job, and I was pleased to see in the Washington Evening Star of today the editorial entitled "Johnson Meets the Press." This editorial commends President Johnson. It would be wrong to attempt to compare President Johnson with our late beloved President Kennedy, because they are men of different personalities, both extremely able and each with a style and manner of his own. It does no good to try to compare one man with another in these instances. I am just proud to say that the American people have been very, very fortunate first to have had the late President Kennedy give us such remarkable direction, guidance, and inspiration in every one of his actions, words, and deeds, and now to have this strong, good, courageous, friendly man who presently occupies the position of President of the United States, who talks sense to the American people, and talks very straight to the world.

The Washington Star editorial stated:

> In short, while the Johnson press conference did not sparkle, it was informative, and that's what press conferences really are for.

I might add that press conferences not only are for the press; they are for the people. Let it never be forgotten in this great city of Washington, where we always are under the public eye and public scrutiny, that the action of every one of us should be measured not by the way we impress the commentator or reporter or editor or program director, but by what we do to bring more confidence on the part of the American people in government and in the policies of this Government and in this great democratic system.

President Johnson's every word and every action command respect from the American people and give them a feeling of strength with justice.

I wanted to say these few words in behalf of our President, not that anyone encouraged me to do so, but only because I liked what I saw and felt better.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the editorial from today's Washington Star, to which I referred earlier, entitled "Johnson Meets Press."

I also ask unanimous consent to have printed at this point in the RECORD an article from today's Washington Star by David Lawrence concerning President Johnson's televised press conference.

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

[From the Washington (D.C.) Star, Mar. 2, 1964]

JOHNSON MEETS PRESS

It was inevitable that President Johnson's first live press conference would be measured against the sessions conducted by John F. Kennedy. And in all candor it must be said that that "certain something" which was the hallmark of a Kennedy conference was missing when Mr. Johnson met the press.

Nevertheless, we thought that President Johnson handled himself very well. He talked without trying to answer the silly questions. Those he didn't want to answer were neatly turned aside. And when direct responses were forthcoming, they were clear and to the point.

Take the case of Panama. When asked whether he saw any hope of reaching an agreement, the President began by firmly directing attention to the fact that it was the Panamanians who "marched on our zone." Then he reviewed his efforts to establish useful contact with the authorities in Panama, and even indicated that some "adjustment" in the 1903 treaty might be needed. He also made it perfectly clear, however, that the United States is not going to discuss this question under pressure of threats or on Panama's terms.

He put it this way: "But we are not going to make any precommitments before we sit down on what we are going to do in the way of rewriting new treaties with a nation we do not have diplomatic relations with. Once those relations are restored, we will be glad, as I said the first day, and as we have repeated every day since, to discuss anything, any time, anywhere, and do what is just and what is fair and what is right."

This lays it on the line. It lets Panama and the people of this country know what to expect. In short, while the Johnson press conference didn't sparkle, it was informative—and that's what press conferences really are for.

[From the Washington (D.C.) Star, Mar. 2, 1964]

JOHNSON JUST RIGHT IN TV ROLE—PRESS CONFERENCE OBSERVER SEES AN EARNEST AND DIGNIFIED PRESIDENT

(By David Lawrence)

President Johnson handled himself just right in his press conference the other day—the first to be shared simultaneously with a television and radio audience.

There are theatrical temptations and political dangers in appearing before a mass of listeners over nationwide networks. Mr. Johnson didn't try to be a Bob Hope or a Jack Benny or to use the applause-getting methods of any other TV star, but presented himself simply as an earnest, dignified President of the United States.

In choosing not to be a showman he may not have won the "Beatle"-minded, but he probably earned the respect of mature citizens. The sharp and witty innuendoes of political combat, moreover, were omitted, as this device sometimes alienates as many as it attracts.

The President's answers were clearly expressed, and he was both tactful and diplomatic in avoiding the pitfalls of extemporaneous comment which have embarrassed some of his predecessors.

Mr. Johnson appeared a changed man from the days when he was majority leader of the Senate or Vice President. He showed the weight of his responsibility. He was calm and restrained and was exceedingly careful to choose every word he spoke.

Take, for instance, the President's way of dealing with the Panama problem. He said he was willing to discuss anything, any time, anywhere, and to make adjustments when diplomatic relations with the Panamanian government have been restored, but he made it clear that this country would not make any precommitments.

This plainly means that the decision whether to agree to a revision of the existing treaty with Panama will not be made before but after the whole subject has been explored in conferences between the two Governments.

On domestic politics, Mr. Johnson was equally restrained and chose his words carefully. He preferred, for example, not to involve himself in the techniques of a court trial and said merely that he wouldn't comment on the "Bobby Baker case" until the hearings have been concluded and the Senate committee has made its report.

Beseeched for an educated guess as to who his Republican opponent in the presidential race might be, Mr. Johnson quietly replied that he himself hadn't been nominated as yet and that these were matters for the conventions to decide.

But when asked about the public accommodations section of the civil rights bill, Mr. Johnson didn't hesitate to state unequivocally that he stands behind the bill as it passed the House. He denied that he had promised to compromise on this or any other section. But, of course, this doesn't preclude the Senate and House conferees from making compromises while assuming that the President will have to go along anyway if it's the best thing that can be done to assure final passage.

Asked about his first 100 days in the Presidency which last Saturday completed, Mr. Johnson said he had as Vice President sat in on 35 meetings of the National Security Council, including the Cuban-missile crisis, and that he had been reasonably close to the operations of the Presidential Office in the last 30 years, but that he had derived many different impressions now from "this awesome responsibility."

Whether the topic was the political or military strategy to be pursued in the Vietnam muddle or the requested amplification of his recent remarks in Los Angeles in which he referred to the "dangerous game" being played by the "aggressors" in southeast Asia, the President was as cautious as any career diplomat in his selection of words.

Mr. Johnson didn't care to say now whether he will engage in a TV debate with the opposing presidential candidate next autumn. He said merely he will "cross that bridge" when he comes to it. This leaves him with plenty of opportunity to decide either way, depending on the circumstances existing at campaign time.

Lyndon Johnson has learned in his 30 years of experience on Capitol Hill that it's never wise in politics to make a superfluous statement or to issue one long before it is actually necessary. On the whole, Mr. Johnson's demeanor at his TV conference with the press, if continued, will give an image to the public of a hard-working, cautious, and sincere man whose mistakes, when they occur, will not seem to be due so much to a lack of conscientious effort as to the turns of fate in a topsy-turvy world.

