And so, on behalf of the Board of Commissioners, I accept this award with pride, but I accept it with embarrassment, because all of us know well that much remains to be done.

Many of our citizens still suffer the indignities of racial and religious prejudice in their daily lives. There is still conflict and division within our community. Problems of a serious nature remain unsolved, and Washington cannot yet begin to claim to be a city of brotherhood.

In the year 1555, Bishop Latimer, while waiting to be burned at the stake in Oxford for heresy, had these words of cheer for the unfortunate citizen who was to precede him, "Play the man Master Ridley; we shall this day light such a candle, by God's grace, in England, as I trust shall never be put out."

Let us, also, dare to hope, that you and we have within the past several years here in Washington, and with God's grace, lit a candle whose light, however dim and imperceptible at this time, may so grow in strength that hatred and bigotry, prejudice and intolerance, may be banished from all the peoples of our land.

FORMER AWARD RECIPIENTS

Hon. Harry S. Truman, 1950; Hon. Oscar L. Chapman, 1951; Joseph D. Kaufman (deceased), 1952; William E. Leahy (deceased), 1953; Frank R. Jelleff (deceased), 1954; Hon. Daniel W. Bell and Mrs. Jehu L. Hunter, 1955; Hon. Dwight D. Eisenhower, 1956; E. K. Morris, 1957; Aaron Goldman, 1958; Mrs. Henry Grattan Doyle, 1959; Milton S. Kronheim, Sr., 1960; Mrs. Henry Gichner, Dr. John J. O'Connor, and Hon. John B. Duncan, 1961; Hon. John F. Kennedy (deceased), 1962; Milton W. King, Hon. Brooks Hays, the Most Reverend Patrick A. O'Boyle, D.D., 1963.

SENATE

TUESDAY, FEBRUARY 25, 1964

(Legislative day of Monday, February 10, 1964)

The Senate met at 12 o'clock meridian, 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, infinite in mercy, love, and power, we come, knowing that apart from Thee, all is vanity, that all other cisterns are empty and broken, and that in Thee alone is the fountain of life.

Facing the cares of today and the burdens of tomorrow, we are bewildered by the perplexities and confusion of the world. From the threat and fever of vexed global problems, from all thought of praise or blame of men, from discordant noises and warped conceptions which beat upon our senses, at noontide we would follow the path to the quietness of Thy presence.

Touch every privilege we enjoy with the halo of sharing, we beseech Thee; melt it into unselfishness; translate it into service. Make every personal and national blessing a transparent window in the temple of helpfulness, so that Thy spirit can shine through it in glory for human good.

In the Redeemer's blessed name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 24, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

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.)

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 a bill (H.R. 9419) to provide for the regulation of the business of selling securities in the District of Columbia and for the licensing of persons engaged therein, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 9419) to provide for the regulation of the business of selling securities in the District of Columbia and for the licensing of persons engaged therein, and for other purposes, was read twice by its title and referred to the Committee on the District of Columbia.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Rules and Administration and the Housing Subcommittee of the Committee on Banking and Currency were authorized to meet during the session of the Senate today.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on the District of Columbia of the Appropriations Committee be permitted to sit during the session of the Senate this afternoon.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to sit during the session of the Senate this afternoon.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON ACTIONS TAKEN BY CONTRACT ADJUSTMENT BOARD

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on certain actions taken by the Contract Adjustment Board, during calendar year 1962; to the Committee on Aeronautical and Space Sciences.

REPORT ON TITLE I AGREEMENTS UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Acting Administrator, Foreign Agricultural Service, Department of Agriculture, Washington, D.C., transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of January 1964 (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT ON REVIEW OF POLICIES AND PROCEDURES CONCERNING ADMISSION TO AND DISCHARGES FROM JUNIOR VILLAGE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of policies and procedures concerning admissions to and discharges from Junior Village, Department of Public Welfare, District of Columbia government, dated February 1964 (with an accompanying report); to the Committee on Appropriations.

REPORT ON WEAKNESSES IN ADMISSION AND BILLING PRACTICES, DISTRICT OF COLUMBIA GENERAL HOSPITAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on weaknesses in admission and billing practices, District of Columbia General Hospital, Department of Public Health, District of Columbia government, dated January 1964 (with an accompanying report); to the Committee on Appropriations.

REPORT ON DEPARTMENT OF THE ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Secretary of the Army, transmitting, pursuant to law, a report on Department of the Army research and development contracts, covering the 6-month period ended December 31, 1963 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for the 6-month period ended December 31, 1963 (with

an accompanying report); to the Committee on Banking and Currency.

REPORT ON TRANSACTIONS UNDER MERCHANT SHIP SALES ACT OF 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the activities and transactions under the Merchant Ship Sales Act of 1946, for the quarterly period ended December 31, 1963 (with an accompanying report); to the Committee on Commerce.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Commerce.

REPORT OF CIVIL AERONAUTICS BOARD

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year 1963 (with an accompanying report); to the Committee on Commerce.

AUDIT REPORT ON FINANCIAL STATEMENT OF TENNESSEE VALLEY AUTHORITY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on financial statement of Tennessee Valley Authority, fiscal year 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON ANTHRACITE MINE WATER CONTROL AND MINE SEALING AND FILLING PROGRAM

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the progress and accomplishments of the anthracite mine water control and mine sealing and filling program, for the year 1962 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORTS OF PROCEEDINGS OF JUDICIAL CONFERENCE OF THE UNITED STATES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting, pursuant to law, reports of the proceedings of the Judicial Conference of the United States, 1963, together with his annual report, for the year 1963 (with accompanying reports); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Hawaii; to the Committee on Labor and Public Welfare:

"Whereas the very strength of a democracy is that each citizen is ready and willing to help and assist his fellows; and

"Whereas there are in America today vast unmet needs for: (a) more adequate education of our youth, (b) more available and sufficient medical care for elderly citizens, and (c) more fit and livable housing for the underprivileged; and

"Whereas although the people of Hawaii through the Hawaiian homes program have undertaken to assist some of the many qualified Hawaiians who desire to live in homestead areas, State revenues are insufficient to take care of all Hawaiians who are worthy of assistance; and

"Whereas the citizens of the United States have joined together to help and assist their fellows by sponsoring, supporting and participating in socially oriented programs of their Federal Government: Now, therefore, be it

"Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, Budget Session of 1964, That the Congress of the United States be, and it is hereby, respectfully requested to enact such legislation as is necessary to: (a) provide Federal aid for elementary and secondary education; (b) provide medical and hospital benefits to elderly persons through a social security insurance program; (c) extend and expand the federally sponsored and subsidized public housing programs; and (d) qualify the Department of Hawaiian Home Lands to participate in Federal public housing and similar federally sponsored, socially oriented programs; and be it further

"Resolved, That copies of this resolution be forwarded to the President of the Senate and the Speaker of the House of the U.S. Congress and to the members of Hawaii's congressional delegation."

The petition of Ohio Bell, of Chicago, Ill., praying for a redress of grievances; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 290. Resolution authorizing the Committee on Labor and Public Welfare to examine, investigate, and study matters relating to migratory labor; and, under the rule, referred to the Committee on Rules and Administration.

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

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 (Rept. No. 876).

By Mr. PASTORE, from the Joint Committee on Atomic Energy, without amendment:

S. 2448. A bill to amend the Atomic Energy Act of 1954 (Rept. No. 877).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated February 17, 1964, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Kenneth A. Randall, of Utah, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation, vice Jesse P. Wolcott, term expiring.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

By Mr. SYMINGTON:

Paul R. Ignatius, of Massachusetts, to be Under Secretary of the Army.

Mr. YOUNG of Ohio. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 267 flag and general officers in the Army, Navy, and Air Force. I ask that these nominations be printed on the Executive Calendar.

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

The nominations placed on the Executive Calendar are as follows:

Maj. Gen. Robert Hall McCaw, Judge Advocate General's Corps, U.S. Army, for appointment as the Judge Advocate General, U.S. Army;

Brig. Gen. Harry Jarvis Engel, Judge Advocate General's Corps, U.S. Army, for appointment as the Assistant Judge Advocate General, as major general, Judge Advocate General's Corps, in the Regular Army of the United States, and as major general, Army of the United States.

Lt. Gen. Garrison Holt Davidson, Army of the United States (major general, U.S. Army), to be placed on the retired list;

Maj. Gen. Edwin John Messinger, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, to serve in the grade of lieutenant general;

George A. Weaver, Howell E. Wiggins, and Roland D. Driscoll, officers of the Naval Reserve, for temporary promotion to the grade of rear admiral;

Rear Adm. Benedict J. Semmes, Jr., U.S. Navy, for appointment as Chief of Naval Personnel, to serve in the grade of vice admiral;

Vice Adm. Herbert D. Riley, and Vice Adm. Rufus E. Rose, U.S. Navy, for appointment to the grade of vice admiral on the retired list;

Brig. Gen. William Charles Haneke, U.S. Army, and sundry other officers, for temporary appointment in the Army of the United States;

Brig. Gen. Herbert Borden Brand, and sundry other officers, for promotion as Reserve commissioned officers of the Army;

Capt. Wilfred A. Hearn, U.S. Navy, to be Judge Advocate General of the Navy, with the rank of rear admiral;

Maj. Gen. Kenneth O. Sanborn (brigadier general, Regular Air Force), U.S. Air Force, and sundry other officers, for appointment in the Regular Air Force; and

Luther C. Heinz, and sundry other officers of the Navy, for promotion in the U.S. Navy.

Mr. YOUNG of Ohio. Mr. President, in addition, I report favorably the following appointments and promotions: 790 in the Air Force in the grade of major and below; 1,662 in the Army in the grade of colonel and below; 3,822 in the Navy in the grade of commander and below; and 127 in the Marine Corps in the grade of captain and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations ordered to lie on the desk are as follows:

John H. Antonelli, and sundry other persons, for appointment in the Regular Air Force;

Robert G. Abarr, and sundry other officers, for promotion in the Regular Army of the United States;

Benjamin L. Aaron, and sundry other officers, for temporary promotion in the U.S. Navy; and

William H. Abel, and sundry other officers, for temporary promotion in the U.S. Navy.

EXECUTIVE REPORTS OF COMMITTEE ON FOREIGN RELATIONS

By Mr. FULBRIGHT:

Carl T. Rowan, of Minnesota, to be Director of the U.S. Information Agency;

Howard E. Haugerud, of Minnesota, to be Deputy Inspector General, Foreign Assistance;

William S. Gaud, of Connecticut, to be Deputy Administrator, Agency for International Development;

William B. Macomber, Jr., of New York, to be Assistant Administrator for the Near East and South Asia, Agency for International Development;

Fulton Freeman, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Mexico;

Perry H. Culley, of California, and sundry other persons, for promotion in the diplomatic service; and

David M. Bane, of Pennsylvania, and sundry other persons, for promotion in the diplomatic service.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 2542. A bill for the relief of Joseph P. Hennessey; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2543. A bill for the relief of Betty Tin-Sang Chan Cho; and

S. 2544. A bill for the relief of Carl S. Welker; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2545. A bill for the relief of Isadore Rainess; and

S. 2546. A bill for the relief of Coyle D. Bennett and Myrtle A. Bennett; to the Committee on the Judiciary.

By Mr. DODD:

S. 2547. A bill to fix certain fees payable to the Commissioner of Patents, and for other purposes; to the Committee on the Judiciary.

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

By Mr. LONG of Louisiana:

S. 2548. A bill for the relief of Nora Chin-Bing; to the Committee on the Judiciary.

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

By Mr. RANDOLPH (by request):

S. 2549. A bill to amend the Federal Employees' Compensation Act so as to permit injured employees entitled to receive medical services under such act to utilize the services of optometrists; to the Committee on Labor and Public Welfare.

By Mr. JAVITS (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BENNETT, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CASE, Mr. CLARK, Mr. CHURCH, Mr. CURTIS, Mr. DODD, Mr. DOUGLAS, Mr. EASTLAND, Mr. EDMONDSON, Mr. ENGLE, Mr. FONG, Mr. GOLDWATER, Mr. HICKENLOOPER, Mr. HRUSKA, Mr. HUMPHREY, Mr. INOUYE, Mr. JACKSON, Mr. LAUSCHE, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONRONEY, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RUSSELL, Mr. SCOTT, Mr. THURMOND, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota):

S.J. Res. 159. Joint resolution to establish the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

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

FEES PAYABLE TO COMMISSIONER OF PATENTS IN CERTAIN CASES

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to revise the schedule of fees payable to the Commissioner of Patents, to apply on applications for original patents, the reissue of patents, and in other steps connected with the routine processing of patents.

The objective of this bill is to increase the revenue of the Patent Office so as to make it substantially self-supporting.

These fees have not been increased since the early 1930's, so there is ample justification for raising them to reflect more closely the economics of the 1960's.

The House approved a bill (H.R. 8190) last month, to revise the fee schedule, with the intention of bringing Patent Office revenues up to the point where about three-fourths of its operating costs will come from this source.

My bill has been endorsed by the Connecticut Bar Association, and just about every patent attorney and businessman from whom I have heard has expressed a preference for this proposal over the House bill.

There have been strong objections to one section of the House bill, and this opposition has been uniform among patent attorneys and businessmen representing both large and small enterprises.

This section would institute a new fee, called a maintenance fee, which would be charged over a period of years. The holder of a patent would have to make these payments in order to retain his rights. Should he miss a payment, his patent would lapse.

The maintenance fee is a new concept, a new technique which the Patent Office wants to use in order to obtain operating revenue.

This section of the House bill then is not at all like the other parts of H.R. 8190, which simply would raise the existing fees to a more realistic level.

To start to charge a maintenance fee would be to make a substantive change in our patent procedures, and I do not think that such an important step should be undertaken as a part of a bill of which the primary purpose is to revise the Patent Office's fee schedule.

During the House debate on H.R. 8190, as part of the defense of this new fee, it was said by one of the managers of the bill that the maintenance fee is intended also to discourage big companies from acquiring patent rights and then sitting on and suppressing them. And a second argument that was made in support of the maintenance fee innovation is that it would help the small patent applicant, by deferring some of his payments until he is sure that the patent will pay off or he has received a return from it.

But there are good arguments that can be made in opposition to these points. It could run into a considerable amount of money for a corporation to have to pay a maintenance fee on each of its patents. And I think this would be the case for smaller as well as very large corporations.

My reply to the proposition that the use of a maintenance fee would be helpful to the small applicant is along the same lines. I think it will be much less expensive to the small businessman if only the existing fees are increased, and for this reason my bill is limited to this area.

The House bill increases these routine fees, but in a number of cases not as much as I propose. For example, the House figure for the filing of an application for an original patent is $50, the present fee is $30 and my bill would set the charge at $70. Another example is for the filing of an application for a trademark, where my bill sets a fee of $60, as opposed to the House figure of $35 and the present fee of $25.

These higher charges are intended to make up for the revenue loss caused by my deletion of the maintenance fee section in the House bill.

H.R. 8190 requires the following maintenance fee: $50 the 5th year; $100 the 9th year; and $150 the 13th year. This is a total of $300 that would be charged simply to maintain a patent, whether or not it is marketable and being used.

The bill I have introduced will raise just about the same amount of revenue, slightly over $22 million a year. So the Patent Office will be substantially self-supporting once either measure is signed into law.

But my proposal will accomplish this worthwhile objective without having to rely on a controversial new technique, the use of the maintenance fee.

The Connecticut Bar Association, in addition to endorsing my bill, has requested that I introduce it as an alternative to H.R. 8190. And a New Haven patent attorney, Mr. Anthony DeLio, has done a great deal of work in research, in preparing facts and figures and in helping to work out the details of this legislation.

Both Mr. DeLio and the Connecticut bar deserve commendation for their constructive and thoughtful work in this important and complex field.

I hope the Senate will agree that the approach to raising Patent Office fees that I have introduced today is preferable to the one passed by the House, so that we can substitute this bill for H.R. 8190.

There is general agreement that patent fees should be increased, because of the lapse of time since the present rates were put into effect. Let us accomplish this then by using the tried and traditional way rather than by going into a com-

pletely new and controversial area of patent procedures in order to obtain these needed revenues.

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

The bill (S. 2547) to fix certain fees payable to the Commissioner of Patents, and for other purposes, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on the Judiciary.

NORA CHIN-BING

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill for the relief of Nora Chin-Bing. Mrs. Chin-Bing wishes to file a petition for naturalization.

Mrs. Chin-Bing, whose maiden name was WU Ying, was born in China and later moved to Taiwan where she married Allan R. Chin-Bing, a U.S. citizen, in 1958. With her husband, Mrs. Chin-Bing was lawfully admitted to the United States for permanent residence on June 7, 1961. She established residence at Metairie, La. Her registration number at the Immigration and Naturalization Service of the U.S. Department of Justice is [redacted].

She remained in the United States for a period of about 3 months and she has lived in the United States for brief periods since then. However, because her husband is employed abroad—he is currently in Singapore—she has not been able to remain physically present in the United States for periods totaling at least 18 months, which, in accordance with section 319(a) of the Immigration and Nationality Act, is necessary before she may file a petition for naturalization.

The physical presence requirement for the spouse of a U.S. citizen is waived under section 319(b) of the act if the spouse is in the employment of an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, and is regularly stationed abroad in such employment. Mr. Chin-Bing works for a Canadian firm and, although 50 percent of the company is owned by American shareholders, the Immigration and Naturalization Service states that Mrs. Chin-Bing would not come under the section 319(b) waiver. Therefore, she must be physically present in the United States for a period totaling at least 18 months in order to comply with the requirements for naturalization.

Since such prolonged physical presence in the United States would impose a burdensome separation of Mrs. Chin-Bing from her husband and family, which I do not feel is warranted, and, since the Chin-Bings have exhausted all of their administrative remedies, I believe that a private bill enacted by Congress is the only relief available to them. Thus, I would hope that the Congress will promptly pass this measure and thereby afford the desired relief to Mrs. Chin-Bing.

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

The bill (S. 2548) for the relief of Nora Chin-Bing introduced by Mr. LONG of Louisiana, was received, read twice by its title, and referred to the Committee on the Judiciary.

NATIONAL AMERICAN INDIAN DAY

Mr. JAVITS. Mr. President, on behalf of myself and 42 other Senators, I introduce a joint resolution providing for the establishment of an annual national American Indian Day on the fourth Friday in September.

The cosponsors of the joint resolution are Senators ALLOTT, BARTLETT, BENNETT, BURDICK, BYRD of West Virginia, CASE, CLARK, CHURCH, CURTIS, DODD, DOUGLAS, EASTLAND, EDMONDSON, ENGLE, FONG, GOLDWATER, HICKENLOOPER, HRUSKA, HUMPHREY, INOUYE, JACKSON, KEATING, LAUSCHE, MAGNUSON, MANSFIELD, MCGEE, MCGOVERN, METCALF, MONRONEY, MORSE, MOSS, MUNDT, NELSON, PELL, PROUTY, RANDOLPH, RUSSELL, SCOTT, THURMOND, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of North Dakota.

Mr. President, I recall that I introduced a similar measure in the 87th Congress, and that it passed the Senate on August 14, 1961. The measure was then referred to the House Judiciary Committee, but no further action was taken.

This measure is intended to provide proper recognition of the important contributions to our country by the American Indian, was first suggested to me in 1960 in a letter from a 7-year-old schoolgirl, Lynn Michaelson, of Jackson Heights, N.Y., In pencil, she wrote:

> Why don't we have a day called Indian Day as a national holiday? We should have that day because we shouldn't forget the poor Indian who used to live on this land. We have Columbus Day and Washington's Birthday and even Mother's Day.

After the introduction of that joint resolution, I received from the Y-Indian guides of the YMCA petitions signed by more than 2,000 schoolchildren, from 22 States, urging enactment of the joint resolution. Many other national organizations have since expressed their support.

It has been my hope that the annual celebration of American Indian Day would assist in focusing public attention on the cultural, social, and educational growth of the American Indian, and would provide a reminder of the full respect and dignity to which the American Indian is entitled.

The contributions of the American Indian to our culture are inextricably intertwined with the fabric of our society and our national character. Their inventive accomplishments, participation with valor in the ranks of our Armed Forces, and contributions to the arts, sciences, and good government, among many others, have been noteworthy and have left an indelible imprint on this country's history. A day set aside to honor their contributions will, I believe, acknowledge publicly our historic debt to the American Indian.

New York State has always been extremely proud of its Indians, and has, along with a number of other States, proclaimed its own American Indian Day. Enactment of this joint resolution would provide deserved national recognition.

Mr. DIRKSEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. DIRKSEN. I am quite sure the joint resolution will be referred to the Subcommittee on Federal Charters, Holidays, and Celebrations, of which I have the honor to be chairman. I can assure the distinguished Senator from New York and all the Senators who have joined him in sponsoring the joint resolution that suitable recognition of the noble red man will receive expeditious attention.

Mr. JAVITS. Mr. President, I am very much pleased by that assurance. That is more progress than most bills or other measures generally make on the day when they are introduced. I thank the Senator from Illinois.

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

The joint resolution (S.J. Res. 159) to establish the fourth Friday in September of every year as American Indian Day, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DIRKSEN subsequently said: Mr. President, on behalf of the distinguished Senator from New York [Mr. JAVITS], I ask unanimous consent that Senate Joint Resolution 159 be printed in the RECORD and that it also be held at the desk for cosponsors until Friday, March 6.

I believe this is the resolution that designates the fourth Friday in September as American Indian Day.

The ACTING PRESIDENT pro tempore. Without objection, the joint resolution will be printed in the RECORD and will be held at the desk for cosponsors until Friday, March 6.

Senate Joint Resolution 159 is as follows:

> Whereas the American Indian is the original American and has resided on this continent since time immemorial; and
>
> Whereas he has made an indelible imprint on our national character and culture, and history is replete with names and deeds of many outstanding American Indians who have contributed immeasurably to our way of life, our moral standards, and our love of nature; and
>
> Whereas Indian woods and water lore, arts, and handicraft are basic in the manuals of the Boy Scouts, Girl Scouts, Camp Fire Girls, Y-Indian Guides of Young Men's Christian Association, and the many other American patriotism-building youth groups, while outdoor enthusiasts, young, and old, all over the world, rely on Indian folkways for guidance and inspiration; and
>
> Whereas the American Indian has made such other outstanding contributions to our American economy as the cultivation of corn, cotton, tobacco, beans, squash, tomatoes, peanuts, and melons, which have today become basic American industries; and
>
> Whereas a number of States celebrate "Indian Days" in September when traditional Indian festivals are held in recognition of the contributions the American Indian has made to our national life; and

Whereas the special responsibility of the Federal Government for the American Indian makes national recognition particularly fitting; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth Friday in September of every year is designated as American Indian Day, and the President of the United States is authorized and directed to issue annually a proclamation setting aside that day as a public occasion and inviting the people of the United States to observe that day with appropriate ceremonies.

EXEMPTION FROM INCOME TAXATION OF CERTAIN NONPROFIT CORPORATIONS AND ASSOCIATIONS—AMENDMENTS (AMENDMENT NO. 426)

Mr. JAVITS. Mr. President, on behalf of myself, my colleague, the junior Senator from New York [Mr. KEATING], and the Senator from Maryland [Mr. BEALL], I submit amendments, intended to be proposed by us, jointly, to the bill (H.R. 3297) to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes. I ask unanimous consent that a memorandum, relating to the amendments, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed and referred to the Committee on Finance; and, without objection, the memorandum will be printed in the RECORD.

The memorandum presented by Mr. JAVITS is as follows:

MEMORANDUM ON AMENDMENT TO H.R. 3297 REGARDING THE NEW YORK STATE SAVINGS AND LOAN BANK

The Savings and Loan Bank of the State of New York is a quasi-governmental instrumentality of New York. It is a nonprofit mutual institution. The bank's function is to maintain a liquidity fund to make loans to banks which are basically sound but short of liquid assets—the same function as the tax-exempt Federal home loan banks. The bank was exempt from income taxation from its inception in 1915 until 1963 when the Internal Revenue Service reversed its previous ruling on the narrow ground that the bank does not fall within the literal language of code section 501(c)(14). This section was enacted in 1951 to cover institutions such as the bank. This technical amendment corrects this apparently unintentional legislative oversight.

The Savings and Loan Bank of the State of New York was created by an act of the Legislature of the State of New York in 1914 and commenced operating in 1915 as the Land Bank of the State of New York. The original name was changed to the present one by the New York Legislature in 1932.

From its inception, the Savings and Loan Bank has been a creature of the New York State Legislature. Proposed bylaws for the bank, the general powers of the bank and the restriction on such powers as well as the composition of the bank's membership and the number and election of the bank's directors are all specifically regulated by statute. The Savings and Loan Bank, together with its capital, accumulations and other funds are exempt from State taxation under section 446, article 10–B of the New York State banking law.

The Savings and Loan Bank is organized without capital stock and membership is limited to savings and loan associations in New York. It is authorized to extend credit to, and act as a service bank for, its membership. The bank is also authorized to administer a fund for the insurance of savings accounts in savings and loan associations; however, an amendment to the New York banking laws is necessary before the Savings and Loan Bank can adopt a plan of insurance.[1]

By letter dated July 15, 1935, the Internal Revenue Service ruled that the Savings and Loan Bank of the State of New York was exempt from Federal income tax under section 101(4) of the Revenue Act of 1934 which provided exemption for domestic building and loan associations. Congress in 1951 eliminated the tax-exempt provisions for domestic building and loan associations; however, a tax-exempt status for State-chartered insurance and liquidity funds was expressly provided in what is now section 501(c)(14). This exemption was expected to cover the Savings and Loan Bank, and the Internal Revenue Service by letter dated December 1, 1952, reaffirmed the tax-exempt status of the Savings and Loan Bank.

By letter dated December 4, 1961, the Revenue Service notified the Savings and Loan Bank of the Service's intention to revoke the bank's tax-exempt status on the grounds that the Service had erred in reaffirming the tax-exempt status of the bank in 1952. It considered it had erred because the Savings and Loan Bank did not insure accounts in savings and loan associations but only provided reserve funds. By letter dated July 12, 1963, the tax-exempt status of the Savings and Loan Bank was revoked.

It is apparent that the Savings and Loan Bank of the State of New York has been the victim of an unintentional legislative oversight. The predecessor of section 501(c)(14) was added at the behest of the two mutual deposit guarantee funds in Massachusetts. No thought was given to New York. The Ohio Deposit Guarantee Fund did not qualify under the 1951 amendments and an amendment in 1960 was approved to correct this discrimination. No relief was considered for New York because it was considered that New York was already covered by the exemption. The Maryland Savings-Share Insurance Corp. is also not covered by section 501(c)(14), it having been organized after the cutoff date in the statute, and H.R. 3297 has been passed by the House of Representatives to alleviate this inequity.

The House Ways and Means Committee report on H.R. 3297 describes the functions of organizations exempt under section 501(c)(14) as follows:

"The organizations covered by this provision are nonprofit, mutual deposit guarantee organizations without capital stock organized for the benefit of a group of mutual savings banks or for a group of building and loan associations. These guarantee organizations provide two services for their member banks. First, they provide a deposit insurance fund to aid their members in financial difficulty and in final extremities to pay off the depositors in full if a member bank is liquidated. Second, they also maintain a liquidity fund (which may or may not be a fund separate from the deposit insurance fund) to make loans to member banks which are basically sound but short of liquid assets. The deposit insurance fund is built by premium charges and the liquidity fund by deposits made with the guarantee organization. In addition, investment income is earned by the organization on both types of funds although there is little accumulation in the case of the liquidity funds since interest generally is paid on these deposits of the member banks." (H. Rept. No. 459, 88th Cong., 1st sess. (1963).)

The first of the two functions of the deposit guarantee organizations, that is the deposit insurance function, is performed under Federal laws by the tax-exempt Federal Savings and Loan Insurance Corporation. The second of these two functions—maintaining a liquidity fund—is performed under Federal laws by the tax-exempt Federal Home Loan Bank system. The State-created institutions of Massachusetts and Ohio (the only deposit guarantee organizations presently covered by the exemption), have combined these two functions in one institution.

It is not maintained that the Savings and Loan Bank of the State of New York performs the functions in New York of the FSLIC. It does not. It is submitted, however, that the Savings and Loan Bank does perform the functions in New York of the Federal home loan banks.

Section 13 of the Federal Home Loan Bank Act (12 U.S.C. 1433) exempts from State and Federal tax the Federal home loan banks. This amendment will extend this same tax treatment to a State-chartered institution which is performing the same function as the Federal home loan bank system. There is no reason to require that the Savings and Loan Bank of the State of New York perform the same functions as both the Federal home loan banks and the Federal Savings and Loan Insurance Corporation to get tax exemption when Congress has split these functions between two Federal instrumentalities and granted exemption from tax to each. Unless it is the intention of Congress to eliminate the "competition" of the Savings and Loan Bank of the State of New York, there is no justification for taxing the quasi-governmental instrumentality of the State of New York and exempting from tax the Federal home loan banks.

This amendment is limited to those institutions organized prior to July 22, 1932, the date when the Federal Home Loan Bank Act was enacted by the Congress.

[1] At the time this section of the New York banking law was adopted, there were about 250 savings and loan associations in New York. A limitation was added that the insurance fund could not be established for less than 100 savings and loan associations. At the present time there are only about 100 savings and loan institutions in New York (other than Federal savings and loan asociations which must obtain insurance from the Federal Savings and Loan Insurance Corporation) and some of these are presently insured with the FSLIC.

AGRICULTURAL ACT OF 1964—AMENDMENTS

Mr. TOWER submitted six amendments (Nos. 427, 428, 429, 430, 431, and 432), 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 were ordered to lie on the table and to be printed.

RESTRICTION OF IMPORTS OF BEEF, VEAL, AND MUTTON—ADDITIONAL COSPONSOR OF BILL

Mr. MONRONEY. Mr. President, I ask unanimous consent that my name

may be added as a cosponsor of the bill (S. 2525) to restrict imports of beef, veal, and mutton into the United States, introduced by the Senator from Montana [Mr. MANSFIELD] (for himself and other Senators) on February 20, 1964, the next time that bill is printed.

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

RESTRICTION OF IMPORTS OF BEEF, VEAL, AND MUTTON INTO THE UNITED STATES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 20, 1964, the names of Mr. BIBLE, Mr. CANNON, Mr. CARLSON, Mr. CURTIS, Mr. DOMINICK, Mr. EDMONDSON, Mr. GOLDWATER, Mr. HARTKE, Mr. HAYDEN, Mr. LONG of Missouri, Mr. MECHEM, Mr. SIMPSON, and Mr. YARBOROUGH were added as additional cosponsors of the bill (S. 2525) to restrict imports of beef, veal, and mutton into the United States, introduced by Mr. MANSFIELD (for himself and other Senators) on February 20, 1964.

INDEPENDENCE OF ESTONIA

Mr. JAVITS. Mr. President, Estonia became a free and independent Republic 46 years ago, on February 24, 1918; and Estonians all over the world outside of their native land are commemorating that event this February 24. Like the other Baltic States, Estonia enjoyed 22 precious years of self-rule before she was overwhelmed by the Soviet Union's armies. The conflict with Communist oppression over the years since then has been long and costly; but the people of Estonia continue to struggle on, in the hope of eventual liberation.

Americans of Estonian extraction and others who uphold the right of self-determination as a principle of international law are determined to keep alive the desire for freedom, in spite of the terror that holds this unhappy land in its grip. In Estonia as in other Baltic countries, the enslaved peoples know that their struggle can have only one conclusion—the ultimate liberation of their people. I join in that hope, because the United States will continue to struggle against Communist aggression until all the people of the world are again free.

The ACTING PRESIDENT pro tempore. Is there further morning business?

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

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

The Chief Clerk proceeded to call the roll.

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

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

ORDER FOR HANDLING OF TREATIES ON THE EXECUTIVE CALENDAR

Mr. MANSFIELD. Mr. President, after discussion, and with the approval of the distinguished minority leader and other Senators who are concerned, I ask unanimous consent that when the treaties which are on the calendar are considered—and I understand they have been cleared on both sides—one vote be considered as four separate votes, and that before they are recorded in the RECORD, there be entered in the RECORD an explanation of each executive agreement.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. The only treaty which concerns me in connection with the unanimous-consent request is the one which provides for return of Austrian assets. Will the Senator from Montana except it from his present unanimous-consent request, with the right to include it a little later in the request? I should like to consider that treaty, in that connection, to be certain.

Mr. MANSFIELD. Yes—and, of course, with the proviso that if anything untoward develops later, inasmuch as some Senators are not now in the Chamber, the request will be withdrawn.

Mr. JAVITS. Yes—and with the exception of the treaty on return of Austrian assets, but with the right to include it a little later in the request.

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. I understand that each treaty will then appear in the RECORD, and the yea-and-nay vote will appear three times—and possibly four times, if the distinguished Senator from New York is satisfied in regard to the Austrian treaty; and that an adequate explanation of each treaty will also be included in the RECORD, before the yea-and-nay vote on it is set out. Is that correct?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? Without objection, it is so ordered.

U.S. AMBASSADOR TO PANAMA

Mr. MILLER. Mr. President, it has been my feeling that had the administration acted promptly in naming a new ambassador last fall, the trouble we are now having in Panama could well have been averted. It has been a source of puzzlement to me, as well as to many others, as to the reasons underlying the failure to appoint an ambassador to that vital nation.

But it is no understatement, to say the least, that I was astonished to read in the Washington Daily News of February 4 the comments by the former ambassador to Panama, Joseph S. Farland. If what Mr. Farland says in Henry J. Taylor's column is true—and thus far we have no reason to believe otherwise—then it goes far in explaining our recent foreign reversals not only in Panama but elsewhere as well.

Mr. President, these questions should be and must be resolved:

First. Why was not Mr. Farland "debriefed" upon his return from Panama? And why had Secretary of State Rusk apparently been informed that Mr. Farland had?

Second. Why were orders given that Mr. Farland was not to be invited for consultation with various agencies which should have had the benefit of his knowledge?

Third. Why was Mr. Farland ordered not to have any contacts with top CIA executives and any congressional leaders?

Fourth. Why were Mr. Farland's dispatches warning of the Castro buildup and mounting crisis in Panama ignored?

Fifth. Are there any officials in the State Department who are hampering our policies?

These are not idle questions. The security of our Nation depends upon their being answered. If they are not, then it is quite obvious that we will suffer more reverses such as have occurred in Panama and South Vietnam.

I ask unanimous consent that two articles dealing with the Farland-Panama case, one entitled "What's Going on Here?" and the other entitled "Surprise, Surprise, Surprise"—be printed in the RECORD.

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

[From the Washington (D.C.) Daily News, Feb. 4, 1964]

SURPRISE, SURPRISE, SURPRISE

(By Henry J. Taylor)

A firsthand look at what really happened to our former Ambassador to Panama, Joseph S. Farland, should explain much about what confronts President Johnson. And why dangerous event after event abroad is a surprise, surprise, surprise to those at the top on whom our security depends.

Ambassador Farland is an ex-FBI agent, counter intelligence expert, chief-of-mission for 3½ years in Panama before returning last August and acclaimed as one of the most successful Ambassadors we've ever had in Latin America. He resigned last August and returned to private life in Morgantown, W. Va.

Secretary of State Dean Rusk told the House Foreign Affairs Committee that he was taken by surprise by events in Panama. The committee asked whether his Department had fully consulted the returned Ambassador whcse reports had long bristled with information about the Castro buildup and the mounting crisis in the isthmus. "Oh, yes, Mr. Farland has been completely debriefed," Mr. Rusk testified.

Now, obviously, something or someone was wrong some place. Ambassador Farland has stated publicly that he was asked nothing, and had sat around Washington for 3 solid weeks without being consulted ("debriefed"). So I asked Mr. Farland to tell me exactly what went on. He agreed to do so.

He said Secretary Rusk in his testimony apparently relied on a subordinate who reported to him after engaging Mr. Farland in "a short, and largely irrelevant conversation," that's all. That State Department man was named Lansing Collins. "We did hardly more than pass the time of day, Mr. Collins and I," Mr. Farland told me.

That the Secretary of State himself admittedly failed to consult Mr. Farland, as CIA Director John A. McCone likewise failed even to see him, was inexplicable. How come?

"When I arrived home in August," Mr. Farland answered, "and the State Department circulated its customary notice to appropriate agencies listing returned ambassadors available for consultation, a man in the White House went to work. His name is Ralph Dungau. On whose authority he acted, I do not know. But Mr. Dungau phoned the various agencies, including the Pentagon, that I was not to be invited for consultation."

Mr. Farland then coupled this action with a previous event. "Earlier in the Panama crisis," he stated, "when I went to Washington for consultation in the late fall of 1962, Edwin Martin, the then Assistant Secretary of State for Latin American Affairs, stepped in. Mr. Martin literally ordered me to have no contact with top CIA executives and any congressional leaders. 'We here in the State Department will take care of any discussions about Panama with the CIA ourselves. Further, you are not to have discussions with Members of Congress on the Hill,' Mr. Martin directed."

Subsequently, Ambassador Farland met President Kennedy during the late President's conference with Latin American Presidents at San Salvador last March. "President Kennedy did not know about Mr. Martin's directive to me," Mr. Farland continued, "and in Mr. Martin's presence he crossed up Mr. Martin on the congressional angle while Mr. Martin remained silent. The President told me to see inquiring congressional leaders on my next trip home. I had nothing but courtesy, understanding and, so far as I know, approval from President Kennedy personally and directly."

I asked about the CIA espionage situation, including Castro penetrations in Panama. Mr. Farland described the CIA as an cut-of-hand aggregation "underzealous in knowing what was happening in Panama, overzealous in building a CIA empire in the zone." He revealed the additional stops and blocks he encountered behind the scenes in trying to bring this Agency into line.