RECESS TO 11 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, in accordance with the previous order, I now move that the Senate stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 26 minutes p.m.), under the previous order, the Senate recessed until tomorrow, Tuesday, March 3, 1964, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate March 2 (legislative day of February 26), 1964:

DEPARTMENT OF STATE

William P. Bundy, of Maryland, to be an Assistant Secretary of State, vice Roger Hilsman, Jr., resigned.

DEPARTMENT OF DEFENSE

John T. McNaughton, of Massachusetts, to be an Assistant Secretary of Defense, vice William P. Bundy.

Daniel M. Luevano, of California, to be Assistant Secretary of the Army, vice Paul R. Ignatius.

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Joseph M. Lyle, Supply Corps, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

EXTENSIONS OF REMARKS

Poll of Constituents

EXTENSION OF REMARKS
OF
HON. CHARLES E. BENNETT
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, March 2, 1964

Mr. BENNETT of Florida. Mr. Speaker, I have just completed a poll in the Second Congressional District of Florida, and I take this opportunity to include the results in the CONGRESSIONAL RECORD. This five-question poll was mailed to some 20,000 residents of Duval County, Fla., which comprises my congressional district, and it received wide publicity through the various media, for which I am extremely grateful.

The results of the poll:

1. Should Government expenditures be cut to offset proposed tax cut? Yes, 88 percent; no, 12 percent.

2. Should the pending civil rights bill be enacted? Yes, 18 percent; no, 82 percent.

3. Should there be a domestic "Peace Corps" in the United States? Yes, 32 percent; no, 68 percent.

4. Should the Panama Canal be turned over to the U.N.? Yes, 8 percent; no, 92 percent.

5. Should Red China be recognized by the United States? Yes, 9 percent; no, 91 percent.

Children Have a Potential

EXTENSION OF REMARKS
OF
HON. ROBERT R. BARRY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, March 2, 1964

Mr. BARRY. Mr. Speaker, as Members of the Congress we must all have an abiding concern with respect to the health and welfare of our armed services. I would like to call to the attention of the Congress a very noteworthy endeavor of the Air Force Aid Society program CHAP—Children Have a Potential—benefiting the handicapped children of Air Force personnel. About 9 million children in the United States under 21 are physically and mentally handicapped. At least 100,000 of these handicapped are children of Air Force personnel. Unfortunately, many service families do not have the financial means to care for retarded children. CHAP offers financial assistance in the important medical research for greater enlightenment and treatment of their afflictions as well as to carry out a specialized education program.

The program is administered at base level by the Family Services Advisory Council. The Family Service Committee, with the aid of both Air Force medical personnel and voluntary civilian doctors, have been making a careful survey of the problem. The Air Force Aid Society does not propose to relieve a family of the responsibility of caring for a handicapped child. But, in addition to a firm medical program, they do propose to assist in educating the child by either sending him to a school for the handicapped or establishing such a school if the number of children on a base warrants it. In this education endeavor alone, since 1962, CHAP has assisted 663 children at the cost of $121,307.

In addition, through the Henry H. Arnold Educational Fund, the Aid Society furnishes scholarship aid for Air

Force children, whose parents would not otherwise be able to send them to college. In the academic year 1962–63, 570 scholarships were awarded. This year approximately 800 children are benefiting from the program, at the cost of $227,218 in grants and $198,906 in loans.

On the 10th of February, the First Annual Air Force Ball was held in New York City to benefit this very worthwhile Air Force Aid Society—CHAP—program. Due to tremendous personal effort in behalf of the committee members, united interest of leaders of commerce, industry, publishing, banking, the communications industry, and patriotic organizations, the ball was a great financial success. This action and others similar to it appeal to everyone with a heart and conscience, and deserve the attention of the Members of Congress to point out whenever possible the great need for concern with respect to the health and welfare of the handicapped children of our armed services personnel.

Save Your Vision Week

EXTENSION OF REMARKS

OF

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1964

Mr. ROGERS of Colorado. Mr. Speaker, today is the opening of "Save Your Vision Week," as proclaimed by the President. The importance of good vision to our economy and to our daily life is such that I feel that some mention of this annual event should be made in this Chamber in which so many decisions are made which affect our Nation.

Since 1927, "Save Your Vision Week" has been a part of this Nation's many public-benefit campaigns. Since that time, the Governors of every State and mayors of thousands of municipalities have issued proclamations urging the observance of "Save Your Vision Week" during the first week of March. More than 1,300 radio stations and 325 television stations will begin broadcasting messages on vision care today.

We have built this country on our ability to mass produce and market goods and services. The need to see comfortably and efficiently is an integral part of the production line. Poor vision, improper safety measures, and poor lighting combine to endanger not only the eyesight and lives of employees, but to impair the efficiency of industry. Eye accidents occur at the rate of 2 per minute every working day in American industry. An estimated $20 million is lost each year to industry from accidents alone.

The tragedy is that 98 percent of all eye injuries could be prevented with proper safety precautions, proper illumination, and regular vision examinations for employees. The U.S. Department of Labor, in a study from 1951–55, proved that a good safety campaign among Federal employees reduced disabilities due to vision injuries by 40 percent.

We face a challenging future today. My colleagues are well aware of the unlimited frontiers of space exploration. An expanding population and economy pose tremendous challenges to planners, architects, government, and business. We have broadened educational opportunities for our children, and the need for trained, qualified graduates in art, science, industry, and the professions has never been greater.

Congress is concerned with the problem of dropouts in our school system. City and State authorities are struggling to overcome the corresponding problems of juvenile delinquency and increased unemployment. Here, too, vision is an important factor.

Research shows millions of children repeat one or more years' work because they are unable to visually keep pace with their classmates. Studies by the University of Chicago reveal one out of two children who fail reading need vision care.

Our mounting traffic toll is of great concern to all public officials. Yet one out of every six drivers is visually handicapped and does not know it. The automobile he drives, built by the labor and imagination of industry, can be a vehicle which rushes him to destruction or injury simply because the driver lacks the ability to see danger in sufficient time to stop.

All Americans should recognize their responsibility to safeguard this precious gift of sight and to utilize it to the greatest ability science can enable them.

The American Optometric Association in past years has supported this campaign to stimulate interest in preventive and protective eye care. Since vision is so important to our country and to our people, I believe it is appropriate for Congress to recognize the opening day of this event and to urge all professions to support its public service principle.