"The station chief had exposed himself as a prominent figure in the high social world," Mr. Farland stated, "and it was easy to see that the whole thing was loose. They simply did not know what was going on. I spelled this out repeatedly to both the State Department and CIA's Washington headquarters in terms of isthmus and American security. Neither acted. It took me nearly a year to get the station chief removed—a very decisive and critical year—and then only when CIA Director McCone himself came to Panama and heard the facts direct from me in my house."

[From the Washington (D.C.) Daily News, Jan. 24, 1964]

WHAT'S GOING ON HERE?

(By Henry J. Taylor)

Secretary of State Dean Rusk, taken by surprise about events in Panama, told the House Foreign Affairs Committee on January 15 that his Department had consulted our returned Ambassador, Joseph S. Farland. "Oh yes, Mr. Farland has been completely debriefed," he testified.

On Ambassador Farland's statement to writer Victor Riesel, this is absolutely untrue. He was asked about nothing. He sat around Washington for 3 solid weeks without even—or ever—being consulted (debriefed). Hey, Mr. Secretary.

It is vital now for President Johnson to find out who in the State Department arranged to misinform his Secretary of State.

Repeated failures to be informed, failures of subordinates to level with their boss, calculated sabotage of information such as the Farland brushoff, and repeated denials of the undeniable mistakes confront us again with the same mysteries we faced in the days of Yalta and of Alger Hiss.

Each crisis is a surprise—Soviet missiles in Cuba, Laos, the Berlin Wall, Nehru's invasion of Goa, the Dominican revolution, the Cambodian backlash, Zanzibar, Panama. Surprise, surprise, surprise. In the sacred name of the security of the United States, what's going on here?

Like Secretary Rusk, CIA Director John A. McCone also failed inexplicably to consult Mr. Farland when the Ambassador returned from Panama, although Mr. Farland's dispatches bristled with information about the Castro buildup and mounting crisis. An ex-FBI star, counterespionage expert, the chief of mission and admittedly the most successful Ambassador we've had in Latin America for many years, Mr. Farland was utterly ignored. Who in the CIA and State Department kept him away from the tops? And why was no new Ambassador to Panama appointed for 5 critical months after Mr. Farland's return home last August?

Now, one of the things Mr. Farland knew, and that I knew, too, was that the CIA in both Cuba and Panama had been infiltrated wholesale by the Soviet-trained Castro agents. This disclosure was proven by the systematic murders and tortures that greeted Cuban and Panamanian anti-Communists promptly after being recruited by the CIA.

Details? I repeat here the text of my article of February 27, 1963—11 long and decisive months ago—including the name of Castro's main agent in Panama, only to prove beyond any possible doubt that no surprise at the top of our Government is permissible.

"Castro's guerrilla fleet is moving fighters and their arms into Panama. Costa Rican Communist Julio Sunol is in Havana directing this with support in Costa Rica—on Panama's border. The chief debarkation point is La Colma (Cuba), now a Soviet-occupied port. Castro's receiving agent, protector and cover in Panama is famous Panamanian Communist Thelma King—vicious, relentless, competent.

"By air these groups operate from the Soviet air base at San Julian, 90 miles southwest of Havana, and from San Antonio de los Banos. They are headquartered in downtown Cienfuegos and the central radio tool is a very modern Russian-built station on Key Breton."

That was February 27, 1963.

Starting with the Bay of Pigs, after new teams entered the innards of the State Department and CIA, the endless pattern of surprises and failures we have would be utterly impossible unless our Government has been infiltrated at the policy level.

The British, French, West German, Italian, Dutch, and Swedish Governments have experienced such Soviet infiltration. As our American Ambassador to Switzerland, I saw this happen even there. And we are seeing the success of deep-cover Sino-Soviet agents and fellow travelers planted here.

As it did to Chancellor Adenauer and Prime Minister Macmillan, it must come as a tragic, horrible shock to President Johnson. But all legislation and other important duties fall to nothing compared with the heartbreaking, shifty, diabolic problem he confronts: the restoration of internal top-level security. Moreover, he knows the enemy's self-serving alibi of "witch hunt" will automatically blare, as always and everywhere, the moment he moves.

May all intelligent citizens and thoughtful newspapers across our country help give him the strength to reach each discoverable truth, place security above every other consideration and let the chips fall where they may. This Nation is in absolute peril—within Washington.

APPEASEMENT IN PANAMA: SINCE THE EARLY THIRTIES WE HAVE BEEN GIVING IN TO A GROUP OF LEFTISTS AND OTHERS WHO HATE THE UNITED STATES

(By Edward Tomlinson)

Article III of the Isthmian Canal Convention between Panama and the United States, signed on November 18, 1903, states:

"The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

The tide of anti-American propaganda in Panama has become a seething campaign to oust Uncle Sam from control of the Panama Canal.

It is being spearheaded by leftist university students, volatile nationalists, and Communists. It has the ardent support of the majority of the most prominent political leaders and the powerful merchants association of Panama City and Colon, as well as that of the leading newspapers and radio stations.

This campaign against what the extremists call "U.S. domination of Panamanian territory" started in the early thirties, when a group of intellectuals and antigringo elements set up an organization to "promote the internationalization of the canal."

The organization was called "The Panamanian Society for International Action," and its founder was the late Dr. Rivera Reyes. In 1934 Dr. Reyes declared that the original treaty, granting the United States a 40-mile-long, 10-mile-wide strip of territory (known as the zone) through which the waterway extends from the Caribbean to the Pacific, "was born of fraud, perfidy, and dishonor."

"This great waterway," the doctor said, "should be sold to an international corporation in which are represented all the nations of the world." Apparently at that time neither Dr. Reyes or any other prominent Panamanian had given any serious thought to nationalization of the "big ditch."

With the passing of Dr. Reyes, the movement for internationalization lost momentum; but demands for economic and financial concessions began to increase. In 1936 President Harmodio Arias came to Washington and got the first substantial treaty revision from the Roosevelt administration. In these negotiations little was said about political matters. President Arias seemed to be well satisfied with an increase in the annuity from $250,000 to $430,000, the ceding to the Republic of certain lands of the Caribbean coast, curtailment of commissary privileges to persons living outside of the Canal Zone, and other economic considerations.

Today Dr. Arias, through his newspapers, the Panama American and La Hora, is one of the leading spokesmen for "zone sovereignty." A year and a half ago he declared to this writer: "I will never rest until I see the flag of my country flying over both the zone and the canal."

Agitation for the "return to Panama of sovereignty over the zone" began in earnest in 1939. Following the Spanish Civil War, which ended with the fall of Madrid to the Franco forces, many of Spain's liberal intellectuals and prominent Republicans mi-

grated to the Americas. One group made its way to Panama, and there several of its members were employed as instructors in the newly reorganized National University.

Within weeks after they assumed their duties, they became involved in isthmian politics. They helped to organize the Partido del Pueblo, one of the first Communist political parties in the Caribbean. The PDP was made up of remnants of the old Rivera Reyes movement, radical professors and students, and a considerable number of leftist labor leaders. The party as such has not been too open in its activities, but its members and camp followers have consistently flailed away at the "Imperialist Yankees" for "forcibly occupying a part of our sacred territory."

In the early days of World War II the anti-U.S. movement got a powerful assist from Nazi-Facist-leaning President Arnulfo Arias, a younger brother of Dr. Harmodio. Arnulfo, as he is popularly known in Panama, was later overthrown and exiled for the duration of the conflict. But the moment the Axis Powers asked for an armistice, all the leftists and flaming nationalists, the students and the newspapers, along with the leading politicians, launched another drive against "U.S. disregard of Panamanian sovereignty."

They insisted that the government expel U.S. forces from several wartime airfields and other military bases outside the Canal Zone; these had been leased to us during the emergency for the defense of the canal and the hemisphere. The National Congress sat in special session to condemn this "further occupation."

After we had bowed to these condemnations, vacated the wartime bases, and withdrawn all our forces into the Canal Zone, there were still more demands for treaty revisions. In 1955 President Eisenhower invited Jose Antonio Remon to Washington and agreed to increase the annuity from $430,000 to $1,930,000 a year, gave over to the Republic some $25 million worth of real estate in Panama City and Colon, agreed to build a new $27 million bridge across the canal for the Republic's special use, and granted innumerable other financial and economic benefits.

But even these favors failed to satisfy the extremists. They have continued to demand political concessions. In fact, they led the Panamanian public to believe that Washington had agreed to recognize Panamanian sovereignty over the zone and to permit the flag of the Republic to fly there. Of course, no such promises were actually made.

Then in 1956 came the Suez incident. Nasser took over the Middle Eastern waterway. Even while the crisis was at its peak, and the French and English were attempting to drive the Egyptions out of Suez territory, university students whipped up frenzied anti-U.S. demonstrations in Panama City.

In July of 1958 the student unions issued a new manifesto, which was endorsed by most of the press and political firebrands, calling for liquidation of the Panama Canal Company and a 50–50 division of the gross (not the net) annual receipts of the canal. They further demanded that residents of the Canal Zone be compelled to speak Spanish instead of English and that "Members of the U.S. Congress and citizens of the United States be prohibited from uttering uncomplimentary remarks against Panama's dignity."

In fact, from then on nationalization—not internationalization—became the chief goal of all the nationalist elements as well as that of the Reds and their dupes. Ever since then an enormous streamer bearing the slogan "The canal is ours" has flown on the university campus.

Dr. Roberto Arias, Cambridge University graduate and son of Dr. Harmodio Arias, was then his country's youthful Ambassador in London, and he made himself spokesman in Europe for the nationalization movement. Later he resigned, largely because President Ernesto de la Guardia failed to back him up.

In April of 1959 young Arias enlisted the help of followers of Cuba's Fidel Castro in an attempt to overthrow the de la Guardia administration. Meantime, members of this ill-fated expedition revealed that in addition to ousting the government, they had been scheduled to make a "token invasion" of the Canal Zone. Apparently the purpose of this move was to create an international incident or an excuse to take the dispute to the United Nations. Had this been accomplished, the Russians and the Arab States would have been able to join openly in demands for "justice to Panama."

Although this stratagem failed, the planners devised still other schemes to harass Uncle Sam. Drs. Aquilino Boyd and Ernesto Castillero, former Minister of Foreign Relations and Vice Minister of Foreign Relations respectively, announced plans to celebrate Panama's independence from Colombia on November 3, 1959, by a "march on the Canal Zone." Boyd said this would be a "peaceful demonstration," merely to show the flag in the zone.

Even if Boyd had been sincere, the Communists and extremists had other plans. When the march began, they sent their agitators and goons into the procession and turned it into a bloody riot in which at least 75 Americans—soldiers, police, and civilians—were injured. "Plants" in government telephone exchanges and radio stations passed out word that the National Guard was to remain in barracks, which it did, leaving the Canal Zone police and military forces to battle the attackers alone.

When the American forces stood their ground—against degrading insults, threats, stone throwings, and foolhardy onslaughts against tear gas bombs—the rioters, like the immature kids they were, slunk away into Panama City and vented their angry emotions on U.S. business firms and properties. But the masterminds behind the scenes had not given up. Three weeks later they led another demonstration against the Canal Zone. This time the Panamanian National Guard managed to get on the job and quell the rioters.

Meantime, the State Department had sent Under Secretary of State Livingston T. Merchant to Panama City to confer with officials of the Republic and the Canal Company regarding the difficulties. Although Mr. Merchant insisted that Panamanian authorities maintain order and protect U.S. life and property in the Republic, he indicated that Panama is the "titular sovereign" over the Canal Zone, whatever that means.

Panamanians insist that the Under Secretary agreed that their flag might be displayed in the zone. In fact, it is the opinion of a number of people high in our own Government that this concession would not impair our rights.

Mr. Merchant had hardly arrived back in Washington when the Panamanian Foreign Minister, Miguel J. Moreno, Jr., complained to the press in Panama City that he had "not yet received any word from the U.S. Government that it intends to satisfy Panama's complaints." He expressed impatience that the State Department had not taken action to have the flag hoisted.

At the moment a hot presidential campaign is on, with election scheduled to take place in early May. Meantime, no Panamanian official or politician is likely to counsel moderation, much less take a stand against anti-U.S. attacks.

Latin American diplomats in Panama City have reported to their governments that more violence and demonstrations are to be expected.

The most responsible Americans on the isthmus are agreed that the Panamanian politicians as well as the merchants will not only continue to insist upon but will take all the material concessions they can get and will encourage the Communist-Nationalist groups to keep calling for nationalization.

The strategy now is evident, and it bears unmistakable Communist earmarks. First, keep stoking the propaganda mills, keep shouting about "injustices heaped upon helpless little Panama by the powerful Yankee colossus." Eventually a lot of people will begin to believe it.

Second, it may be possible somewhere along the line to create an incident, perhaps the accidental killing of a Panamanian student by a U.S. soldier or policeman. Then a wave of righteous wrath will sweep all Latin America. As one diplomat puts it: "There will be demands in the Organization of American States, the United Nations, and throughout the Communist world for an end to unilateral domination of this world waterway."

Indeed, most Panamanians already are convinced that eventually they will be able to pressure us into sharing jurisdiction over the canal as well as the zone. We ourselves have given them good reason to believe their dream can come true. Their efforts so far have borne abundant fruit. We have yielded to pressure and have made two major revisions of the original treaty. Each time the Panamanians received more than any of them ever expected to get.

They consider our position regarding Suez as a precedent. In effect, we approved the nationalization of that waterway by Egypt.

Some of our most influential political leaders have come out for what they call "a new approach" to the canal question. Way back at the Potsdam Conference, President Harry S. Truman started the ball rolling. With "Old Joe" Stalin listening, Mr. Truman proposed that all strategic waterways be internationalized, and he has repeated the proposal.

A few weeks ago presidential hopeful Senator HUBERT HUMPHREY took up the idea. The Minnesota Senator said, in effect, that we have two alternatives in the Panama Canal Zone. We can work out a cooperative program with the Republic of Panama, giving Panama more voice and rights in the Canal Zone. Or we can go to the United Nations and offer to internationalize the canal, providing the same is done for other international waterways.

Senator WAYNE MORSE, of Oregon, chairman of the Senate Foreign Relations Subcommittee on Latin America, recently hired a study group from Northwestern University, at the taxpayer's expense, to look into and recommend a plan for disposing of the Panama Canal question. The report recommends what it terms "regionalization" of the waterway; that is, giving the nations of this hemisphere some say in the affairs of the canal. The Northwestern University professors went on to say that the Council of the Organization of American States might establish an advisory canal commission, which would supervise traffic studies "including the long range problem of arranging for a second canal across Nicaragua."

The group also said that later moves might include giving the Organization of American States representation on the Board of Directors of the Canal Company and the transfer of canal stock in small blocks to the hemisphere body. "By regionalizing the canal in this way," the professors concluded, "we avoid the political dilemma of internationalizing it through a divided United Nations, or having

it eventually nationalized despite ourselves by the Panamanians."

Unfortunately, too few of our own people—those in authority as well as average citizens—seem to know the main facts about the Panama Canal, its origin, and purpose. The isthmus has always been a strategic artery of transportation. It was the route the Spanish conquerors took to western South America, to the riches of Peru, Bolivia, etc., in the 16th century.

In 1856, when our own people were pioneering to California, U.S. citizens built a railroad across the isthmus and thousands of settlers traveled to the Pacific coast by that route. In 1880, a French company headed by Ferdinand de Lesseps, who previously had dug the Suez Canal, attempted to build a canal across Panama. Lack of money, the ravages of disease, and innumerable difficulties and hardships forced De Lesseps to give up.

By then (1889) we were becoming a great naval power. During the Spanish-American War we had found it a hazardous undertaking to transfer our fleet from the Atlantic to the Pacific by way of Cape Horn. Also our Pacific coast and the new Territory of Alaska were practically undefended. It became a matter of the utmost strategic urgency to find a shorter route.

In 1890, the United States bought the French rights and holdings, but found objections from Colombia, of which Panama was then an isolated northern province. On November 3, 1903, the Panamanians seceded from Colombia, and President Theodore Roosevelt recognized the newly organized Panamanian Government on November 6. Twelve days later we signed a treaty with the new Republic, which gave us the right to construct and operate the canal.

Article II of that document grants the United States "in perpetuity" complete jurisdiction over the 553 square miles that make up the zone. Article III further states that Panama grants to the United States "all the rights, power, and authority within the zone mentioned and described in article II * * * to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority."

To seal the bargain, we paid the new Government $10 million in cash and pledged ourselves to pay annually thereafter $250,000, which in 1955 was upped to $1,930,000. During Woodrow Wilson's administration we paid Colombia $25 million, as a friendly gesture and in token of damages it had sustained.

It probably is too much to expect even intelligent Panamanians to admit that what we actually got from them by treaty, and for which they received what then was a considerable sum of money, was a mere strip of sodden, disease-ridden jungle and marshland, most of it totally uninhabited.

Since 1903 we have built a canal that accommodates the ships of the whole world. Our scientists and doctors turned the swamps, as well as the two main Panamanian cities, into virtual health resorts. We have built hospitals, schools, homes, highways, stores, and shops, as modern as any in the world. We have also built all the facilities necessary to operate and defend the biggest single Government-operated industrial setup outside the United States itself.

Although we are accused of reaping billions from this project, to date U.S. taxpayers have spent more than a billion and a half dollars on its construction and maintenance; but they have received from it only a little over $965 million in tolls.

Meantime, the Panamanians who spent nothing to put it there, and who take no risks in making it function and pay its way, daily reap a windfall of benefits and profits from it.

But regardless of what happened in the past, and entirely aside from the question of whether this country has or has not been financially generous to the Government and the people of Panama, the question now arises: What is for the ultimate best interests of all concerned in the operation and maintenance of this vital waterway?

Obviously it is of the utmost importance to the other nations of this hemisphere and to the world in general, as well as to our own country and to Panama, that it be maintained in perfect condition and operated by highly trained personnel and experienced directing heads. Those in charge should also be men of unusual economic and financial ability, if they are to make wise policies for a multimillion-dollar corporation that by law has to be self-supporting.

Anybody with even a cursory knowledge of the Panamanian population knows that the little Republic does not have the means or the know-how to do either. Even if enough Panamanians were technically trained to do the job, the instability of the country would be a danger to the safety and dependability of the canal's operation. From 1949 to 1959 there have been seven different Presidents, almost one a year, not one of whom served out his term. President de la Guardia may succeed in squeezing through until next May, although he already has experienced several close calls.

The Panamanians still insist that we do not pay their people the same wages that we pay North Americans. Of course, this is not true. It may have been in the past, but not since the last treaty revisions. Since then, a Panamanian who does the same job that a North American does gets the same pay, the same promotions, the same benefits.

Since so many Panamanians engaged in agitation against the United States, and participated in violent attacks on canal properties, the question of security of the installations becomes an all-important consideration. Those responsible for any organization as vital to national and hemisphere defense as the Panama Canal would hesitate to promote or put Panamanians or any other than U.S. citizens in charge of strategic posts.

The Panama Canal is not only a vital artery of transportation but also a critical link in our own national defense. It is equally important in the defense of all the southern Republics. None of them likes to admit it, of course, but not one of the 20 countries could defend itself against an attack by modern weapons.

The United States is Latin America's sole defense in any major war. The canal is the sole means of shifting war vessels from one ocean to another quickly; it is also an indispensable supply line. Unless we control it, it would be of little use in any emergency.

Aside from the fact that nobody else put a penny into its construction, least of all the Panamanians, these were among the chief reasons for making a treaty which gave us complete jurisdiction over the zone in the first place. Divided authority and jurisdiction, which could cause disagreement and confusion at a critical moment, would give an enemy great advantage and would kill the efficiency of the operations in normal times.

The very fact that we are committed to NATO, the Rio Defense Treaty, the Western Hemisphere, and the Southeast Asia alliances, is a further reason for maintaining the political provisions of the 1903 treaty. Especially since we still are in the midst of a dangerous cold war with Communist nations.

Nor is the mere fact that Panamanian leaders have changed their minds and now want to revise the treaty, not to say, nullify it, sufficient reason to go along with them. No doubt Mexicans would like to revise the treaty that ceded California to us, so that their flag might again fly over this rich territory. France might like to have the treaty by which we acquired Louisiana and the vast western territories that went with it overhauled.

The insistence upon flying the Panamanian flag in the zone, "as a token of titular sovereignty," now the prime goal of the isthmian crusaders, is merely a ruse, a Trojan horse. Once there, it would be pointed to as an acknowledgement of total, not titular, sovereignty. It would be an excuse for the extremists to demand more tokens of Panamanian power. They could point to the flag as a supreme demonstration of U.S. deceit—"Washington admits the canal is ours but won't let us rule over it."

Even if it were logical and wise to make political concessions, or if there were no threats of a future war, this is no time even to discuss the matter. You don't make concessions when an organized mob is converging on your house.

We have become the great Western power, but we don't act the part. We are still anxious to be loved by everybody. We cringe every time some government, even a shaky one, or some extremist group criticizes or throws spitballs at us.

Nobody loves a great power. Nobody loved England when Britannia ruled the waves. But they respected her. She went straight down the road of what she thought was her duty. She lived up to her treaties and obligations and expected others to do likewise.

The U.S. Government has the same right and the same obligation to demand that Panama, the other party to the treaty of 1903, live up to its obligations, to its word, its signature. That is what the treaty was for.

Finally, it is time for the administration and the Congress to stop trying to please everybody; such efforts mean that we usually end up pleasing nobody. It would be an innovation, and the people of the United States no doubt would shout "Hosanna," if the White House and Capitol Hill would act as the responsible protectors of American rights abroad that they are supposed to be.

One thing is certain: Our rights and our obligations in the matter of the Panama Canal and its operation and protection, are at stake.

At least it is time for our leaders to speak with one voice, and not as if they were the inmates of a tower of Babel.

THE AMERICAN LEGION'S POSITION

At the 41st National Convention of the American Legion, August 25–27, 1959, the committee on foreign relations reported:

"1. We reaffirm our opposition to any proposal or effort to change, in any way, the status quo of the Panama Canal."

The convention adopted a resolution (No. 645) that called upon "our Government to promptly and vigorously use all means within our power to prevent the establishment or continuance of any Communist or Communist-controlled government within the Western Hemisphere," and urged "all American Republics to join with our Government in the elimination of this threat to the freedom of the people of the Western Hemisphere and of the world."

BEEF IMPORT AGREEMENT

Mr. MANSFIELD. Mr. President, on February 20, 1964, I addressed the Senate on the new beef import agreement and the general subject of beef imports. At the conclusion of my remarks I had intended to insert a copy of a letter my colleague [Mr. METCALF] and I addressed to the U.S. Tariff Commission on the cattle and beef import situation. Inadvert-

ently the attachment was a letter to the U.S. Tariff Commission, but on the subject of copper imports.

Mr. President, I ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD my statement "Beef Import Agreement" and the correct attachments.

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

BEEF IMPORT AGREEMENT

Mr. MANSFIELD. Mr. President, on Monday, the Department of State and the Department of Agriculture announced a voluntary agreement with Australia and New Zealand on beef imports. These two countries provide approximately 80 percent of our imports of fresh and frozen beef and veal. The agreement, as I understand it, is subject to review after 3 years.

In brief, the agreement guarantees foreign exporters of beef to the United States approximately 11 percent of our domestic market, holding Australian and New Zealand exports to the United States at the 1962–63 average, allowing for consumption growth.

Mr. President, this is a small step—a very small one—in the right direction; but it is not enough. It provides little protection for our domestic industry at a time when prices are down. During the current calendar year, it will provide a 6-percent reduction, as compared with 1963 imports.

The idea of a voluntary negotiated agreement with these two major beef exporters is excellent—but certainly not one that guarantees foreign suppliers such a major foothold on our beef market. We cannot blame Australia and New Zealand when they can get an agreement which will permit them to continue to export to the United States at a rate comparable to those of the two highest years in history. The American cattle industry is the one that is being hurt. It would have been far more realistic if the average imports had been computed over the past 5 years, instead of the last 2 years.

In addition, I am somewhat concerned about the effect such an agreement will have on efforts to aid the domestic livestock industry, in light of the delicate state of our international trade negotiations. Frankly, I am anxious to see a much more realistic quota established, either through U.S. Tariff Commission recommendations or congressional action. It is for this reason that my colleague [Mr. METCALF] and I have prepared, for introduction, legislation which would establish a quota system on beef imports, based on the past 5-year average.

Mr. President, I introduce this bill, on behalf of myself, my colleague, the Senator from Montana [Mr. METCALF], the Senators from North Dakota [Mr. YOUNG and Mr. BURDICK], the Senator from South Dakota [Mr. MCGOVERN], and the Senators from Iowa [Mr. HICKENLOOPER and Mr. MILLER]; and I ask unanimous consent to have printed at the conclusion of my remarks the text of this proposed legislation and a letter on the same issue which my colleague, the Senator from Montana [Mr. METCALF] and I addressed to the U.S. Tariff Commission.

Mr. President, I also ask unanimous consent to have the bill held at the desk, for additional cosponsors, until Monday, February 24.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD, and the bill will be held at the desk, as requested by the Senator from Montana.

The bill (S. 2525) to restrict imports of beef, veal, and mutton into the United States, introduced by Mr. MANSFIELD (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and 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, That the total quantities of beef, veal, and mutton (in all forms except canned, cured and cooked meat, and live animals) originating in any country which may be entered, or withdrawn from warehouse, for consumption during any period of twelve months shall not exceed the average annual quantities of such products imported from such country during the five-year period ending on December 31, 1963: *Provided,* That beginning January 1, 1965, there may be an annual increase in the total quantities of such products which may be entered, or withdrawn from warehouse, for such purpose, corresponding to the annual rate of increase in the total United States market for such products, as estimated by the Secretary of Agriculture."

The letter presented by Mr. MANSFIELD is as follows:

U.S. SENATE,
Washington, D.C., February 17, 1964.

Mr. BEN D. DORFMAN,
Chairman, U.S. Tariff Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to a resolution adopted by the Senate Finance Committee, the U.S. Tariff Commission will soon begin an investigation of the impact of foreign cattle and beef imports on the domestic market. This is a matter of considerable importance to the State of Montana as one of the leading producers in the livestock industry.

The problems now plaguing the ranchers are many and complex. Each day our mail brings new and more desperate appeals for aid in stopping the present decline in cattle prices. There is an immediate need to stabilize the cattle and beef market or we fear we will be faced with a situation of momentous proportions.

This is a many sided problem, but one of the major causes is the increasing share of the domestic market that is being taken over by the importers. The trend over the past several years has been in this direction until we now find that imported beef equals more than 11 percent of U.S. production. What has been a threat has now been compounded into an unfair and difficult situation.

As the members of the Commission know, the United States is the only major beef market without quantitative restrictions and very low duties. Also, we take 51 percent of the world trade in beef. On the basis of these facts, we wish to support the industry in its request for an establishment of a quota system or tariff protection based on domestic consumption and production.

The executive branch of our Government has the authority to provide relief to the cattle industry. The need is amply demonstrated. The Nation's Government must take the initiative to prevent a very serious economic depression in one of our basic industries. The Tariff Commission can recommend the necessary relief to the President. If the Federal Government does its part, it will then be up to the industry itself to handle problems such as excessive marketing, new marketing methods, and consumer preferences.

With best personal wishes, we are,
Sincerely yours,

MIKE MANSFIELD,
U.S. Senator.

LEE METCALF,
U.S. Senator.

SERVICE OF REPRESENTATIVE HAROLD C. OSTERTAG

Mr. KEATING. Mr. President, yesterday our distinguished colleague in the other body, Representative HAROLD C. OSTERTAG, announced that he would not be a candidate for reelection as a Member of Congress from New York. Representative OSTERTAG represented the district geographically adjacent to mine when I served in the other body. He has had a distinguished career there. As a member of the Appropriations Committee, he has been in conference with many Members of this body, who must have learned from those conferences how sound and conscientious he is in the performance of his duties.

Congressman OSTERTAG fought for his country in World War I, enlisting in the 74th Infantry, 27th Division. He served with the 55th Pioneer Infantry in the American Expeditionary Force.

He has served as State vice commander of the American Legion. He is a member of the Veterans of Foreign Wars, the Elks, and the Attica Grange and the Wyoming County Farm Bureau.

His adult life has, in fact, been dedicated to public service in his district—the 37th District—his State and his country.

He is leaving the Congress in full vigor and in good health. I am sure he leaves with the good wishes of all of us who have served with him and who know of his outstanding service to his country.

I express the hope that he will enjoy his retirement.

Before his service in the Congress, he served for many years in the New York State Legislature, so he has had three decades of dedicated and distinguished public service. I wish him and his wife and family great happiness and the enjoyment of a long life.

Mr. JAVITS. Mr. President, will my colleague yield?

Mr. KEATING. I am happy to yield.

Mr. JAVITS. I join in wishing well to Representative OSTERTAG. Representative OSTERTAG has been an indefatigably able Member of Congress, devoted to the affairs of our State and district and to the affairs of the Nation. Incidentally, his is one of the finest minds of which I know for analyzing the real effect and basis of a piece of proposed legislation or public policy. Representative OSTERTAG has often prided himself upon the fact that he represents conservative views. I feel very deeply that that is the kind of skill which the Congress urgently needs, and it represents the finest contributions of a man who so characterizes himself in terms of the amalgam which is the American consensus.

I am sorry that he is leaving us. We can only be grateful to him for the enormous service that he has rendered, and pay this extremely well deserved tribute to his service. I join my colleague, his next door neighbor, in the hope and prayer that he will have a full and happy life in all the years which lie ahead of him.

I thank my colleague.

The PRESIDING OFFICER. Is there any further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

CIVIL RIGHTS

Mr. STENNIS. Mr. President, when the House-passed H.R. 7152—which masquerades under the false and misleading title of "The Civil Rights Act of 1963"—reached the Senate, it was intercepted at the door by the distinguished majority leader. His announced purpose is to bypass our established and traditional practices and ask for its consideration by the Senate without referral to the appropriate committee.

It is more in sadness than in anger, Mr. President, that I protest the manner in which the historic safeguards of the Senate are being trampled in an effort to stampede this vicious legislation to passage. This measure is unquestionably the most radical and far-reaching proposal in the field of civil rights which has ever been presented to this body. Yet we will be asked to agree that it should be considered on the floor of the Senate without the benefit of the committee action which has always been considered essential even in the case of much less important legislation. Such disregard of our longstanding rules of procedure should cause concern to even the most ardent supporters of this legislation.

This latest parliamentary gambit by the leadership is, unfortunately, typical of the zeal which has motivated supporters of this legislation to run roughshod over those who have opposed it. This is not the bill originally presented to the House Judiciary Committee. It is not the bill on which hearings were held by that committee. A substitute for the original bill was drafted in secrecy by a few select and unidentified individuals. It was then abruptly presented to the Judiciary Committee of the House and was reported, according to the minority report, after having been considered for precisely 2 minutes. Even after the bill was reported, an effort was made to further bypass established procedure and to petition the bill from the Rules Committee. This maneuver failed, however, and rather brief hearings were held by the Rules Committee. The bill was then pushed through the House with all possible speed.

The manner in which the bill was bulldozed through the House committee caused the dissenting Members to make this statement in the minority report:

> This legislation is being reported to the House without the benefit of any consideration, debate, or study of the bill by any subcommittee or committee of the House and without any member of any committee or subcommittee being granted an opportunity to offer amendments to the bill. This legislation is the most radical proposal in the field of civil rights ever recommended by any committee of the House or Senate. It was drawn in secret meetings held between certain members of this committee, the Attorney General and members of his staff, and certain select persons, to the exclusion of other committee members.

Surely, no one can seriously contend that this constitutes proper legislative procedure. The members of the House Judiciary Committee who opposed this legislation clearly felt that they were arbitrarily denied the "due process" to which the supporters of the legislation give such fervent lipservice.

The sponsors of this legislation now seek to repeat this legislative injustice in the Senate. If they should succeed, we will see this monstrous bill—which perhaps will create the greatest flood of strife, turmoil, and conflict which this Nation has seen in the past 100 years—being pushed through Congress without the benefit of any consideration, debate, or study by any committee or subcommittee whatsoever, except for the brief hearings by the House Rules Committee.

I recognize, of course, that the original omnibus civil rights bill (S. 1731) was introduced in the Senate last year and that some hearings were held on the title dealing with voting rights. However, there are many important and basic differences between that bill and H.R. 7152.

Hearings were held by the Senate Commerce Committee on S. 1732 which embodied the original version of the public accommodations title of the omnibus bill. Again, however, there are a number of fundamental and basic differences between that bill and the public accommodations section of the House-passed bill.

In addition, some hearings were held in the Senate and in the House on separate FEPC bills, which differed in several important respects from the equal employment opportunity provisions of title VII of the House bill. In the Senate, at least, it appears that only proponents of FEPC were heard.

Thus, Mr. President, there have been hearings by Senate committees on only 3 of the 10 separate subject matters covered by the House bill, and these were necessarily incomplete since they were directed to bills which differed substantially from the House bill.

I say again, Mr. President, that the attempt to force us to legislate in this hasty and unseemly fashion does violence to the basic and fundamental principles of orderly parliamentary procedure. It flouts tradition and defies logic.

None will deny that this is the most drastic and far-reaching legislation in the civil rights field which this body has ever been asked to consider. It deals with the most sensitive phases of our society, customs, economy, and governmental operations. It would vest in one individual—the U.S. Attorney General—more naked and raw power over the lives, properties, and habits of the citizens of this Nation than has ever before been held by any one person.

I have said before, and now repeat, that in all of my years of studying law and legislation, I have never before witnessed such a bold and colossal grab for naked power. I am convinced that this bill, if passed, will destroy more individual rights and liberties than it could possibly protect. Under its provisions, special privileges and special consideration will become the institutionalized right of organized minorities.

This, however, is somewhat beside the point of my present discussion. My point now is that we are to be asked to pervert our traditional and time-tested processes and to consider, debate, amend, act upon, and pass this radical and drastic legislation without the benefit of the committee study and consideration which we consider essential even in the case of the most insignificant and unimportant piece of legislation.

I am trying to point out, Mr. President, that this bill should be carefully, judiciously, and thoroughly studied both from a legal standpoint and from the standpoint of its social, economic, and political ramifications. I do not believe that this has yet been done, and I am convinced that it cannot be done in debate on the floor of the Senate where partisan political considerations will assume the overriding importance which has become customary with legislation of this nature.

I apprehend—no, I am convinced—that there is no one in this body or in the entire Nation who can tell us precisely how far this legislation goes and what will be its total effect if it becomes law. The revolutionary impact of it almost defies description and definition. Its generalized terminology and open-end provisions are susceptible of the most extreme and unlimited interpretations. It is deliberately designed to give the Attorney General the broad and vast power which he seeks. In this regard, it can very easily be construed as a blank check in this field. This is one of the reasons why the bill requires precise definition and careful circumscription by a duly constituted committee before being considered on the floor.

It is not my purpose at this time, Mr. President, to discuss in detail the many vicious, punitive, and ill-conceived provisions of the House bill. However, I will comment briefly on one aspect of it for the purpose of illustrating the impropriety of considering this legislation in the manner which the leadership proposes.

As I have already pointed out, title VII—entitled "Equal Employment Opportunity"—has for its purpose the implementation and effectuation of the FEPC concept. This is the longest and most complex title in the bill. It has been greatly expanded from the original administration proposal. But it has not been fully considered, in precisely its present form, by any congressional committee.

This history of FEPC legislation is well known to all of us. FEPC legislation has been repeatedly before the Congress and, just as repeatedly, Congress, in its wisdom, has refused to authorize the sought for sweeping and dictatorial governmental control over the private industries of this Nation.

Now, however, this oft-rejected concept is to be brought before us again in a summary and peremptory manner without the careful study and analysis which should be given any measure which proposes to grant to the Government the power of life and death over almost all segments of our industry. This sweeping, flagrant, and unwise proposal to extend the power of the Federal Government to interfere with and control the Nation's private industries should not be considered under such circumstances.

Finally, Mr. President, I should like to comment on the widely held misconception that this is a weakened and watered down bill. The fact is that the measure passed by the House is far stronger and much more objectionable than the proposals originally submitted by the President last year. Its constitutionality is even more questionable, and it contains extreme and drastic proposals which the administration itself did not dare to request originally. Many of these proposals have not been the subject of any testimony or debate before any committee of the Congress.

The undisputed fact, Mr. President, is that H.R. 7152, as passed by the House, has not been considered, debated, or studied extensively by any congressional committee—Senate or House. I hope that the Members of this great body will consider seriously and earnestly both the implications of this measure and the efforts to ramrod it to a hasty passage. Between these efforts and the established and orderly traditions of the Senate there is a gulf too deep to swim and too wide to wade.

I hope that we will not be led astray by misguided zeal and enthusiasm. I hope that the memory of organized demonstrations in the streets and the false attraction of high-sounding catch-all phrases will not blind us to the perhaps fatal consequence of following the path down which some would lead us. Let us adhere to and honor the historic and time-tested traditions and procedures of this body and refer H R. 7152 to the appropriate standing committee for the study and consideration which its importance merits and demands. I shall do everything within my power to insure that this course is followed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FALLING BEEF PRICES—ADDRESS BY SENATOR McGEE

Mr. MONRONEY. Mr. President, the senior Senator from Wyoming, had some illuminating remarks on the subject of falling beef prices and how they relate to imports from abroad which he delivered to the National Conference on Foreign Trade in Meats at St. Louis, Mo., February 13, 1964. Senator McGEE spoke of protecting those tariff barriers which exist and of import quotas to give domestic livestock producers a greater degree of protection.