The Los Angeles Industrial Fair and Congress

EXTENSION OF REMARKS

OF

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1964

Mr. CORMAN. Mr. Speaker, on March 4, 5, and 6, 1964, the Los Angeles Chamber of Commerce is sponsoring the first Los Angeles Industrial Fair and Congress. More than 25,000 businessmen and industrialists from the Western United States are expected to attend this unique 3-day conference. The theme of the event will be the problems and opportunities of growth in southern California.

Sessions of the congress will focus on what business leaders can do to contribute to the orderly and mature growth of the southern California industrial community, management's responsibilities to higher education, industrial modernization and other topics.

The fair will exhibit many new consumer products which have been derived from space and defense research and development programs. Industrial products, equipment, and services will be shown along with action displays and demonstrations. The winning entries in the industrial design competition will also be exhibited.

I commend Mr. Oscar T. Lawler, president of the Los Angeles Chamber of Commerce, Mr. Knox Bourne, chairman of executive committee of the Industrial Fair and Congress and the many others who have worked so hard to make this event a success. Their efforts are an important contribution to the progress and prosperity of Los Angeles and southern California.

Robin Hood War on Poverty

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1964

Mr. PELLY. Mr. Speaker, the Association of Washington Industries is disseminating a compilation of the National Industrial Council which discloses among other facts that there are 13 Federal Government civilian employees for each 1,000 of the 190 million Americans. The suggestion made was that there be less Government spending and more Government economy in order to make the recent tax cut meaningful.

Of course, Mr. Speaker, in addition to the 2.5 million Federal Government payroll there are others who contribute to the cost of Government. All in all, 30 million people, or almost 150 persons of each 1,000 Americans receive regular direct checks from the Federal Government, and millions more get side benefits or are employed in programs in which the Government has a dominant financial hand.

For example, the Armed Forces total 2.7 million which is 14 persons for every 1,000 Americans. Also, there are 6.8 million people on relief which represents more than 35 persons out of every 1,000 Americans. There are 13 million people who are recipients of farm program benefits and there are 8.4 million persons getting Government surplus foods.

These statistics, it is true, indicate the cause of the evergrowing size and cost of the Federal Government. There are now only 5 non-Government workers for every one Government worker. However, in the face of President Johnson's unconditional war on poverty in America the answer to cutting down on the Federal payroll in reality is stopping new programs. I refer to programs that have never been acted on by Congress and other requests of the President for new programs. In the President's plan to conquer poverty billions of dollars and thousands of new Federal employees are involved.

As for poverty, experience proves it will increase if the line is not held on

Federal spending because on the heels of the recent $11 billion tax cut there is a very serious danger of a loss in buying power of wages and also pensions, social security payments and everything of value that is payable in dollars.

President Johnson said on January 15 to some senior citizens, "We are going to try to take all of the money that we think is unnecessarily being spent and take it from the 'haves' and give it to the 'have nots' that need it so much."

I do not think that is the proper answer to poverty anymore than Robin Hood had the solution in his day. One danger of fighting poverty is inflation. Prosperity can never be created by Federal deficit spending. Instead it will create more poverty than we presently have if a policy of increased Government spending is not stopped.

Is the war on poverty what is intended? Or are we in a battle of winning an election next November? Robin Hood was popular with the people, but he never raised their standard of living.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, March 2, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of February 29, 1964:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

PRESENT FOREIGN POLICY IS DANGEROUS; THE INEVITABLE RESULT IS DISASTER FOR OUR COUNTRY, BUT THE PEOPLE CAN FORCE A CHANGE

A casual check of the news of the day makes it clear that American prestige has never been lower. The world picture is not pleasant. The indecision of the administration in developing foreign policy is creating worldwide confusion and rising anti-Americanism. Here is what is happening around the world and the inevitable conclusion if we continue the present course:

1. Africa is close to a continentwide explosion with country after country in revolt, spurred on by the Communists. In Zanzibar a Castro Communist-trained agent openly led the revolt, U.S. representatives were kicked out, and then we recognized the new regime. The State Department could see nothing wrong in giving respectability to a Communist-oriented government and emphasized that it did not consider the ousting of the third secretary of the U.S. Embassy an expulsion from Zanzibar and said that it would not interfere in the recognition preparations that were well advanced at that point. The State Department does not consider Zanzibar to be Communist influenced in spite of the ties of its leaders to Castro's Cuba and that it has now been named a "peoples' republic," the official designation of all Communist countries. Such an attitude can only result in making Zanzibar the Cuba of Africa which will serve as a staging area for Communist subversion and aggression to bring about a takeover of the Congo and the rest of Africa.

2. Indonesia, which owes its existence to our help and generosity, is thumbing its nose at us and defying us to prevent its conquest of Malaysia. Unless we take a strong stand isn't it reasonable to suppose that Sukarno will overrun Indonesia and set the stage for the loss to the Communists of all of the Far East, including the Philippines?

3. Cambodia: A country on which we literally forced U.S. aid, is now swinging to the Communist camp and is likely to sign a pact with Red China and become a Communist Chinese satellite.

4. Laos: We forced a Communist-dominated coalition government upon it. The Red takeover there is now almost complete.

5. Thailand: Formerly a solid pro-Western ally. Our indecisive policy and our courting of the Soviet Union is slowly swinging it to the Communists.

6. Vietnam: A keypoint in the tragedy of failures in foreign policy. 15,000 American boys are fighting there and many of them have died. There is strong rumor that Vietnam will be abandoned after the November election, and if that happens the Communists will take over and the Americans who gave their lives in Vietnam will have died in vain.

7. Pakistan: Once one of our firmest allies in Asia. It is now lining up with Red China because of our flirtation with India with every likelihood that Pakistan and Communist China will soon sign a mutual security pact and the free world will have lost another ally.

8. India: In spite of the billions we have given India, it still sides more often with the Soviet Union when the chips are down in choosing between the free world and the Communist line.

9. Red China: We see all the signs that the American people are being softened up to accept the admission of Red China to the U.N. and the recognition of the Communists by the United States. This will mean the abandonment of free China on the island of Formosa under the subterfuge of adopting the principle of two Chinas and the eventual loss to the Communists of the whole area.

10. Algeria: We gave stature and prestige to its pro-Communist ruler, Ben Bella. Now he leans more and more to the Soviet Union and could be instrumental in enveloping the larger part of North Africa and making the Mediterranean a Communist sea. In this same area, Libya, which owes us its very existence, has served notice it will not renew its treaty with us for airbases.

11. Cyprus: We have already agreed to turn the Cyprus question over to the U.N. where Soviet Russia will probably dictate the settlement. It will be to her advantage to foment the civil war, create hostilities between Greece and Turkey, both our allies, and eventually to give Russia what she has always wanted, control of the Black Sea.

THE WESTERN HEMISPHERE

South America is tottering. There is every evidence that we are being prepared for: (1) The internationalization of the Panama Canal under control of the U.N. giving veto power over its use to the Soviet Union. (2) Recognition of Castro with resumption of trade and diplomatic relations. The United States is hardly in a position to prevent other countries from trading with the Communists in the face of our own sale of wheat to the Soviets. Recognition of Castro will set the stage for a complete takeover in British Guiana, Venezuela, Brazil, Chile, Bolivia, and the rest of the hemisphere.

This will complete the Communist's primary goal—encirclement of the United States, making us powerless to resist any ultimatum handed to us by Khrushchev. After that, mopping up the rest of the world to complete Communist domination will be easy. Australia and New Zealand, isolated on the underside of the world, will be peanuts for them. We are already being prepared for the recognition of Hungary and East Germany. England and France, blissfully unaware of the true face of the Communist conspiracy, cannot stand without a strong America.

Is this a frightening picture? It is meant to be. It is the future we can look forward to if we continue to follow our present course. Need it happen? No. The United States still has the means and the power to regain the leadership of the free world. All that is lacking is the will. A change in our foreign policy will make the difference. We can strengthen the determination of our allies by taking a firm stand against Soviet Russian imperialism. Freedom will be on the march again when we stop appeasing the Communists, when we stop financing the Communists, when we take bold steps to rid this hemisphere of Castro and communism. Will we do it? Not under the course the present leadership is following. But I have faith in the American people. I believe they resent using foreign relations to win elections. I am confident we will not face the tragic conclusions outlined above because when the people have all the facts they will force a change in policy before it is too late.

Depressed Cattle Prices and Their Effect

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, March 2, 1964

Mr. JENSEN. Mr. Speaker, under leave to extend my own remarks in the RECORD, I include my release of February 28, along with a letter to me from Arthur Deist, of Audubon, Iowa, and one from Mr. Delmar Goos, president of the Board of Education of the Carson-Macedonia Schools, expressing their concern and the widespread effect of depressed cattle prices.

My release and letters follow:

WASHINGTON.—Congressman BEN F. JENSEN, of Iowa, said today that cattle feeders and Congress are taking the bull by the horns.

JENSEN said: "We are now fully convinced that the President, the State Department, and the Tariff Commission have agreed to do little or nothing to head off the flood of price depressing meat imports."

"There are many more consumers than cattle feeders," JENSEN said.

On February 25, 26 and 27, 17 House Members introduced identical bills, which provide for a 50-percent reduction of the average imports of all meats, canned, processed, and live, during the past 5 years. These Members are: BRAY and ROUDEBUSH, of Indiana; JENSEN, KYL, HOEVEN, and GROSS, of Iowa; LAIRD, SCHADEBERG, and VAN PELT, of Wisconsin; MCLOSKEY, of Illinois; QUILLEN, of Tennessee; WEAVER, of Pennsylvania; BEERMANN, of Nebraska; BERRY, of South Dakota; DON CLAUSEN, of California; HALL, of Missouri, and HARRISON, of Wyoming.

JENSEN reported that thousands of cattle feeders of the Midwest will meet at KMA Radio Station at Shenandoah, Iowa, at 10 a.m., March 2, to determine such action as is necessary to ward off further financial ruin.

BEEF PRODUCERS OF AUDUBON,
Audubon, Iowa.

DEAR CONGRESSMAN BEN F. JENSEN: Have been listening to news on radio and I and beef producers of Audubon County are very happy to hear the stand you have taken on

imports of meat and poultry and eggs on your bill up for legislation. Please don't take "No" for an answer from our "hogwash" fellows who run the imports. They had better wake up before our country goes broke. How can we live without anything to do in our own country? If we would keep out beef and meat we could give more jobs and we could feed up more of our own grain in our own cattle. It would help in two ways, corn and meat. Do we have to look out for every country besides our own and let our meat producers go to the wall head first? If we don't get action soon we will come with force. We will not be fooled. Thanks again, BEN. We will depend on you as we have in the past.

Yours truly,

ARTHUR DEIST.

CARSON, IOWA,
February 28, 1964.

Mr. BEN JENSEN,
House of Representatives,
Washington, D.C.

DEAR MR. JENSEN: As president of the Board of Education of the Carson-Macedonia Community School District, I feel it is my obligation to write you in regard to the cattle feeder's plight in our area.

This not only is a financial blow to our farm community in regard to personal income, but we will be unable to meet the challenge of educating our children to meet the future problems of the world.

If it is true that only a small percent of beef is being imported, why is U.S. beef ignored at the markets? Small percentages sometimes make large differences.

Being taxed to the hilt seems a poor way to build a stable economy when the farmer's income is cut ot the bone. Why spend millions of tax dollars on the economy of other countries when our own economy is in danger? It doesn't seem reasonable to import meat with the excess we have, then turn around and pay grain storage fees for excess grain which could be used to fatten our own beef. For every head of imported beef we have 70 to 80 bushels of excess corn stored.

I don't believe cattle feeders want or expect legislation in the form of subsidies, for that is just money out of our own pockets and is no cure at all. What we do want understood is that the United States cattle feeder cannot compete against foreign beef with the price picture what it is in the United States today. Especially when they cannot compete if retail stores feature foreign beef the American public knows nothing about.

We have always felt you have done an able job for the people of southwest Iowa and we will continue to support you. I felt you should hear from us for we need a good farm economy to continue raising educational levels. I hope you will find it possible to enact some legislation to support the minority group farmers now find themselves in.

Very truly yours,

DELMAR GOOS.

Address by the Honorable Luther H. Hodges Before North Carolina Junior Chamber of Commerce

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EXTENSION OF REMARKS
OF
HON. BASIL L. WHITENER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, March 2, 1964

Mr. WHITENER. Mr. Speaker, Hon. Luther H. Hodges, our distinguished Secretary of Commerce, delivered a splendid address Saturday night, February 29, 1964, at a dinner given by the North Carolina Junior Chamber of Commerce at Gastonia, N.C., honoring three outstanding young men in North Carolina.