The Senator's remarks were made 4 days before the Department of State announced its agreement with Australia and New Zealand, the largest importers of beef into the United States. The agreement, although only a step, and not a giant one, reverses the direction of ever-increasing beef imports into this country. Oklahoma stockmen, along with all U.S. stockmen, would have been hit even worse financially had Australia and New Zealand gone forward with plans to increase shipments to us by more than 25 percent over this year. Instead, in 1964 there will be a rollback of about 6 percent from the 1963 average. In 1965 and thereafter a slight annual increase is provided.

The voluntary restraint agreed to by two of our good neighbors and good customers was noteworthy. I congratulated President Johnson on his prompt action and expressed hope that the domestic market would be strengthened and the industry stabilized by this action.

In his speech, Senator McGEE also stressed the importance of getting major foreign suppliers of meat to voluntarily divert these imports to other nations, taking into consideration the fact that the people of these lands will increase their consumption of meat as their standard of living increases.

Mr. President, I ask unanimous consent that Senator McGEE's address be printed in the RECORD.

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

CONGRESS LOOKS AT THE PRICE OF BEEF

(Remarks by the Honorable GALE McGEE, U.S. Senator from Wyoming, at the National Conference on Foreign Trade in Meats, St. Louis, Mo., February 13, 1964)

This speech is going to begin with a very unpolitical statement. I do not have a foolproof solution to the problem of falling beef prices. And if any of you out in the audience do, I think perhaps we had better change places, and I'll listen to you instead.

But I will say that my lack of the perfect program is not for want of trying. The State of Wyoming, which I have the honor to represent in the U.S. Senate, derives almost one-fourth of its basic gross income from agriculture, and 79 percent of this amount comes from livestock and livestock products. That cowboy is not on our car license plates merely for historical purposes.

When I began to collect my thoughts and to organize my remarks for you today, I requested the Library of Congress to run up a tally of all legislation introduced so far in the 88th Congress that pertains to beef imports and labeling. They sent me a list of some length on the bills proposed and how they were faring in the legislative mill.

In the Senate there are six bills on the subject. I am proud to be a sponsor of three of them. And in the House of Representatives there are 19. Usually the technical language of a bill is Greek to most laymen—and to many lawmakers, too—but I think that you will readily understand what we have in mind with a bill from which I will quote to you now:

"In addition to existing rates there are hereby imposed on the following articles entered, or withdrawn from warehouse, for consumption during any calendar year in excess of the annual quota for each such article * * * the rates of duty as follows:

"Cattle, weighing less than 700 pounds each, 5 cents per pound;

"Cattle, weighing 700 pounds or more each, 6 cents per pound; and

"Beef and veal, fresh, chilled, or frozen, 12 cents per pound."

That is what this bill, which I sponsor, would do. And I don't think I need make a further explanation of why we are working so hard to shepherd this bill through the legislative mill.

Later this year our trade negotiators will meet in Geneva to work out a new set of tariff agreements between this country and the other nations of the free world, especially the Common Market countries. During those meetings, commonly called the Kennedy round, our representatives and those of the other nations involved will work out the new tariff schedules for the next few years.

In the situation that confronts us in the coming negotiations, I think that the best news we could receive is no news at all. It is my contention that when our negotiators leave for Geneva their list of tariffs to consider in the give and take of negotiations should not include beef. I for one am not prepared to open up discussions on beef tariffs in such a bearish situation. Our best protection, and I have so testified before the U.S. Tariff Commission, is not to debate these tariffs at all.

A look at the situation will tell you why I am interested in protecting such tariff barriers to further beef importation that now exist. In the year 1957 imports of live cattle, beef, and veal accounted for 3.9 percent of our domestic consumption. In 1963 that figure had risen to nearly 11 percent. And from January to August of last year these imports were running 22 percent above those of the same months a year earlier.

The largest share of this beef originates in Australia and New Zealand with a recent flurry from Ireland. In recent months there has been a steady stream of American cattlemen visiting these countries to find out how these producers from "down under" can afford to raise beef, pay shipping costs halfway around the world, pay a 10 percent import tariff, and still make a profit at prices that are ruinous to domestic producers.

One answer, of course, is that this beef is all range fed. This explains why about 80 percent comes in as boneless or canned beef. But the real answer, it seems to me, is the generous incentive program established by the Australian and New Zealand Governments to encourage farmers to open up new range areas. With the methods of modern range development, these people can open up vast new grazing lands at a cost that will allow them to overcome every obstacle between here and there and still have a fat margin with which to work.

Since it would be difficult to talk the foreign producer into adopting another line of work, we must seek other means of limiting his intrusion upon our markets. On this

point I favor a two-front approach. First, I have strongly urged the President, the Trade Information Committee, the Tariff Commission, the Secretaries of Commerce and Agriculture, and last but not least, the Congress to consider the establishment of an import quota for meat and meat products.

To many people, quotas and tariffs are about the same thing—a means to limit the importation of a product. But there is a significant difference which has real meaning in foreign trade circles today. The difference is that a tariff seeks to restrict imports by raising their price, while a quota limits them strictly on the basis of quantity. In the postwar era we have seen a new trend which has made many of our tariff barriers ineffective. And that is the policy of foreign governments to nullify the effect of a tariff by providing their exporters with a subsidy that is its equal. This may be expensive for them but illustrates how much they depend upon foreign trade and how valuable American dollars are to them.

These facts are well known to anyone who has studied the import trends in the postwar world. Yet, it is a very difficult job for those of us who are concerned with the problem to convince many of those directly involved in it—and that includes some of you here today—that we are speaking the truth. I sponsor a tariff bill because we need some protection right now. But we cannot cling to the tariff as the only future and salvation to our problems. This is maginot line thinking at its very worst. If we persist in this negative, defensive line, we shall awaken one day to find that the enemy has run around us, over us, and under us and has captured the markets our tariff walls were erected to protect.

The quota is the only direct means of limiting imports that does not have loopholes. It provides a definite barrier to imports beyond a certain amount and has the further benefit of letting the domestic producers know with greater certainty just what kind of competition to expect from abroad. So I am convinced that our efforts to provide the beef producers with protection at the Government level should concentrate on a quota.

The second phase of my attack on the imports problem would be to divert these imports to other nations. It is a well-known fact of human nature—at least in our Western civilizations—that when income increases, so does the consumption of meat. Therefore, as more and more of the nations of the world come to enjoy rising standards of living, especially in Europe and Japan, the market for beef expands. It will be up to our negotiators to convince these other meat-producing nations that it is in their best interest to divert shipments now going to the United States to other places. And one of the incentives toward that idea might very well be the suggestion that, if this reduction in meat shipments was not made voluntarily, it might be necessary for us to eliminate any option on their part and impose restrictions which may be more limiting than the ones they might have on a voluntary basis.

A similar battle to the one we are having right now occurred several years ago in the cotton textile industry which was in real difficulty because of imports from abroad. When it became apparent that the domestic producers were receiving a sympathetic hearing on their complaints in Washington, the foreign producers, seeing the handwriting on the wall, entered into a voluntary agreement for an import quota. It takes little business logic to see that the loss of some business is better than the loss of all of it.

I have visited the White House three times under the Kennedy administration specifically to discuss this problem and twice already under the Johnson administration. And at each visit the reception to my ideas seems just a bit warmer. And it should be obvious to all of you that our President does not need an explanation of the cattle business or why it is vital to the economy of the Nation.

It is imperative that we maintain the pressure on all concerned to get something done about cattle imports. We dare not let the pending bills languish in committees in the Congress. It may well be that on the legislative front the cattle producers have spent too much time talking to each other and not enough time trying to convince those not well acquainted with these problems. Certainly there is no lack of comment in cattle-raising circles, in the various magazines and newspapers that serve the feeder and rancher, about how imports have affected the price of beef.

In fact, I want to issue a warning here today. Anyone who thinks that if we limit imports we will have it made is very mistaken. It is an all too human tendency to grasp for an easy-sounding solution to a very complex problem. But the world is much too complicated to let you get away with it. If those who are concerned about the economic state of the cattle industry wish to see genuine and lasting results, they are going to have to maintain a steady attack on several fronts at once.

But in addition to the problem of imports, there are those related to domestic marketing practices. Just about 1 year ago, I took to the floor of the Senate to express my concern that at the Denver market the price of fat cattle had been steadily falling. In fact, in a 90-day period around the holiday season, the price had dropped $7 per hundredweight. This was very alarming to the beef producers, and it was alarming to others concerned for a different reason. And that was that, while the price to the producer dropped sharply, the price to the consumer dropped not at all.

Upon investigation, our preliminary inquiries tend to suggest that some of the chainstores in the area, which are vertically integrated, may have been playing fast and loose with the market.

You know that some of these corporations have plunged into the cattle business; some of them maintain their own feedlots. Those independents to whom I have talked said they were convinced that the chain involved here would run a large number of its own fat cattle on the market to break the price, and then at this lower price buy enough beef for their future needs. In doing so, they penalized both cattlegrowers and feeders of a fair price and likewise failed to pass along the savings to the housewife.

In order to find out what was behind these strange marketing fluctuations, I introduced a resolution into the Congress which asked the Federal Trade Commission to conduct a study of the chainstore operation to see if they are using their size to take unfair advantage of the market.

Almost immediately I was beseiged with calls from people in other parts of the food industry—bakers, canners, fruit producers, and poultry raisers—who had complaints similar to those of the beef producer. And this further strengthened my desire to get to the bottom of things, to separate the accusations from the facts, and to see just where we stand. And I am pleased to note that on January 31, in his message on agriculture, President Johnson shared some of my concern over these chainstore activities. He pointed out that one out of every two grocery dollars—money from the consumer—goes to fewer than 100 corporate, voluntary, or cooperative chains. The President urged the establishment of a bipartisan commission to study the situation and appraise the charges made against the chains.

Support from the White House is always welcome to anyone engaged in an undertaking as complicated as this one. But I would caution you that we must not allow this new proposal, which is supplemental to the one I made a year ago, to be used as an excuse to let up on the present investigation. Our beachhead is already established; it must not be abandoned.

Another factor that enters into the price of beef is, of course, the domestic production. In this modern age while there is much more to marketing than the old law of supply and demand would suggest, that law is still at the bottom of our marketing calculations. Last year—the year when the price squeeze really started—the American producers put on the domestic market 1,104 million more pounds of beef than he did the year before. And the trend for this year seems to be more of the same. Certainly our growing population is eating more beef, but it still seems that an additional billion pounds of beef will have a real effect upon the market.

We might also consider in our search for price equality the activities in competing fields. When the east coast housewife can buy chicken at 25 cents a pound, this fact will influence her decision on what type of protein her family will eat that week.

And, a little more indirectly, we must consider the quality and productivity of our rangeland, the cost of transportation, certainly the price of feed and how much of each bushel gets translated into marketable beef.

One other factor in this problem was brought very forcibly to my attention several years ago right in the Washington, D.C., area. Several housewives had been complaining about the quality of meat—fresh meat they thought—that they had been buying at the neighborhood market. The meat, in this case lamb and mutton, was of obviously inferior quality with a taste and consistency more akin to leather than meat.

Well, we did some checking and found that that meat was not what it was assumed to be. For one reason or another, the operators of that food chain had neglected to make it known that this meat had traveled halfway around the world in a frozen state before being offered to the housewife. I for one believe that, if the purchaser had known the origins of that meat, the decision to buy it might have been different. As it was, the bad reputation engendered by this unwholesome meat was shared by the domestic product as well because the housewife has no way to tell the difference. And while I may be prejudiced, I maintain that any food product shipped for long distances in a frozen or chilled state is going to loose quality along the way—if it had any to begin with. On that occasion, incidentally, a simple phone call to the Secretary of Agriculture was sufficient to clear up that particular case. But spotchecks of that type could not be enough. So after that experience, I returned to my office and drew up a bill. Its number is Senate bill 61. It says:

"No importer, processor, packer, jobber, distributor, dealer, retailer, or other person shall sell or offer for sale any fresh or frozen meats, poultry, or fish which have been imported into the United States, or any food product processed in whole or substantial part from such meats, poultry, or fish, unless such meats, poultry, fish, or products, or the containers or packages in which they are sold are marked or labeled in such manner as to clearly indicate to the purchaser that such meats, poultry, fish, or products were not produced in the United States."

But this bill is not designed just to protect the housewife against a few tough lamb chops. A recent check by the Department of Agriculture shows that at the present time up to 20 percent of the imported beef

is being sold in the higher cuts, and the percentage increases all the time. Just a few years ago none of this meat was so marketed.

This meat shows up in the market showcase, in TV dinners, in the cutrate restaurants which feature a $1.29 steak, and in many other places. And I would repeat again that whatever reputation these meats earn, the meat that you produce shares.

The Agriculture Department has undertaken a study to get some additional facts and figures on this problem. I am always happy to have more information, but I would suggest that in this instance we already know enough to get on with the job of informing the public.

This labeling should also be right in line with the new drive to give the consumer a better break in the marketplace. For nothing influences a decision to buy any more than the shopper's idea about the product. And I am convinced that, if the housewife is shopping for fresh meat, she will welcome the opportunity to know which is really fresh and which is not.

And I cannot repeat too many times that this same principle—the opportunity to know and face the facts—applies to the producer as well. We must understand the nature of competition from overseas, we must know the nature of our domestic competitors, and we must know our own weaknesses if we are to make progress.

The victory will go to those who not only are willing to devote their entire energy to the battle but who know their enemy and will attack him on all fronts. This is the job you face as producers; this is the job that I face as a representative in a free government; and this is the job the Nation faces if a vital segment of our economy is to be preserved alive and free.

NATIONAL SECURITY

Mrs. SMITH. Mr. President, the Honorable Herbert C. Libby, of Waterville and Pemaquid, Maine, retired from the faculty of Colby College (Maine), has written a review of a Government-produced book called "Research Paper" which appeared in the February 5 edition of the Waterville (Maine) Morning Sentinel.

Dr. Libby is a scholar and an authority on government. I ask unanimous consent that his review be placed in the RECORD as it deserves to be read:

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

BOOK ON U.S. SECURITY DESERVES WIDE READING

(By Herbert C. Libby)

(EDITOR'S NOTE.—The following review was written by Dr. Herbert C. Libby of Waterville and Pemaquid, who is retired from the faculty at Colby College.)

It is somewhat surprising and regrettable that wider publicity has not been given to the Government-produced book, called a "Research Paper," and authored by a member of the "International Studio Division, Institute for Defense Analyses," whose study at the Institute extended over several years or until the "Research Paper" was given a first printing of limited edition in July 1963.

The author states that he has had the advantage of "observing U.S. security from the vantage point of the White House staff, the Executive Office of the President, and the National Security Staff." As the subject matter deals chiefly with political relations of the United States and the Soviet Union the delicate relationship between these two countries is carefully and fully covered. With this background the author undertakes to set forth a new policy for the United States to follow based upon a serious search for "common actions for the control of conflict" between the two countries that would in the long run pave the way for world peace. Prefacing the enumeration of the ways and means to be employed to bring us to an era of peace, the author expresses the belief that the present status quo of the two nations offers a suitable time for seeking out the ways and means that would achieve the hoped-for end, but he makes clear that as a nation we must be fully prepared for war if it should be forced upon us.

Stating the policy in a few words it is that of disregarding any hope of ultimate peace by a dependence upon "coexistence," for this means nothing more than that two nations move along parallel roads with no sharing of mutual benefits, and resulting in no peace at all. The new policy would endeavor to change the two independent nations into two interdependent nations, held together by common interests and common benefits, with nuclear war eventually banned.

The strikingly important section of the book has to do with the suggested ways of bringing the two great nations together, and a list of 22 suggestions are set forth and fully examined. The reader is at once challenged by such a policy, and the challenge is even more compelling when one realizes that for a year or more, and quite without sensing it, our Nation has adopted this policy.

How many people there were who strongly urged that something be done when the bearded Castro walked across the waters and became the chief hugger of Khrushchev. But nothing was done until the invasion plan at the Bay of Pigs, and this was promptly checked by the President of the United States. Castro still carries on. We no longer need to remain mystified by the unusual situation; the proposed new policy fights shy of all possible wars.

The test ban treaty which was so stoutly fought in Congress and which was finally approved by a narrow margin, can also be found listed in the new policy.

The unexpected announcement that trade with the Soviet Union, long disallowed by the United States, is mentioned specifically in the 22 suggestions. The purchase of vast quantities of wheat by the Soviet Union is to be followed by a purchase of fertilizer.

The invitation extended to Khrushchev to join us in putting a man on the moon is part of the new policy but the invitation was not appreciated.

The letters exchanged between the President and Khrushchev which will probably not be published until the usual 10-year period elapses, were to be one effective means that would lead to ultimate peace.

The most anxious inquiry about the new President is whether he is to carry out this new policy. His predecessor, the late and widely lamented President Kennedy whose dedication to his country's welfare could not be questioned, based his last two addresses at the American University and the University of Maine on the contents of the book we are here discussing.

And if study is given to the state of the Union address by President Johnson, it will be seen that he sets forth not the 22 suggestions essential to the new policy, but 10, and among them is found trade relations with any and all nations, and even a further mention of sharing in the contest of inhabiting the moon.

The question that all thinking citizens may well ask themselves is whether this new policy is the way to universal peace. The eminent author of the book here mentioned offers an exhaustive study and he believes it would.

HUMAN RIGHTS—A CHALLENGE

Mr. BEALL. Mr. President, as we approach consideration of the civil rights bill, I cannot help noting the progress which has been made internationally in the field of human rights.

On December 4, 1963, Mr. Jacob Blaustein delivered the Dag Hammarskjold memorial lecture at Columbia University. Mr. Blaustein chose as his subject "Human Rights—A Challenge to the U.N. and to Our Generation," a field to which he has contributed greatly.

Mr. President, I think it is appropriate that we read Mr. Blaustein's remarks at a time when the Senate is about to make a determination on an important piece of human rights legislation.

I ask unanimous consent that Mr. Blaustein's remarks be printed in the RECORD.

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

HUMAN RIGHTS—A CHALLENGE TO THE UNITED NATIONS AND TO OUR GENERATION

(Dag Hammarskjold Memorial Lecture by Jacob Blaustein at Columbia University, New York City, December 4, 1963)

PROFOUND INTEREST OF SECRETARY GENERAL DAG HAMMARSKJOLD AND PRESIDENT JOHN F. KENNEDY IN HUMAN RIGHTS

In one of my many talks with Dag Hammarskjold, which I hold in precious memory, he accepted my invitation to address the 50th anniversary dinner of the American Jewish Committee of which I was chairman. We agreed that his topic should be human rights—the field to which we are directing our thoughts this evening.

In that address—so full of wisdom and understanding—he made a basic and fundamental statement. He said "We know that the question of peace and the question of human rights are closely related. Without recognition of human rights we shall never have peace, and it is only within the framework of peace that human rights can be fully developed."

Again, with reference to the method for the broadened attainment of human rights he said: "The United Nations cannot lay down the laws for the life within any national community. These laws have to be in accordance with the will of the people as expressed in the forms indicated by their chosen constitution. But just as the United Nations can promote peace, so it can, in joint deliberations, define the goals of human rights which should be the laws of the future in each nation."