I was privileged to attend the dinner and hear Secretary Hodges speak. It is my feeling that the Members of the House will find his address most interesting, and under previous consent I insert it in the RECORD:

ADDRESS BY SECRETARY OF COMMERCE LUTHER H. HODGES, PREPARED FOR DELIVERY TO THE NORTH CAROLINA JUNIOR CHAMBER OF COMMERCE, GASTON COUNTY YMCA, GASTONIA, N.C., 8 P.M., SATURDAY, FEBRUARY 29, 1964

It is a pleasure to be able to join the North Carolina Jaycees in honoring these three outstanding young Tar Heels. To each of them, I extend my warmest congratulations.

We need more of these dynamic young leaders in North Carolina and in the Nation. I hope all of the members of your junior chambers of commerce throughout the State will be inspired by their examples of personal achievement and community service. I hope this banquet will imbue your organization and your membership with a new determination to make the most of the challenges that are facing us at every level of our social, economic, and political life. I would like to discuss briefly one of these national problems.

President Lyndon Johnson, in his state of the Union message declaring war on poverty, said:

"Poverty is a national problem, requiring improved national organization and support. But this attack, to be effective, must also be organized at the State and local level and supported by State and local efforts."

The problem of poverty in the United States, in one sense, is unlike the poverty problem of the world. In the first place, what is considered poverty here would be looked upon as relative affluence in many parts of the world.

But this does not make it any less painful and demoralizing to be poor in America. On the contrary, it is much easier to bear poverty when everyone else is poor. It is less degrading and less frustrating than to live in a wealthy society and be unable to give your family a decent living—by the standards of the society they know.

There is no denying some of the harsher facts of the poverty that exists in our country.

There is real privation in a family with six or more children trying to live on less than $2,000 a year. That's less than $39 a week with which to feed, clothe, house, educate, pay the doctor bills, and do all the necessary things for six or more growing children. And, right now, there are more than 1 million American children living in such families.

These youngsters are deprived of the opportunity to live an American childhood, and they are very likely to grow up lacking both the skills and the motivation to earn more than $39 a week for their own children. Much of the poverty that remains in this affluent society of ours is self-perpetuating poverty.

These 1 million youngsters are among the 35 million Americans who live in families receiving less than $3,000 a year or live alone on less than $1,500 a year. Altogether, there are more than 11 million children living in the 9 million poor families.

The choice of these income figures to define poverty is necessarily somewhat arbitrary. It ignores nonmoney income, such as the food grown on a farm or in a family garden. It is also a fact that it costs less to live in rural North Carolina, for example, than in a big city, such as Chicago.

But there is no doubt that the really poor in our society must be numbered by the tens of millions. The Bureau of the Census in the Commerce Department is the world's greatest authority on population statistics, and one of the Bureau's experts has calculated how many people have so little income that they can qualify for welfare assistance under the laws of the State where they live. By this minimum yardstick, nearly 24 million Americans are poor.

In our city slums, in our rural sharecropper shacks, in the camps of migrant workers, on our Indian reservations, around long-closed mine shafts, there is real privation, frustration, and degradation. There is disease and delinquency and crime. There is poverty that is real and painful and seemingly hopeless.

Yet, unlike most of the world, the United States has the resources to provide a decent standard of living for all of its people.

Never before in human history has a nation been capable of generating the enormous amounts of wealth we can now produce in the United States. In the last 3 months of 1963, our total production of goods and services reached the almost incredible rate of $600 billion a year. This is an increase of $100 billion from the level 3 years earlier. It is an addition to our gross national product equal to twice the gross national product of Japan.

Seventy million Americans had jobs last year, and average earnings in manufacturing rose for the first time above $100 a week.

Corporate profits also set alltime records—totaling $52 billion before taxes and $27 billion after taxes. And the after-tax rate for earnings at the end of the year was more than 50 percent above the recession low 3 years earlier.

Perhaps the best measure of our Nation's well-being—per capita personal income—set a new mark last year. By the end of 1963 it had climbed to an annual rate of $2,500—or about $300 more per American than in the early months of 1961.

Nineteen sixty-three was the best year in history for most Americans, and 1964 is going to be even better. The largest Federal income tax cut in our history will, in a few days, begin to pour $800 million a month into consumers' pockets, as an immediate result of the reduction in tax withholding. And, when the full $11½ billion tax reduction comes into effect, it will add, year after year, an estimated $35 to $40 billion more gross national product, $25 to $30 billion more consumption, and $5 to $7 billion more in business profits. I witnessed the signing of this tax bill in the White House on Wednesday last and it was an historic occasion.

We have a country which can afford to begin the final assault on poverty and inequality of opportunity among its people. We have the productive capacity, and with the tax cut we should move rapidly toward a full employment economy. But, as we move to this new, high ground in our economic history, we find that the problem of America's poor is not fundamentally unlike the poverty problem in other countries.

It is estimated that $11 billion more income each year would raise all of our poverty-stricken families out of that category. This is not a large sum in our economy. Last year the personal income of the American people totaled $463 billion.

But an $11 billion dole, which we could easily afford as a nation, would not solve our U.S. poverty problem—any more than doles would solve the problem of poverty in India or other underdeveloped countries.

The fundamental problem of the underdeveloped countries is to develop the productive capacities of their people; it's a problem of human resource development.

This has been illustrated in Japan, which has always had very meager natural resources and which saw much of its industry destroyed in World War II. Yet the Japanese have been able to rebuild their country and increase their national wealth by an amazing 10 percent a year, because they are a well educated and highly motivated people. Most of them have the skills demanded by a modern industrial society and they are willing to work hard to build a better life for themselves and their children.

Our problem is not essentially different. If we are to break the cycle of poverty in which millions of Americans are trapped, we must help them and their children—especially the children—develop their individual capacities to do work which will earn them decent livelihoods.

There are those, of course, who cannot be helped to become productive members of society. Some are too old, and their most urgent need is for assistance in paying their hospital and medical bills.

Others are totally disabled or mentally incompetent. And these can be helped only with sympathetic care and support—in their families and in their communities, utilizing whatever public and private resources are necessary.

But many of our older citizens want to work and can do useful work. Their mental health as well as their slim pocketbooks require more opportunities for part-time and full-time work.

And there are millions who suffer from some physical or mental handicap who need not be barred from productive employment, forced to accept public or private charity, and denied their personal dignity and sense of individual worth. With proper rehabilitation and training they can earn their way.

There are even more Americans whose poverty is due not to age or to physical impairment:

Farmers whose eroded soil and mule and plow have no place in today's highly mechanized agriculture.

Miners whose picks and shovels have been replaced by powerful cutting and digging machines.

Women who cannot work because there is no place to leave their small children while they are on the job.

Negroes who lack adequate education and training, or if they have the education, are barred by discrimination from jobs that pay decent wages.

These are some of the elements of this national problem—and national disgrace—of poverty amid the riches of America.

But, as the President has pointed out, there can be no exclusively national solution to this problem. The attack must be carried out in our local communities, in virtually every community and State in the Nation.

For southerners the local responsibilities are especially heavy. Our region has nearly half of the Nation's poor.

Our southern Negro citizens have not been able to realize their full productive potential. We have tended to small farms and low-skilled industries. And our educational effort has not been adequate to the needs of an industrial society.

Here in North Carolina, according to the last census, two-fifths of our families fall in the poverty category, rather than the one-fifth that is the national average.

Forty percent of North Carolina's 1 million families earned less than $3,000 in 1959, the income year covered by the 1960 census. About 150,000 of these were Negro families and 250,000 of them were white. And, of the quarter of a million North Carolinians who live alone, 60 percent had incomes of less than $1,500.

For nearly one out of every four North Carolina families counted in the 1960 census, the family income was less than $2,000 a year. That means nearly a quarter of a million tar heel families whose earnings averaged less than $39 a week.

Western North Carolina is part of the great Appalachian region, which contains many prosperous communities, but which is essentially a large underdeveloped country of some 16 million people. In this area, illiteracy runs up to 30 percent of the population of some counties. For the area as a whole, 1½ million in the 9 million persons over 25 are unable to read and write.

What's more important today, however, is not the number of people who cannot read and write, but the number of people who can, yet are "functionally illiterate." These are the people whose elementary language skills are so inadequate that they are unable, for example, to pass the mental qualification examinations of the selective service program.

No one would contend that fully one-third of our North Carolina young men are mentally deficient. Yet in 1962, 34.1 percent of them failed the Selective Service's mental qualification test.

This is a reflection, not upon the inherent ability of our people, but upon the quality of the education we have been giving our youth.

We ranked 43d among the States with our 34.1 percent failing to pass the mental qualification test. Virginia was ahead of us, with 29.9 percent rejected. South Carolina was at the bottom of the list with 51.8 percent rejected.

Contrast these figures with 2.7 percent rejected in Minnesota and 4.6 percent in Nebraska.

Yet North Carolina's State government ranks third in the Nation in the percentage of its revenue devoted to education. In Nebraska, the State pays only 6 percent of its total public school costs. In North Carolina, the State pays 70 percent.

I think this suggests that we must do a better job of arousing support for our public schools at the local level. Our people must realize that even greater sacrifices must be made if we are to develop North Carolina's human resources to the fullest; if all of the youth of the State is to have an education adequate to our times.

The large number of young men failing the selective service tests points up the possibility of doing something about their deficiencies at the point of detection. Instead of sending these young men home to stumble ill-prepared through life, perhaps we should put them in special training programs through the military services or some other public organization.

If we continue to accept the existence of large numbers of young men who are not qualified to help defend their country, we saddle ourselves with large numbers of men who will be of little value to our economy, or to themselves, in our modern technological society.

The State of North Carolina is pioneering in the development of new approaches to these difficult educational and social problems that breed poverty and hold back the development of the State. Governor Sanford's work in establishing the North Carolina Fund, which is mobilizing private grants for special education projects, is a very exciting development. So is his effort to help North Carolinians work together to provide equal job opportunities for our Negro citizens.

The present strength of our economy and the bright outlook for the future sets the stage for what could be a new economic and social era for the American people. We can now begin with determination the long overdue rescue effort on that one-fifth of our American families still living in relative poverty.

We have the wealth, we have the talent, and we have the opportunity to move ahead with a realistic program to wipe out poverty in the United States. All we need is the determination to do it. All we need is enough people willing to take the leadership in this realization of the American dream.

I'd like to challenge you here tonight to help out in our social and educational problems—at the local, State, or national levels—wherever you can best serve.

Each of you is properly ambitious. Each of you wants to make a success, and most of you will, I fervently hope. But position and money will mean little to you in the long run unless in your hearts you know that you have served others as individuals or groups—unless you have served your community or your government.

Jaycees are made up of a marvelous lot of folks like you and the future of this great State and this great country are assured if you mix a little sentiment and charity and public service with your work.

By your active participation in the Jaycees, you have marked yourselves as potential community leaders. It is up to you to take hold of these difficult problems and, working with others in your communities, give of the best of yourselves for your fellow men and your country.

These are exciting times in which to live. We have probably never faced more problems, but I am sure we have never had greater potential for solving them.

Our greatest resource is young people like you. If you face up to the challenges before you, there is nothing America need fear, nothing America cannot do to set an example for the world of freedom, justice, and prosperity for all.

Thank you.

A Challenging Year for the Railroads

EXTENSION OF REMARKS
OF
HON. JOHN BELL WILLIAMS
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES

Monday, March 2, 1964

Mr. WILLIAMS. Mr. Speaker, the distinguished chairman of the House Committee on Interstate and Foreign Commerce, Representative OREN HARRIS, has written an illuminating article which appeared in the January-February issue of Progressive Railroading published in Chicago under the direction of Phil Murphy.

Entitled "1964—A Challenging and Promising Year for the Railroads," the article is particularly timely. I commend it to my colleagues, as follows:

NINETEEN HUNDRED AND SIXTY-FOUR—A CHALLENGING AND PROMISING YEAR FOR THE RAILROADS

(By U.S. Representative OREN HARRIS, Democrat, of Arkansas)

The senseless, savage assassination of President John F. Kennedy has catapulted Lyndon Baines Johnson into the post of Chief Executive at a crucial period in our Nation's history, posing many questions among businessmen who had been planning forward confidently for 1964.