Human rights are realized—either in their plenitude or often inadequately—within the confines of the national community. Among the legacies left by our late and lamented President Kennedy was his valiant struggle for civil rights. Said he, in his last speech from the forum of the United Nations on September 21, 1963:

"The United States of America is opposed to discrimination and persecution on grounds of race and religion anywhere in the world, including our own Nation. We are working to right the wrongs of our own country.

"Our concern is the right of all men to equal protection under the law—and since human rights are indivisible, this body cannot stand aside when those rights are abused and neglected by any member state.

"Those rights are not respected when a Buddhist priest is driven from his pagoda, when a synagogue is shut down, when a Protestant church cannot open a mission, when a cardinal is forced into hiding, or when a crowded church service is bombed.

"• • • New efforts," said President Kennedy, "are needed if this Assembly's Declaration of Human Rights, now 15 years old, is to have full meaning."

Dag Hammarskjold and John F. Kennedy, those two great champions of human rights, of justice for peoples and among peoples, of freedom in a responsible society, reflected aspirations which have been gaining wider articulation and acceptance during our generation.

UNITED NATIONS CONCERN WITH HUMAN RIGHTS

In contrast to the League covenant, for example, which was silent on human rights, the United Nations Charter mentions human rights no less than seven times. Indeed, in article 1, which defines the purposes of the Organization, the promotion of human rights is placed on the same level as the maintenance of international peace and security and the development of friendly relations among nations.

The impressive place given to human rights in the charter is paralleled by the time and effort which the United Nations devotes to those questions. In the General Assembly, in the three councils, and in various commissions and committees, as well as in diplomatic conferences convened by the United Nations, human rights are a constant item of discussion and decision. Some of these organs, like the Commission on Human Rights, the Commission on the Status of Women, and the Subcommission on Prevention of Discrimination and Protection of Minorities, devote their full and undivided attention to these questions. To an increasing extent, the same thing can be said of the third committee of the General Assembly, which is becoming more and more a human rights committee.

It is not surprising that, in a world where the rights of individuals are in almost constant jeopardy, the United Nations should be so concerned with them. The United Nations responds very quickly to events; and, when in Africa, for example, whole populations are denied even the most elementary rights, it is natural that there should be repercussions in the world Organization. It would be a mistake to think, however, that it is only in these highly publicized cases that the United Nations exhibits its concern for human rights. It is no exaggeration to say that this concern is manifested almost daily at every level in the United Nations Organization, a concern which reflects what is actually happening in the world at large.

The vital reason, if not the exclusive one, for this concern which is reflected by the charter was the cynical and wholesale violation of the most sacred human rights in certain countries immediately before and during the Second World War, where the violation of human rights became part of public policy.

It serves no useful purpose to reopen the sores of history, and I will not therefore burden you with any attempt to describe again the horrors of Nazi concentration camps, the brutal murder of thousands, indeed millions, of men and women for no other reason than that they professed a religion, were of a race or held political opinions different from those of a dominant group which had taken possession of the powers of the state. Nor will I reopen again the sores caused by the other proscriptions, indignities, hardships, and insults which, to the shame of the 20th century, were imposed on their fellows by so-called civilized men in an age that we had been pleased to call enlightened.

Suffice it to say that to obtain the total defeat of those criminals was the principal reason for which the war was fought, and that the establishment of some means for preventing a repetition of these events became one of the goals of the peace settlement. We knew then, as we know today, that it is our duty to work for a system under which the rights of every man everywhere will be respected, honored, and upheld in essence and in spirit, in principle and in practice.

DUMBARTON OAKS—SAN FRANCISCO CONFERENCE

This was reflected in the Dumbarton Oaks Proposals for the Establishment of a General International Organization which were published by the Great Powers in the fall of 1944. The Dumbarton Oaks proposals said that "with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, the new international organization should, among other things, promote respect for human rights and fundamental freedoms."

The generality of the language used in the Dumbarton Oaks proposals failed to satisfy the expectations of an aroused public opinion which, in this country and other countries, was insisting on something far more concrete.

And so, when in May and June 1945, the representatives of the countries which had been associated in the war against the Axis met in San Francisco to draft the Charter of the United Nations, there followed one of the most interesting phenomena in the history of international relations.

Let us recall that the leaders of the principal national, nongovernmental organizations—comprising a cross section of the population of the United States from its important fields of endeavor—had been called by the State Department to serve as consultants to the U.S. delegation.

And permit me, in this connection, to make a personal reference. I shall never forget the talk my colleague, Judge Joseph M. Proskauer, and I of the American Jewish Committee—an organization deeply concerned with human rights and which several years previous had commissioned Prof. Hersch Lauterpacht of Cambridge University to write for the postwar era perhaps the first definitive treatise on an international bill of rights of man—I shall never forget the talk Judge Proskauer and I had with President Roosevelt a month before his death.

The year, as said before, was 1945—when the 51 nations were sending their representatives to San Francisco to forge the United Nations Charter. The President said to us: "Go to San Francisco as consultants. Work to get those human rights provisions into the charter so that unspeakable crimes, like those by the Nazis, will never again be countenanced by world society."

And it was those consultants, along with equally concerned representatives of the smaller countries, who were able, by bringing pressure on the great powers, to obtain a significant strengtehning of the charter in the matter of human rights.

In the long pull, in the day-to-day attention given to human rights in the last 17 years, the nongovernmental organizations (which now have consultative status at the United Nations) have often seemed less effective than in that period of intense consideration of the drafting of the charter. It is to be hoped that these nongovernmental organizations—whether American or international—will, in the future, because of their political disinterestedness, bring their full influence to bear upon members of the United Nations, members who are often motivated by purely political considerations.

The charter, as finally drafted, provided for the establishment of a Human Rights Commission, and placed certain duties in the matter of human rights on the General Assembly, and on the Trusteeship and Economic and Social Councils. On member states, too, was placed an obligation by articles 55 and 56 to take joint and separate action in cooperation with the organization for the achievement of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

The task of securing acceptance of these provisions was not easy. At one point early in the conference the cause seemed lost. Let us go back to a scene in the conference room at the Fairmount Hotel in San Francisco—the headquarters for the U.S. delegation. It was the morning of May 2, 1945. The consultants to the delegation were meeting with Secretary of State Stettinius—when we were shocked to get the news that our recommendations bearing on human rights and fundamental freedoms were not to be incorporated into the charter.

As a last desperate measure, the consultants appointed a committee of five to prepare an eleventh hour plea to Secretary Stettinius and his advisor on the subject, the late Dr. Isaiah Bowman, president of Johns Hopkins University.

The statement completed, we then, with the other consultants, met again the same day with Secretary Stettinius and Dr. Bowman. Dr. Fred Nolde, director of the Commission of the Churches on International Affairs, opened forcefully with a presentation of our statement. We could feel the door come somewhat ajar. It swung wider after Judge Proskauer delivered an eloquent appeal that combined logic and deep concern; Prof. James T. Shotwell, historian and then president of the American Association for the United Nations, drew on his own vast knowledge of international affairs to consolidate our gains; Clark Eichelberger, executive director of the American Association for the United Nations, spoke very effectively; and then to remove the practical objections of the American delegation who stated that it would be impossible there in San Francisco to work out with the other delegations, and agree upon, the many provisions of a human rights declaration, your present speaker proposed that the charter merely state the general principle and provide for a Commission on Human Rights to set up the particulars. This was accepted as possible by the Secretary and Dr. Bowman.

Our proposal was taken up the next day by the American delegation as a whole, then by the big four, namely Britain, China, Russia, in addition to the United States. And finally, the "Voice of the People" as personified by these nongovernmental organizations was recognized—the human rights provisions were written into the charter—and the way prepared for setting up the Commission on Human Rights.

It will be noted that nowhere does the charter place a duty on the organization or on member states to guarantee human rights. There were some governments represented at the conference which would have gone that far; the delegations of Chile, Cuba and Panama all put forward proposals that would have had the organization not only promote but also protect or guarantee the observance of human rights. These proposals were not adopted because the great majority of the governments represented at the conference, including the United States, were not willing to give such wide powers to the world organization.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

It was generally understood that one of the first tasks of the Commission on Human Rights, which by article 68 of the charter the Economic and Social Council was required to set up, would be to prepare a draft of an international bill of rights.

The Commission on Human Rights was duly established and in February 1947, be-

gan to work under the chairmanship of that great human being, the late Mrs. Eleanor Roosevelt. As expected, it gave priority to the International Bill of Rights which it decided would have three parts: A declaration, a multilateral convention and measures of implementation.

The commission worked so well that within a little over a year it had completed its draft of the declaration and part of a convention which were sent up to the General Assembly in the fall of 1948. After a long and difficult debate, the General Assembly adopted, on the night of December 10, 1948, the first step toward an International Bill of Rights under the name of the Universal Declaration of Human Rights. The Universal Declaration of Human Rights consists of 30 articles in which are defined all the traditional civil and political rights, as well as the more newly recognized and more controversial economic, social and cultural rights.

The declaration, which was adopted as a resolution of the General Assembly, was never meant to be legally binding, but to be, as its preamble says, "a common standard of achievement for all peoples and all nations." Nevertheless, in the 15 years since its adoption, it has acquired a political and moral authority which is unequaled by any other international instrument with the exception of the charter itself. It is no exaggeration to say that no international instrument has ever received the same acceptance on all levels of society.

In the United Nations itself it has an authority which is surpassed only by the charter, and it is constantly invoked not only in the General Assembly but also in the Security Council, in the Trusteeship Council, and other organs. It has found its way into various international conventions, including the Japanese Peace Treaty and the European Convention on Human Rights. Many of its provisions are reproduced, sometimes textually, in the many national constitutions that have been adopted—particularly in the so-called new countries since 1948; and it has inspired and sometimes become part of the national legislation of the many countries. It has even been cited with approval by national courts. It is, as the late Pope John XXIII said in his encyclical Pacem in Terris, "a document of the very greatest importance."

CONVENTIONS—COVENANTS

The next step toward an International Bill of Rights was to have been a multilateral convention which would be legally binding on those states which ratified it. Later it was decided—largely on the initiative of the United States—that there would be two conventions; one on political and civil rights; and the other on economic, social, and cultural rights.

The reasoning given for this division was that the two categories of rights required different modes of implementation. Governments can be expected to insure respect for political and civil rights, but the implementation of economic and social rights can only be progressive, particularly in the economically underdeveloped countries. There is something to be said for this position, but I believe that the main reason for supporting this distinction in the United States was the fear of the administration that the Senate might refuse to ratify a convention on economic, social, and cultural rights.

The Commission on Human Rights finished its work on these two conventions, which it decided to call covenants, in 1954 and sent them to the General Assembly which has been working on them ever since; nor is the end yet in sight. Nine or more years may seem like an unconscionably long time for the General Assembly to have been working on these drafts, but the work is extremely difficult and often highly controversial. Some of the articles of these covenants are as intricate as the whole texts of other conventions that have occupied the whole time of international conferences after careful diplomatic preparation. And they involve an attempt to achieve a synthesis of the ideals of 111 sovereign states reflecting very different religious, philosophical and political backgrounds, and cultural traditions from the Western, Asian, and African worlds.

It should also be noted—and this is helpful—that the debates on the covenants have provided the context for the ventilation of a number of such questions as anticolonialism and the self-determination of peoples which are directly related to basic human rights and are also highly political.

The fact remains, however, that 18 years after the San Francisco Conference, the United Nations has still to justify the hopes which, in this particular matter at least, men and women everywhere have placed in it; and it is not difficult to understand why there should be some dissatisfaction with the performance.

The main differences between the covenants and the Universal Declaration of Human Rights are (1) the covenants when adopted will have a binding force in international law not possessed by the declaration and (2) the covenants are to be supported by measures of implementation. This is indeed their chief justification.

The question of implementation is therefore most important. Indeed, this is the test of the sincerity of governments in this matter. As to the mode of implementation proposed for the Covenant on Economic, Social, and Cultural Rights, ratifying states will only be asked to report to the United Nations on the progress that they make toward the achievement of these rights. These reports would be reviewed sympathetically by the Economic and Social Council with a view to assisting the states, if necessary, toward achievement of the standards laid down in the covenant.

In the matter of civil and political rights, however, the measures of implementation that have been suggested—they have not yet been discussed by the General Assembly—are more complicated. According to the plan there would be established a factfinding and conciliation organ known as the Human Rights Committee to which states parties could complain that other states parties had violated their obligations under the covenant. The Human Rights Committee would attempt to bring about a settlement and failing this, would publish a report indicating whether in its opinion there had been a violation of the covenant. There would also be a right of recourse to the International Court of Justice.

Now the main feature of this system is that only states could complain to the Human Rights Committee, and therein lies its weakness. For experience has shown that states are unlikely to complain about the conduct of other states toward individuals, unless they have a political reason for doing so. That they would not complain against their own conduct seems pretty obvious. A similar procedure in the International Labor Organization Constitution has been invoked only three times in 43 years.

NEED OF TRANSITION FROM PROMOTION TO IMPLEMENTATION OF HUMAN RIGHTS

It is mainly for this reason that many people think that the Covenant on Civil and Political Rights should recognize a right of petition by individuals or, at the very least, by selected nongovernmental organizations. It has been suggested that these petitions might be sifted by a kind of international attorney general, who would be responsible for instituting proceedings before the Human Rights Committee. There is little reason for believing that any appreciable number of governments would be ready to vote for such a solution in the General Assembly, let alone ratify a treaty which would subject them to the possibility of being haled before an international tribunal by an individual or a nongovernmental organization. And yet the time has come when the United Nations should face the immediate problem of transition from merely promotion of human rights, to implementation of human rights.

It has been clear for the past 10 years that the U.S. Government has not been prepared to assume any such obligation. Indeed, the official position of the Government of the United States in the matter of the Covenants on Human Rights has been that it does not favor them and will not ratify them. Just over 10 years ago the late Secretary of State John Foster Dulles appeared before the Senate Committee on the Judiciary and said that the U.S. Government "did not intend to become a party to any such covenant or present it as a treaty for consideration by the Senate."

I do not agree with the position that our Government has taken in this matter, and I think that it should be changed. Indeed from statements by our late President Kennedy and by President Johnson, one is encouraged to feel that perhaps, at least as far as the executive branch of our Government is concerned, it may be in process of some transition in its position.

The policy of the past 10 years has been a complete reversal of previous policy, a retreat from the position of leadership which this country had assumed in the matter of the international protection of human rights ever since the San Francisco Conference. It is a denial of express promises made when this country took the leadership in obtaining the creation of the United Nations Commission on Human Rights for the express purpose of drafting these convenants, and a capitulation in the face of agitation by a minority which comprises some of the most reactionary elements in the country.

In this connection, it is encouraging to note that Justice Arthur J. Goldberg of the U.S. Supreme Court in a recent speech called for the United Nations members to adopt a treaty to implement the Declaration of Human Rights; and also to establish an International Court of Human Rights to implement the essential civil rights of the declaration. He said the Court and the treaty would seek to guarantee individuals speedy and public trials, legal assistance, freedom from coercion, the presumption of innocence until proven guilty and security from cruel and excessive punishments. He reminded that the idea of an International Court of Human Rights is neither new nor impractical, pointing out that the Council of Europe set up a European Court of Human Rights in 1953.

ACTION PROGRAM FOR PROMOTION OF HUMAN RIGHTS

Well, it is an ill wind indeed that blows no good. And when in 1953 the U.S. Government took the position which I have described, it recognized at the same time the need of alternative positive approaches by the United Nations in this field. So in that same year, the U.S. delegation in a meeting of the Commission on Human Rights in Geneva, proposed that the United Nations should engage in a so-called action program for the promotion of human rights.

The other nations were somewhat skeptical about this program at first and not at all prepared to accept it as an alternative to the covenants. On the understanding, however, that it would be treated not as an alternative, but as complementary to the covenants, the action program was eventually adopted. It consists of three operations. First, the reporting system wherein the

Economic and Social Council has invited all member states to report periodically on the progress that these states have achieved in the matter of human rights; second, the Commission on Human Rights has undertaken a series of global studies or surveys on human rights; and third, the General Assembly has authorized a program of advisory services in the matter.

The first feature of the program—the new reporting system—is a most interesting development. For one thing, it has anticipated one of the systems of implementation of the covenants to which I have already referred, broadening it to apply to all states whether they ratify the covenants or not. It may be objected that states are under no legal obligation to report. In such a matter, however, there is a strong moral and political sanction; and, as a matter of fact, the great majority of member states do report.

It is pretty obvious to me, however, that the success of this particular operation will depend upon whether there exists an alert and informed public opinion in the matter. Governments—all governments—particularly in free societies—are sensitive to public opinion; it is the most powerful weapon in political life. If the public insists, governments will report, and they will report accurately. What is more, public opinion can influence governments to remedy any abuses which the reports may disclose.

The real difficulty is that public opinion is often too inarticulate, too loosely formed. I must confess that I have never read a newspaper account of any public protest based on these periodic reports; and again, I wonder whether the nongovernmental organizations are sufficiently alert. It is most important they should be.

The second innovation in the action program was the initiation of a series of global studies on various human rights. The Commission on Human Rights has now undertaken a number of these studies, and even more have been conducted by its Subcommission on Prevention of Discrimination and Protection of Minorities. The studies have dealt with all aspects of human rights; such matters as discrimination in education, political rights, religious rights and practices; the rights of illegitimate children; the right of everyone to leave any country, including his own, and to return to his country; the right to be free from arbitrary arrest, detention and exile; the right of arrested persons to communicate with friends and counsel; and equality in the administration of justice.

These studies can have important repercussions. Thus, the study on discrimination in education resulted in the adoption by UNESCO of an international convention on that subject. Possibly the most impo tant consequences of the studies is that, since they are carried on in cooperation with governments, the latter are encouraged to review their legislation and practice in the matter under review. But again, the usefulness of these studies is diminished by the fact that there apparently exists no organized public opinion, no "public watchdog," as it were, in the matte·. And one recommendation I now make is that, in this country at least, a committee of independent and distinguished citizens be set up which could act as a kind of a "public watchdog" in this situation.

The third new operation introduced by the so-called action program is the advisory services in human rights. This was undoubtedly inspired by the technical assistance which the United Nations offers to economically underdeveloped countries. In the case of human rights this analogy does not always apply. An economically underdeveloped country is not necessarily backward in the matter of human rights; nor are economically advanced countries necessarily the ones in which human rights are most respected. If you need any proof of that statement, I need only revert to the example of Nazi Germany, which was very well developed economically.

In any event, the Secretary General has been authorized by the General Assembly to extend certain services to governments which equest them; these services consist in the provision of experts and fellowships and the organization of seminars. The most successful part of this advisory services program seems to have been the series of human rights seminars which have been held in various countries in recent years, bringing together key pe sons from various countries for short periods of time and giving them an opportunity to exchange their views and experience. These seminars have been held in all parts of the world—in the Americas, in Europe, in Asia, and in Africa, where all aspects concerning the protection of human rights have been discussed—the administration of justice, remedies against the abuse of administrative action, freedom of information, the role of the police in the protection of human rights, rights of minorities, human rights in developing countries, and various aspects of the status of women. These seminars have had a considerable impact on public opinion in the areas in which they have been held, and they have also been helpful to the participants and to governments.