Characteristically, President Johnson has moved swiftly and surely to make the moves that would assuage, insofar as possible, the economic impact of the national disaster which robbed the Nation of a popular leader on November 22. The new President's moves have done much to remove doubts in the business community. It detracts not one whit from the memory of J.F.K. to note that there was only a slight hesitation in

the economy, as a result of the monstrous act. Rather, it is a tribute to the leadership and astuteness of his successor.

In the few hurried weeks he has held office, President Johnson, with whom I served in the House of Representatives for some years, has proved again the great wisdom of our Founding Fathers. If ever we have seen the value of having an able and experienced standby as Vice President, in case of emergency, certainly we have experienced it in the capable manner in which Lyndon Johnson has held the reins of Government since the tragedy struck.

Already, businessmen in general and perhaps most of them, have come to feel that, in President Johnson, there is a man in the Chief Executive's office who will carry on toward the economic goals of his predecessor, and will even press forward to attain higher goals in the future. And we know—from his past training and career, as well as his spoken assurances—that President Johnson always will act in the context of our finely balanced system of separation of powers. He will respect Congress and congressional prerogatives. Nevertheless, this will not prevent the White House and Capitol Hill from cooperating on projects, plans, and policies that will result in the continued growth of the economy and redound to the glory of our country.

BUSINESS WILL CONTINUE TO GO FORWARD IN 1964

What may be the results, in 1964, from the standpoint of the overall economy, the transportation industry generally, and railroads in particular?

While I have no private crystal ball, I do have the opportunity, as chairman of an important congressional committee, to get the views of the experts in many fields, both as they testify before committees and as they brief Congressmen in private sessions.

Any prediction I might seem to make really is not a prediction. It is what the economists and statisticians call a projection. This is merely an assumption that, given approximately the same factors, there will be a continued extension of present economic, commercial, transport, and other developments. A projection is based on a study of what has happened and what is happening in the economy and an analysis of what probably will happen as a result of present developments. It takes past and present history into account and extends that into the immediate future. A projection is based on what is known of human nature, too. None of the projections takes into account what might happen in case of a great natural catastrophe, the terrible unleashing of H-bomb war, or other possibilities which may not appear to be probabilities. But we must base our lives on probabilities.

Looking at what has happened in the economy in 1963, and in preceding years, and basing our projections on an extension of the same factors, we can assume, I believe, that the new year will see continued upward movement in the economy.

During 1963, gross national product, which is the sum total of all goods and services produced by everyone at work, has moved up steadily, if not spectacularly. By the end of the third quarter, gross national product, as measured on an annual basis, was $31 billion higher than it was during the last quarter of 1962. It is past the $585 billion a year rate now, and gives every indication of hitting the $600 billion a year rate some time this spring.

Also during 1963, as in 1962, total personal income has gone up during every month. This is the statistical measurement which gives us the total money paid to everyone in the society (wages, salaries, dividends, insurance claims, pension and annuity payments, etc.). In the last month of 1963, the personal income figure, on an annual basis, stood at the highest total in the Nation's history. As noted, there was steady growth all during 1962, and 1963, and even 1961, for that matter.

One result of the high personal income, and more people at work than ever before in U.S. history, has been recordbreaking sales at retail. The sales have hit close to the $250 billion a year mark during several months of 1963, and economists believe that the year's total will be some 6 percent over the 1962 total.

While consumers, as such, have been showing great optimism about their future in this Nation, businessmen have been just as forward looking. Capital spending went up to record highs in 1963. All the surveys of capital spending intentions indicate that businessmen are projecting a 3- to 5-percent increase in capital spending in 1964.

When we consider the fact that, during our entire recorded economic history, we never have experienced a depression or a recession while capital spending was trending upward, we may well come to the conclusion, that in spite of many problems in 1964, there will be continued prosperity and continued economic growth.

It seems obvious that, given the same conditions that have existed and perhaps even adding the probability of a $11.2 billion tax cut, total personal income in the United States will go up measurably in 1964. And given the same incentives, and perhaps an even more favorable economic climate, it is possible that capital spending will go higher than is projected.

Besides higher retail sales, higher personal income means many things in the U.S. economy. It means more travel. It means a greater movement of mail and goods and the need for more services in every field.

NATION IN A PERIOD FILLED WITH CHALLENGES

It seems evident to me that, barring any disastrous and unforeseeable development, the Nation stands this new year on the threshold of a period filled with challenges and promises.

The challenges, of course, are all around us. President Johnson wisely, in my judgment, has put the great emphasis on human needs, emphasizing the fact that we must find more jobs for the unemployed and must work to see that, out of our abundance, everyone obtains minimum needs as to food, clothing, and housing. The problems and challenges are both individual and social, which includes legislative and administrative work on the part of Federal officials.

In our system—the free enterprise system which has proved to be so flexible, resilient, and rewarding for the greatest number of people—we face the constant challenge of seeing to it that even while the economy changes and grows, neither individuals nor groups inside the vast economy are not penalized unfairly.

This is no easy task for our legislators, our national leaders, or for those who labor in any of the fields which touch the lives of our people. The vast changes that have taken place, and will be taking place, as a result of a constantly expanding population, a veritable whirlwind of new industrial and mechanical developments (which we call automation), and changes in the viewpoint of millions of our people—all these demand study, new approaches, new regulations and new laws, and constantly new agonizing appraisals.

As we know, during the lifetime of a mature man, the aviation industry has grown from an infant in swaddling clothes into a transportation giant. The movement of goods by barge, encouraged by the government (and I mean, local, State and Federal governments) likewise has increased phenomenally in the past four decades. The trucking industry has grown with startling rapidity.

Meantime, the railroads—which only a few decades ago represented virtually our sole means of personal and industrial common carriage—have had to adjust to the changing competitive picture. It is a tribute to rail management and labor that the adjustments have been made and that our vast rail system still is intact, and showing remarkable vitality, in spite of the great changes represented by the growth of competitive carriers.

The development of "piggyback" has been only one of a number of innovations that has enabled the railroads to show vitality in the competitive struggle. Use of larger boxcars, containerization, and other innovations also show the managerial resiliency of those who have led us toward greater heights of achievements in the transportation field.

THE LAW MUST SPONSOR PROGRESS

As I pointed out in a speech (in October), at the American Railway Progress Exposition, the law of itself has not brought the progress discernible in the field of communication and transportation. Progress in raising our standard of living is through research, invention, development and production, for no law invented the telephone, the radio, the diesel, or any of countless industrial techniques which serve our people so well.

Yet, there must be law that will permit or sponsor such progress, and guide it for the benefit of all our people.