The advisory services program, however, is still so small in relation to the magnitude of the problem of human rights in the world that, while useful as far as it goes, it can hardly be considered as anything more than an interesting experiment. This is, it seems to me, one of the programs that, if we are really serious in this business of the international promotion of human rights, should be considerably expanded.

SOME ACHIEVEMENTS—MUCH STILL TO BE DONE

The future of human rights was left on the doorstep of the United Nations at San Francisco. What has been the response of the United Nations to that challenge? Has the response been adequate?

I will say this. The United Nations has many achievements to its credit. The universal declaration of human rights is undoubtedly one of the most important international instruments ever adopted, and it has already had a significant impact on events. The United Nations has also adopted a number of important conventions, including the genocide convention which our country should have ratified long ago. As to the two covenants on civil and political rights and economic, social, and cultural rights which we have discussed here, the future is more uncertain; but if they include an adequate system of implementations, then all the time and effort devoted to them over a period of nearly two decades will be justified—provided a significant number of countries, including the United States, ratify them. The organization is also engaged in the token program of advisory services which I have mentioned and which, if developed, could be useful.

Perhaps most important, the United Nations has provided an international forum for the ventilation of a number of great issues affecting human rights in many parts of the world, and has helped as earlier indicated to crystallize the formation of international opinion. This, in the final analysis, I would emphasize, is the strongest weapon that can be used for the promotion of human rights.

Merely to establish this inventory is, I think, to answer the question whether the response to the challenge has been adequate; for we must put at the other side of the ledger the urgent and tremendous need for action; and when the balance is struck, we must conclude that much remains to be done—indeed, that an effort is required significantly greater than any that has been made up till now.

POSITIVE PROPOSAL—UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

With the above in mind, I offer a positive proposal. It may well be that the time has arrived to strengthen the executive powers of the United Nations in the matter of human rights. Thus, the General Assembly or the Secretary General might appoint an independent personality who would be a kind of international commissioner dealing with human rights, bearing perhaps the title of United Nations High Commissioner for Human Rights.

Such a high commissioner could, among other things, lend his good offices to governments and be available at their request to investigate situations where there have been alleged violations of human rights; he could assist underdeveloped countries in the organization of various institutions for the promotion of human rights; he could advise the Economic and Social Council on the human rights aspects of the development decade; and he could assist the Commission on Human Rights in its review of the periodic reports from governments on human rights to which I have already referred.

Creating such a position would not require a treaty. It would be in the same category, for example, as has been the appointment of the United Nations High Commissioner for Refugees. Therefore, it should also have the ready support and cooperation of those member states, like the United States and some others, which have not been willing thus far to enter into treaties.

It would seem to me that this proposal is practical and the very minimum that should be done at this time. If the human rights commitment in the United Nations Charter is to be really effective, the trend of development must be in the direction of greater capacity to deal with—initially, at least to expose and air, if not to judge—specific violations. I say this is the very minimum.

INVOLVED IS PERHAPS THE FUTURE OF THE HUMAN RACE ON THIS PLANET

Ladies and gentlemen, United Nations concern with human rights is a reflection of a deep social malaise in our own time. On what the United Nations does, on what we in our own country do, to find and apply a cure for this malaise depends perhaps the future of the human race on this planet; just as much as on the elimination of war and the control of armaments depends whether mankind will continue to inhabit it. That, in my opinion, is the challenge to our generation, to our times—the challenge to the United Nations.

THE IOU'S, NO. 10: THE PITCHMEN

Mr. METCALF. Mr. President, the investor-owned utilities—I.O.U.'s—and American Medical Association are using similar techniques to produce mail to Congress which appears to represent spontaneous feelings of voters.

George Clifford and Tom Kelly reported on this "sophisticated mail pressure" in the February 19 issue of the Washington Daily News.

Mr. President, I ask unanimous consent to insert their column, entitled "AMA Shotgun," in the body of the RECORD.

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

[The Washington Daily News, Feb. 19, 1964]

AMA SHOTGUN

(By George Clifford and Tom Kelly)

The American Medical Association is already trying to shoot down medicare and this time it's using one great big broadbore shotgun.

The bill is, of course, still locked up in WILBUR MILLS' Ways and Means Committee in the House, and ordinarily the AMA strategy would be to concentrate heavily on the committee members.

Instead, for the last couple of weeks, the AMA-inspired letters have been coming into congressional offices all over the Hill.

The theory is that once the bill gets out of committee it will go in and out of the Rules Committee and then zip to the floor. It will move so fast that there'll be no time to propagandize the House then, it has to be done now.

Proponents of medicare find the AMA action interesting. It indicates to them the AMA shares their belief that the bill will not be bottled up in committee this year as it was the last time it was introduced.

The AMA technique, however, is an interesting example of sophisticated mail pressure. Congressmen often get hundreds of identical post cards carrying identically worded messages telling them to support this or denounce that. They can pretty much discount these.

The current AMA practice is to have everyone in a doctor's office—nurses, technicians, receptionists—sign an individually worded letter, written on nonuniform stationery. The letter then seems to represent the spontaneous feelings of a number of people who have no particular connection with each other.

The same technique has been brought to its finest development by Project Action, a lobby sponsored by the private power companies who want to knock the Rural Electrification Administration and the Tennessee Valley Authority.

Senator LEE METCALF, of Montana, recently dug up a Project Action kit which told its clients how to make the pitch. When dealing with an inside group—one that can be trusted—each person gets a pen, a choice of various types of stationery, a sample letter, a stamped (not metered) envelope—not addressed.

They are then told by the pitchman that they have before them "the names and addresses of several of our legislative representatives. There is also a sample of a letter that has been written before about this very same problem. Please use it only as a guide to the letter you write in your own words * * * you may mail your letter yourself or we will be happy to mail it for you."

One Congressman has reported that the AMA's use of the individual letter technique has not been entirely successful.

A good many research and public clinic doctors have written their letters as instructed, but have strayed so far from the model as to suggest that maybe medicare wouldn't be so bad after all.

CANADA'S FAMILY ALLOWANCES PLAN AND THE WAR ON POVERTY

Mrs. NEUBERGER. Mr. President, in the days ahead, we can expect that Members of Congress will devote a great deal of time to consideration of proposals for attacking the pockets of poverty and unemployment in various parts of our country. We can expect to receive proposals aimed at expanding the purchasing power of families, especially those in the very low income groups.

In 1944, Canada enacted a family allowances program, which provided a monthly check for each child in the family. The February 17, 1964, issue of the Nation contained an article by Mr. Ian Sclanders, Washington editor of Maclean's magazine, which described the experiences our northern neighbors have had with this form of social welfare.

I ask consent to include the article in the RECORD with my remarks.

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

BONUS FOR BABIES

(By Ian Sclanders)

Across the United States there have lately been signs of mounting concern over poverty in distressed areas, the high rate of school dropouts, the prevalence of unemployment, the painful impact of automation and the limping gait of the economy. Against this background of related problems, it is odd that Washington has not taken a close look at what the Family Allowances Act does for Canada.

A number of Americans have started wondering whether the concept of work should not be separated from the concept of income (the position taken by Robert Theobald in the Nation's special issue, "Abundance," May 11, 1963). And there is growing a conviction that conditions will increasingly compel governments to find ways to put money into the hands of people who are displaced by machines or who live in depressed regions. It is also becoming apparent that governments will have to discover how to keep the young in school until they gain the education today's jobs require, and how to bring about steady industrial expansion by steadily expanding consumer buying power.

One fairly effective approach to all this, to judge from Canada's experience, is for the Federal Treasury to send a monthly check to every mother, rich or poor, for each child under the age of 16.

This, or something like it, is done today by at least 30 nations. Of these, Canada, though its population is 19 million, compared with 190 million in the United States, is nearest to the United States economically and socially, as well as geographically. It is similar enough to offer a reliable glimpse of what the United States might expect were it to try family allowances.

The Canadian bonus plan had a rough launching in 1944. It was piloted through parliament by William Lyon Mackenzie King, the master strategist and resolute reformer who was Prime Minister longer than anyone else in his country's history—more than 21 of the 27 years between 1921 and 1948. There were those in King's own Liberal Party who had serious misgivings about baby bonuses, as they were soon dubbed. Conservatives fought hard against the plan and enlisted the support of Charlotte Whitton, then Canada's best known social welfare expert, now mayor of the Canadian capital, Ottawa. She predicted that a large proportion of parents would spend the checks, not on their children, but on themselves.

King's main arguments were:

1. Family allowances would mean better food, clothing, and medical and dental care for children in low-income families.

2. Income-tax deductions for dependent children had already established the principle that parents raising children were entitled to financial concessions from the state, but didn't help those whose incomes were too small to be taxed.

3. Allowances would stamp out illiteracy and encourage the young to go to high school because the checks would stop in the case of a child who stayed away from school without a satisfactory excuse.

4. They would tend to narrow the wide gap between high and low personal incomes, and between prosperous and impoverished districts. They would do this because they would be paid for by tax revenues and would cost prosperous persons and places more, and poor persons and places less, than they got back.

5. By redistributing income and keeping it circulating they would boost purchasing power and the general economic development.

Against this bright picture drawn by Mackenzie King and the majority of his Liberals, most of the Conservatives cried that the program would ruin the nation. It would break the taxpayer's back, it would undermine the initiative of the laborer who, his pockets full of baby bonuses, would be unwilling to work. The allowance would be wasted on drink, the birth rate of poorer families would zoom, an unfair burden would be imposed on wealthier Canadians and Canadian provinces. So spoke the Conservatives in 1944, but the Family Allowances Act was passed that year.

The original legislation fixed payments at $5 a month for a child under 6, $6 for ages 6 to 9, $7 for ages 10 to 12, and $8 from age 13 through age 15. The payments were reduced by $1 for the fifth child, $2 for the sixth and seventh, and $3 for the eighth and each successive child, on the theory that children in large families could use hand-me-downs. The reductions have long since been eliminated and the present payments are $6 for each child under 10 and $8 for each child from 10 up to 16.

The first batch of checks, for a total of $17,560,934, went out at the end of June 1945 to 1,237,754 families with 2,956,884 children. By March 1962 payments were going to 2,649,317 families with 6,562,287 children and running at $43,915,566 a month or $526,986,792 a year. (For a rough estimate of what U.S. figures might be, multiply Canadian figures by 10.) If there is any criticism of the baby bonuses nowadays, it is not that they are costing too much but that they are costing too little.

The allowances, from the very beginning, were such an unqualified success that the shouts of the Conservatives were stilled within weeks. I can remember having dinner in the summer of 1945 with a man who owned the general store in a New Brunswick fishing village. He grumbled bitterly about "that damn Socialist, Willy King," and said that most of his fellow villagers would breed like rabbits," so they could get "more money for rum." He was a Conservative of Conservatives, but when I saw him the next autumn, he had the grace to admit he had been wrong. "Baby bonus checks," he told me, "buy about a third of the merchandise I sell. Kiddies' clothes, shoes, baby food, milk—you wouldn't believe how sales have gone up. Kids who never saw the inside of a school before turned up when the fall term opened. These baby bonuses are gonna be the salvation of the country."

Were his neighbors breeding like rabbits? No, not that he'd noticed. (The truth is that Canada's birth rate has declined slightly since the allowances were introduced.) Was the liquor store doing more business? Now that was the big surprise, he said. He'd been talking with the liquor store manager and his trade hadn't risen appreciably. He guessed the treasury had a good idea when

it made the checks out to the mothers. And he guessed maybe the checks were really being spent on what the law said they were for: the maintenance, care, training, education, and advancement of the child.

That was the story all the way across Canada, from metropolitan cities like Toronto and Montreal, to the mining camps of the north and the spray-beaten outposts of Newfoundland, and the windswept prairie hamlets huddled around line elevators and the logging settlements in the towering forests on the rainy western slopes of the Rockies. It has been the story ever since, and if family allowances have proved one thing it is that parents who steal from their children are so rare as to be hardly worth mentioning.

Canada's police, schoolteachers, school attendance officers, the Children's Aid Society, and other welfare bodies, as well as family allowance investigators, watch constantly for children who are not properly clothed and fed and whose parents can be suspected of spending the treasury checks on themselves. Of the more than 2½ million families to whom these checks went regularly in 1961, there were 375—about one in 7,000—in which there was evidence of misuse.

What have the baby bonuses done for Canada? Children, even in the remote backwoods, no longer grow up unable to read or write. With the allowances coming in, all but a tiny fraction remain in school until they are 16, and by then they have been exposed to enough education to appreciate its value, and far more than ever in the past, complete high school. After that a surprising number, among them youngsters from the very low-income groups, somehow manage to go to college. Would allowances reduce dropouts in the United States? The evidence suggests that they would.

Canada has discovered that the poorer a region is, the more the allowances accomplish. The country has chronically depressed sections where the poverty is comparable to that of the Appalachian coal mining districts. The children in those districts may not eat filet mignon, and they may have patches on their pants, but they no longer get rickets from malnutrition, and they no longer have to stay home from school because they lack shoes. Would family allowances be a blessing to distressed U.S. areas? My guess is that they would.

I wish I could report that Mackenzie King's baby bonuses had solved unemployment in Canada. Unemployment is still an enormous tragedy and worry there, as it is in the United States. Yet it can be claimed quite convincingly that but for the allowances, the situation would be worse than it is; and it can be argued the U.S. unemployment figures would improve if family allowances were adopted. In Canada it has been proved that family allowances stimulate the economy, and that the money they represent turns over fast. It has likewise been demonstrated that they cushion the impact of automation, even though it still hurts.

Today, the family allowance plan is universally accepted in Canada. All political factions endorse it and a party that condemned it would commit suicide. No legislation in Canadian history has been more popular. What would family allowances do for the United States? It would be worth a trial to find out.

OMAHA WORLD-HERALD SERIES ON MEAT IMPORTS WIDELY HAILED

Mr. HRUSKA. Mr. President, last week, in connection with my remarks on the critical situation facing the livestock and farm industries as a result of rising meat imports, there were printed in the RECORD at the request of this Senator the first two installments in a series of articles appearing in the Omaha World-Herald under the bylines of Howard Silber and Darwin Olofson.

This series has drawn widespread praise from all over America for focusing attention on this complex and urgent matter. The writers and World-Herald Chief Photographer Lawrence Robinson traveled thousands of miles and interviewed scores of people in their research. The series represents in-depth reporting at its best.

It is required reading for anyone who wishes to understand this issue.

The last of the articles has now appeared and I ask unanimous consent, Mr. President, that the final six installments be printed in the RECORD.

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

[From the Omaha World-Herald, Feb. 18, 1964]

THE CATTLE CRISIS—IMPORT BEEF FILLS COOLERS, CUTS CALIFORNIA MARKET COST

(By Howard Silber and Darwin Olofson)

"Certainly we have foreign beef. I don't know any market that doesn't these days."

Wallace McCarty led a World-Herald reporter and photographer to the walk-in cooler in the rear of his small food market in Imperial, Calif.

"Here it is," he said. "We always get it this way—boned, frozen, in 60-pound cartons."

The lettering on the carton spelled: "Product of New Zealand."

"We've used this for hamburger for a couple of years. In the past I bought old bulls for the hamburger. No more. This is easier. Probably leaner, too," said Mr. McCarty.

"Don't get me wrong, though," he continued. "I'd go back to our own beef, but I can't. The competition won't let me. Everybody uses this stuff—the little fellow like me, the big chains. Everybody in California. Probably a lot of other places, too. And the big packers use it.

"This foreign stuff saves me some work because it's boned. It's a convenience to me. But the big market with a high overhead has a decided advantage in cutting down labor costs. It's helping the big fellow."

Ralph Marquez is a meatcutter at the Atlantic and Pacific Tea Co. supermarket in Calexico, Calif. On his midweek day off he works part-time in the Airport Market at nearby Brawley. He said:

"Imported beef? Everybody uses it. We do—at the A & P and in Brawley, too. And I've seen it in other chains. I've talked about it with other butchers.

"It's lean and it's got good color. It makes good hamburger."

SMALL JOBBERS STARTED IN THE FIFTIES

The Orange Empire Co-op of Riverside, Calif., is a major food wholesaler. It has a huge distribution center at Riverside and branches at Fresno, Bakersfield, San Diego, and Northridge, Calif., and at Las Vegas, Nev.; Silver City, N. Mex., and El Paso, Tex.

In addition to the thousands of food markets it serves, Orange Empire lists among its customers U.S. military installations, schools and a number of institutions.

And many restaurants buy from Orange Empire. In fact, the cooperative has 38 cash-and-carry stations where operators of small eating places can pick up provisions.

Orange Empire is a giant. And it has another distinction—it is the only American jobber which belongs to the Australian Meat Board.

Bill Purcell, the cooperative's meat and frozen-food buyer, told the World-Herald Orange Empire began importing beef fairly recently, adding:

"It was on the market out here. The small jobbers got into the field in the late 1950's and they had a good thing. They were charging nearly as much as the domestic product.

"We aren't a packer and meat wasn't our line. But we got into it to save our members money. And we did—about 5 cents a pound on the average."

DOCTORED WITH TENDERIZERS

Primal cuts—steaks and roasts—are largely from New Zealand.

"These," Mr. Purcell remarked, "are bought primarily by low-grade restaurants. They doctor them with tenderizers and seasoning and turn out a fairly palatable dish.

"I've barbecued some of the steaks myself. With a liberal sprinkling of tenderizers and a good hot fire you can eat them. But they don't have the flavor of a good corn-fed American steak."

Mr. Purcell said grocers usually blend lean foreign beef with domestic plates and trimmings.

"This enables them to comply with State laws which dictate the proportion of lean meat in ground meat," he explained. "The boned beef also reduces labor costs."

"There's nothing unusual about this imported beef. The people Down Under tell us it's being used all over this country. They say there's 10 times as much on the east coast. It's become an accepted part of the business in the last few years."

Why the last few years?

The door was unlocked in 1947 when the duty on frozen, chilled and fresh beef was reduced from 6 cents to 3 cents a pound.

But the immediate effect of this change was slight. The principal reasons were a ban on imports of uncooked beef from many Latin American countries because of foot-and-mouth disease and a trade agreement which dictated that most beef and veal exported by Australia and New Zealand had to go to the United Kingdom.

IRELAND EXPORTS UP TENFOLD

The agreement was modified in October 1958, and the door burst open. Now about 82 percent of the vast quantity of beef and veal exported by Australia is shipped to the United States. And most of New Zealand's exported beef reaches markets here, too.

Beef from other foreign sources has joined the parade. Imports from Ireland have risen approximately 1,000 percent in 10 years. Mexico is shipping more beef across the border, some of excellent quality.

Low taxes and land and labor costs enable these countries to pay the 3-cent-a-pound duty and still undersell the U.S. product. And in many cases American capital, experience and breeding stock are helping to boom the cattle industry abroad.