The law, in and of itself, may not bring progress. But archaic laws certainly can impede progress. This is why we in Congress have been taking a long, hard look at some of the laws which may not be in accord with a modern approach to our transportation system, and its problems.

In April 1963 the late President John F. Kennedy strove to document what he termed basic deficiencies in our transportation regulatory system. He called on Congress—in an historic message on transportation—to take steps which he outlined. These were designed to change laws so that more progress and more competition might result in and among our various transportation segments—rail, highway, air and water.

I introduced in the House two bills which had been prepared by the Secretary of Commerce to carry out a substantial portion of the President's recommendations. We on the committee held hearings on these two bills during the months before the close of the 87th Congress, and began anew last January, when the 1st session of the 88th Congress convened. I introduced substantially the same two bills again in the 88th Congress.

During most of 1963, we held hearings on these measures. We had begun "marking up" specific legislation when various developments, including the President's tragic death, intervened.

I believe that we can get back to consideration of the salient features of this legislation in the second session. Many people have asked about President Johnson's views on the transportation proposals of his predecessor. Insofar as I know, he is as wedded to these ideas as was John F. Kennedy and will speak for them on the proper occasions in the future. In general, as we know, President Johnson has embraced the Kennedy economic programs and, in fact, has gone beyond them in some respects. While I cannot say that his accession to high office will "speed up" our committee's consideration of these important proposals, I can declare, on the other hand, that the new President certainly has no desire to slow down our considerations.

President Johnson—as was President Kennedy—is well aware of the legislative prerogatives and understands that on issues that affect many industries and many consumers and people generally, Congress must move only after great deliberation. I can give assurance that I have wanted to go into the many problems connected with the progress of our transportation system, in

all its phases and facets. I have been particularly interested from the standpoint of the general public interest, for I believe it is to the benefit of the country that we have privately owned means of transport and that these various privately owned systems compete vigorously, on terms as fairly as Congress can legislate and the Interstate Commerce Commission can regulate, so that all the people will be served. The alternative, as I have noted before, is nationalization. This is not an alternative I or most other Americans desire.

COMPETITION IN TRANSPORTATION MUST BE DEVELOPED

I have expressed myself clearly before that I feel we have not yet adequately tackled this problem of really developing competition among our several modes of transportation to our great advantage as a nation. Regulatory agency heads told our committee that, as to minimum rate legislation, we should place everyone involved under their jurisdiction. They recommend that we have more regulation, rather than deregulating, where possible, and depend on competition.

I couldn't believe then, and I can't now, that those who have been unregulated in the past, including the farmers, and bulk commodity operators, would sit by and allow themselves to be brought under regulation. Our committee some years ago refused to bring the poultry industry under regulation, since it would have completely rearranged that industry. Since then, the industry has developed rapidly, and, according to the Department of Agriculture, poultry is more economically available to the U.S. public today, in relation to other edible meats and foods, than it was when Congress refused to bring the industry under regulation.

I do not believe in regulation just for regulation's sake. If the shipping interests and the public can be protected, and if equality of treatment of the various modes of transportation can be provided with less regulation, then I believe the way for us to move is indicated plainly.

I have been strongly impressed by the assurances of railroad presidents, before our committee, that if given the chance, through passage of the minimum rate legislation, they will make a determined effort to give every inland town the rate advantages now enjoyed by waterway ports, in many bulk commodities. I believe that other legislators have been influenced by these assurances.

I believe that a successful start will be made in the House of Representatives on these problems in this new year. In my judgment it will result in a bigger and better year for all forms of transportation, and for the people as a whole.

There is little question in my mind but that 1964 will be a prosperous year of steady economic growth. I feel sure that the railroads, which have shown flexibility and resilience, will meet the challenges ahead and will make even greater progress in 1964 than in 1963, in many diverse directions. The year that is ending has been an extremely good year for the railroads, everything considered, and management wisely is making plans to build on the firm foundation of general economic prosperity. We in Congress will be striving to do our best for all the modes of transportation, and for all our people, in the context of our free enterprise system.

SENATE

TUESDAY, MARCH 3, 1964

(Legislative day of Wednesday, February 26, 1964)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. METCALF].

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

God of all grace: Thou hast taught us that in quietness and in confidence shall be our strength.

In bitter and baffling days, when the earth is full of the thunder of awakening peoples emerging from the darkness of ignorance and the serfdom of exploitation, give us, we beseech Thee, a courage that never fails and a faith that never wavers. Make us the kind of persons Thou canst trust as the instruments and channels of Thy saving grace.

Help us to heal the open sores of the world which hate, selfishness, and misunderstanding have inflicted on the bleeding body of our common humanity. For all who in these days freighted with destiny administer the stewardship of the Nation's strength and service, we pray for divine guidance. Grant us this day, and in all the days of difficult decisions to come, light to guide us, courage to sustain us, and love to unite us.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 2, 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. Miller, one of his secretaries.

REPORT OF SECRETARY OF HEALTH, EDUCATION, AND WELFARE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 237)

The ACTING 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 Finance:

To the Congress of the United States:

I am sending you a copy of the report of the Secretary of Health, Education, and Welfare, dealing with the matter of State agency responsibility for the placement and foster care of dependent children. This is in accordance with section 155 of the Public Welfare Amendments of 1962, as amended.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 3, 1964.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1561) to amend the Federal Employees Health Benefits Act of 1959, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7533) for the relief of Demetrios Dousopoulos.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5964. An act to provide for the inclusion of Hopkins County, Tex., within the Paris division of the eastern district for the U.S. district courts in Texas; and

H.R. 6920. An act to amend section 715 of title 38, United States Code, to authorize, under certain conditions, the issuance of total disability income provisions for inclusion in national service life insurance policies to provide coverage to age 65.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 721. An act to amend section 124 of title 28, United States Code, to transfer Austin, Fort Bend, and Wharton Counties from the Galveston division to the Houston division of the southern district of Texas; and

H.R. 9640. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated.

H.R. 5964. An act to provide for the inclusion of Hopkins County, Tex., within the Paris division of the eastern district for the U.S. district courts in Texas; to the Committee on the Judiciary.

H.R. 6920. An act to amend section 715 of title 38, United States Code, to authorize, under certain conditions, the issuance of total disability income provisions for inclusion in national service life insurance policies to provide coverage to age 65; to the Committee on Finance.

EXECUTIVE SESSION

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

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

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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