The U.S. market is so inviting that, according to Senate testimony in the Bobby Baker case, the Haitian-American Meat & Provision Co. of Port-au-Prince last November was still paying the former secretary to the Senate majority a commission on every pound of meat it exported to the United States.

The reason given in the testimony: Mr. Baker helped the firm receive sanitary approval from the U.S. Department of Agriculture.

[From the Omaha World-Herald, Feb. 19, 1964]

THE CATTLE CRISIS—BIG-MONEY PEOPLE OF UNITED STATES BUILDING AUSSIE BEEF BOOM

(By Howard Silber and Darwin Olofson)

A case of matrimony is building the beef boom Down Under.

An Australian source in Washington told the World-Herald about it:

"In just the past 4 or 5 months the Australian Government has received at least 20 inquiries from American cattlemen or cattle interests about the possibilities of ranching in Australia.

"There seems to be a lot of interest.

"Big-money people from the United States are in Australia already—the King Ranch of Texas, the Kern County Land and Cattle Co. of California and other American giants.

"It's a marriage—a marriage of Australian land and other resources with American capital, experience and resourcefulness."

One result of the marriage has been an astronomical increase in Australian beef imports to the United States. Last September alone, nine ships left Australian ports carrying to the United States 27,301,120 pounds of beef, 403,200 pounds of mutton, 51,520 pounds of lamb and 24,640 pounds of variety meats.

The U.S. cattle market reacted predictably to this onslaught of cheap foreign beef. Domestic prices dropped, as they had been dropping for months.

And 1963—which saw Australia ship nearly half the record 1,750 million pounds of beef imported by the United States—may be just the beginning.

FIRST GEAR

"The Aussies haven't even shifted into second gear where cattle production is concerned," said C. W. McMillan, of Denver, Colo., executive vice president of the American National Cattlemen's Association, who returned recently from an extensive inspection of Australian and New Zealand beef production and study of export prospects.

"In Australia," he told a World-Herald reporter, "only about 25 percent of the potential has been achieved. They've got more than 13 million head of cattle now—for a human population of 12 million.

"And, with American investors and experienced cattlemen taking a hand, they are beginning to apply American management techniques."

Mr. McMillan said an American firm took over a cattle station (ranch) which the previous year had a death loss of between 26,000 and 27,000 head. The firm, he went on, "cut the death loss to a fraction." Then, whereas only 40 percent of the cows had calved previously, 70 percent calved under the new techniques.

The calves-to-cows ratio in the Nebraska Sand Hills is normally about 90 percent.

ENTICEMENTS

"On that particular station," he continued, "it formerly took a man a full week to check the wells—the Australian term is bores—making the rounds in a truck. Now he uses an airplane. He can visit every well in a day. Obviously, the cattle aren't dying of thirst the way they used to."

Australian land costs run as low as 11 cents a head a year, said Mr. McMillan. "In the United States a conservative minimum is $25 in land costs for every calf born."

The Aussies offer a Texas-size welcome to the American cattlemen. The reasons are obvious: Australia wants to develop the vast reaches of its outback, increase its population, and boost its economy.

An Australian source in Washington listed some of the enticements to rural development to the American cattleman:

Very rapid depreciation allowed against taxes. For example, fencing for control of dingoes, which are fierce wild dogs, and other pests, and such other improvements as earthen dams can be wholly depreciated the year they are built.

Certain farm machinery has a 5-year depreciation schedule. In addition, an extra year of depreciation can be claimed. Thus, 120 percent of the cost can be written off.

Individual States provide long-term, low-interest loans for water-supply developments, irrigation improvements and the like. Queensland will pay the entire drill costs of a well if it turns out to be dry or produces poor water.

The Commonwealth Development Bank helps farmers and cattlemen by making highly attractive loans on properties with good development prospects.

There are no restrictions on the transfer of pounds sterling to dollars. As a result, American cattlemen can get their money out.

Much of the ranching country is leasehold land, with terminating tenure. A leasehold may be for 30 years. Or it could extend 50 years or more if it is thought that a longer development period is necessary. In effect, the leasehold land is rented from the Government. This can be an advantage because it holds down the rancher's capital outlay.

And where the size of the spread is concerned "the sky's the limit," an Australian agricultural expert said. Cattle stations which cover 1,000 or 2,000 square miles "are not unusual," he declared.

BARRIER?

He told why his country is anxious to attract Americans:

"If the land is valued at 50 cents an acre the Australian rancher usually doesn't see any point in spending, say, $10 an acre on improvements.

"But along comes one of your countrymen. He looks at the land in terms of what he figures it can produce—and in view of what comparable land back home is worth. He determines it is worth spending $10 an acre or more on improvements.

"There's no mental barrier there."

The Australian discussed the 40-percent rate mentioned by the American National Cattlemen's Association executive.

"Yes," he said, "it does drop to 40 percent in the northern territory because of drought, breeding diseases, ticks, dingoes and other causes."

American cattlemen say they would probably go broke with a rate that low.

But, low as it is at times, the Australian calving rate is increasing that continent's beef production. And if the volume of beef imports from Australia continues to increase, many American cattlemen say they will go broke.

[From Omaha World-Herald, Feb. 20, 1964]

THE CATTLE CRISIS—CHOICE GRADE MEXICO BEEF NOT "TASTY" TO U.S. FEEDERS

(By Howard Silber and Darwin Olofson)

Big things are happening in the beef business south of the border.

And the Mexican accomplishments and ambitious plans are not calculated to ease the lot of the imports-plagued U.S. cattleman—unless, of course, he has financial interests in Mexico. A few do.

Andres Trevino, a tall, handsome engineer who has gone into the cattle business, squinted into the sunshine which burned through the dust at the Armando Gallego Feedlot at Pascualitos, Baja, California, Mexico.

Before him, eating hungrily, were thousands of cattle. Many were nondescript range animals, gray or tawny. There were some old steers and bulls towering above the rest. Here and there was a stately Brahman.

But Senor Trevino ignored these animals. He pointed to a distant pen.

"Come," he said to a World-Herald reporter and photographer, "let's look."

Busy at the feed bunkers in the large pen were some familiar animals—Herefords, fat and sleek heifers.

"This is more like it," said the Mexican proudly. "These will go today to a packing plant at Tijuana. In a few days the meat will be in Los Angeles markets. These animals will grade U.S. Choice."

MOST CHOICE

Unconcerned, the Herefords ate on. Joe Feffer, Brawley, Calif., feeder and cattle buyer, examined the ration. "Alfalfa, barley, cottonseed meal, cottonseed hulls, barley straw and a touch of corn," he said. "Not bad."

"We are improving all the time," said Senor Trevino. "The other day we slaughtered a load of 100 cattle. Eighty-six were Choice."

Senor Trevino manages the Mexican branch of the Imperial Cattle Co., Imperial, Calif. He told how that firm is working closely with the Banco Nacionale de Credito Agricola—the National Farm Credit Bank of Mexico—"to improve the cattle industry of my country." He went on:

"We have big feedlots and packing plants. We plan more of both. We are trying to open new markets, and the United States has tremendous possibilities for us. We already ship meat to many States."

Senor Trevino listed the locations of the major feedlots his firm had helped build or was operating:

Matamoros, Tamaulipas; Torreon and Villa Acuna, Coahuila; Jiminez, Chihuahua; Tecoman, Colima; La Concha, Jalisco; Compestela, Nayarit, and Carbo, Sonora.

Packing plants functioning under the program are at Villa Acuna and Torreon and at Manzanillo, Colima.

James Delfino, Imperial's president and an almost legendary figure in the west coast cattle business, is Senor Trevino's boss. Mr. Delfino is the man who 5 years ago converted a steamship into a floating feedlot and brought 1,700 head of Australian cattle to the United States by way of San Diego.

U.S. MONEY

"Sure," said Mr. Delfino, "we plan six more feedlots and enough packinghouses to handle the cattle—one packinghouse at Mexicali and two or three others.

"We're building the feedlots for the Mexican Government. We're helping in every way we can.

"One thought of the Mexican Government is to improve the land and get away from a cotton economy. We hope to raise every bit of feed in irrigated areas and improve the soil at the same time."

Mr. Delfino, who is almost never seen in a business suit—his usual clothes are a Stetson, shirt, Levis, and Western boots—said some $50 million in American capital, provided by "a number of U.S. banks," is helping to finance the Banco Agricola feedlot-packinghouse program and allied sheep projects.

"We—the Imperial Cattle Co.—guaranteed $9 million in loans the first year," he told the World-Herald.

Mr. Delfino discounted the potentially deleterious effects of the program on the U.S. cattle industry, commenting:

"We plan to use a great deal of this meat in Mexico. Our idea is to improve the quality of the beef for the tourist trade—which is Mexico's biggest business. These tourists are demanding better meat.

"We're going to give it to them."

What about the surplus beef?

"It will go on the world market. We've got an order from Israel for 2,000 tons of forequarters. Spain wants to buy 10,000 tons. There's a big demand."

U.S. TOP MARKET

Reminded that these are relatively small quantities and that virtually every country except the United States has a beef import quota, Mr. Delfino conceded:

"Certainly the United States is the biggest and the best market. There's no question of that. We'll sell where we can."

Senor Trevino had said earlier the carcasses of the Hereford heifers he was so proud of were to be trucked to the Modern Meat Co. plant at Norwalk, Calif., a Los Angeles suburb. He identified Modern Meat as a Delfino enterprise.

Mr. Delfino, who said his firm also has a cattle ranch in Nevada and farms near Bakersfield, Calif., had returned to the United States from Australia the day before he was interviewed by the World-Herald. He said he had arranged for shipments of live sheep to be used to improve the quality of Mexican flocks.

He commented on the cattle situation in Australia:

"It's a big thing and getting bigger. They're raising a lot of cattle and exporting a lot of beef.

"And there's another thing—Australia is beginning to develop a cattle feeding industry. I'm considering getting into the cattle business down there myself."

[From the Omaha (Nebr.) World-Herald, Feb. 21, 1964]

THE CATTLE CRISIS—U.S. SORGHUM HELPS BREAK OUR FEEDERS—FED MEXICAN CATTLE TO AID MEAT QUALITY—GRAIN SHIPPED SOUTH RETURNS AS MEAT

(By Howard Silber and Darwin Olofson)

A long railroad bridge spans the Rio Grande to connect Laredo, Tex., and Nuevo Laredo, Mexico. The bridge is a principal shipping link between the United States and Mexico.

Several times a day long freight trains move southward on the bridge. Many of the boxcars contain grain.

A great deal of grain went south last year. The U.S. Department of Agriculture reported that 7,630,017 bushels of corn were shipped to Mexico by the Commodity Credit Corporation on a 3-years-to-pay basis. The interest rate was 4½ percent.

The corn was intended for human consumption. And the tortilla, a basic food in Mexico, has cornmeal as its principal ingredient. An investigation by the World-Herald turned up no indication that substantial quantities of corn were misapplied—fed to livestock, for example.

But from October 1962 through September 1963 a total of 6,879,000 bushels of grain sorghums rolled southward across the border. Of that amount, 388,521 bushels were exported on a credit basis—a private exporter was given 12 months' credit by the CCC at 4 percent interest. Presumably, he could extend similar credit terms to his Mexican customers.

MILO FROM UNITED STATES

Grain sorghum—milo, if you please—is not regarded as edible by humans. But milo is a good livestock feed, nearly as good as corn.

Milo maize is often seen in feedlots in Mexico—feedlots in which cattle are being fattened so that their meat will be more acceptable and will bring higher prices on the U.S. market.

Agriculture experts say Mexico produces only negligible quantities of grain sorghums and most, if not all, of the domestic product goes into chicken feed.

Thus, the principal source of milo for cattle being grainfed in Mexico is the United States. Kansas and Missouri are big shipping points.

"You bet they're using it; you can go into feedlots across the Rio Grande where they're trying to fatten cattle and you'll find milo, a lot of it," declared Bill Martin of Laredo, a buyer for the Producers Livestock Marketing Association.

"And you know full well where they're getting that milo—it's coming right from this side of the border.

"They're using U.S. milo and, with it, they're helping break our own feeders."

[From the Omaha World-Herald, Feb. 22, 1964]

THE CATTLE CRISIS—BEEF STATES, NATION GROGGY FROM PUNCH OF LIVESTOCK LOSSES—WORK GIVES FEEDER ONLY FEARS, DEBTS—BANKER SAYS IMPORTS PLUMMET PRICES

(By Howard Silber and Darwin Olofson)

The raising of cattle for beef is the backbone and much of the heft of American agriculture.

More than half the farms of the United States have beef cattle or calves. These animals use more than 1 billion acres of land and consume more than 70 percent of the total tonnage of all harvested crops.

In 1958, the cash return to producers from cattle and calves was higher than the combined sales of all six basic field crops—wheat, corn, cotton, tobacco, rice and peanuts.

THE BEEF SCORE

Of 1,087 million pounds of beef and veal imported by the United States during the first 8 months of 1963, a total of more than 858,300,000 came from Australia, New Zealand, Ireland, and Mexico.

The January–August breakdown, carcass weights in pounds, according to the country of origin:

Australia	466,200,000
New Zealand	259,400,000
Ireland	68,200,000
Mexico	64,500,000

Only Argentina rivals the United States in the proportion of gross agricultural income derived from beef cattle.

But the beef-cattle industry is in trouble. Few cattlemen realized a profit in 1963. The 1964 outlook is no better, possibly worse. The situation poses a serious threat to the economy of the cattle industry States—which means most of the United States—and to the Nation itself.

The Omaha National Bank takes pride in the fact that it lends more money on cattle than any other U.S. financial institution. Said John M. Shonsey, vice president and expert in the field of agricultural finance:

"I blame beef imports. They have knocked down prices—at least they've been the major contributing factor."

CRITICAL

"The situation is critical for the farmer-feeder. He has lost a good part of the working capital he accumulated during the past 5 years. To restore this working capital he has had to increase the mortgage on his farm—to run up a heavy debt.

"A continued downtrend will force many feeders out of business because they will not have any operating capital or any credit.

"Because of the large numbers of cattle in the United States, continued large-volume imports will mean, for those able to stay in business, a substantially reduced standard of living. They will buy less and they will pay less in taxes."

Mr. Shonsey said merchants in small communities, truckers and others who cater to cattlemen are feeling the slump already "because of the inability or reluctance of farmers to spend money."

He said the large feeder who operates with thousands of cattle "can't go through another year with prices at the same level," and added:

"He may have to reduce his operation to the point where he becomes a farmer-feeder—down to 200 or 300 cattle—because of his reduced capital."

The rancher is only a little better off.

"But he, too, is living off his earnings and savings of past years," said Mr. Shonsey.

"The cities are going to feel the slump soon—then the entire Nation."

Mr. Shonsey's analysis is widely supported—by cattlemen, other bankers, economists. These were interviewed by the World-Herald:

Dr. Everett Peterson, University of Nebraska agricultural economist: "No one is making money on cattle. Where expenditures can be postponed, they are being postponed. And this is beginning to show up in trade. By the end of this year there will be a widespread slump if cattle prices do not improve."

A. A. Kruse, executive vice president, First State Bank, Audubon, Iowa: "They're losing money or, at best, breaking even. And you go broke breaking even. Farm mortgages have been increasing. People are buying less. This is going to be a rough year for retailers."

Darrell Jensen, Hamlin, Iowa, farmer-feeder: "I bought a new pickup in December 1962, and a bigger tractor the following month. I couldn't buy either now. I'd like to have a new grinder-mixer. The implement dealer on the highway has a dandy. It would cost $1,200 with my trade-in. I'm going to hang on to that $1,200."

Raymond Merk, Audubon, Iowa, grain elevator owner and livestock feeder: "Some of the boys are having a hard time making payments now. Even the best operators are dipping deep into their reserves. It's not good."

Charles Hunt, Atlantic, Iowa, a large feeder: "I lost money in 1963. There's no hope for a substantial recovery this year and it could very well be worse. I bought little or no equipment at the end of 1963. I didn't need the depreciation for tax purposes because of poor business. By the way, Atlantic was without a Ford dealer 4 months. We're usually a pretty prosperous city."

J. J. O'Connor, president, Walnut Grove Feed Co., Atlantic, Iowa: "The feed business is down."

Harold Larsen, Atlantic, Iowa, farm implement dealer: "We couldn't survive on the implement business, it's so poor now. We're just lucky we're near the Interstate Highway and have a good truck service business."

Gordon Johnson, Waco, Nebr., farmer-feeder: "I lost money in 1963. I don't have high hopes for this year. I'm standing still on all my purchases. I'm not going to buy anything until I begin making money again."

L. V. Peterson, agricultural representative, First National Bank, York, Nebr.: "Most feeders are losing money on every head. We're going along with them, as far as we can."

Herman Tietmeyer, York, farmer-feeder: "It's been bad, real bad. The small fellow isn't likely to make it."

L. M. Stuckey, president, Lexington (Nebr.) State Bank: "The slump is here. Our retailers are feeling it. The lumber dealers are hurting. Nobody is modernizing, improving. And you find younger farmers anxious to leave the farm and get a salaried job."

Paul Givens, Lexington, Nebr., farmer-feeder: "I'm cutting down. It's a bad situation."

Pete Graff, president, McCook (Nebr.) National Bank: "Every cattle feeder has been hurt. The results are evident; our retail business here is down."

Les Horn, partner, West Sale Barn, McCook, Nebr.: "At least 50 percent of the men around here who usually feed cattle are not feeding at all. Everybody's feeling it."

Leonard Burch, board chairman, First National Bank, Greeley, Colo., and a former president of the Intermediate Farm Credit Bank of Omaha: "Our people are being ruined. Conditions are as bad as they've been in 17 years."

Martin Domke, Greeley, Colo., large feeder, first president of the Colorado Cattle Feeders Association: "The best I can possibly hope for this year is to break even."

Francis M. Petersen, vice-president, Denver U.S. National Bank: "There are going to be a lot more failures in the livestock industry. The stock grower has exhausted his

margin and is raising money on his capital assets. The feeder is worse off."

Dave Wilhelm, Rocky Ford, Colo., feeder: "I've had three losses in a row."

Tom Cooper, Fort Morgan, Colo., feeder: "I haven't made any money in 13 months. Where will it end?"

Aubrey Grauskay, Phoenix, Ariz., feeder, board chairman, Arizona Cattle Feeders Association: "The loss we're taking is a cash loss, not an anticipated or paper loss. If the direct loss—not including overhead and other factors—is $25 a head, we think it's an easy loss. That's how bad it is."

Floyd Urling, Indianola, Nebr., grain elevator owner: "Another year like 1963 and 90 percent of the small fellows around here will have to quit feeding cattle."

[From the Omaha (Nebr.) World-Herald, Feb. 23, 1964]

THE CATTLE CRISIS—TWO DIFFICULT ROUTES LEAD TO RELIEF FOR BEEF INDUSTRY

(By Howard Silber and Darwin Olofson)

What can be done about the beef imports which are ravaging the Nation's cattle industry, threatening the economy of its livestock-producing areas and undermining American agriculture?

There are two ways to a solution:

Legislation by the Congress.

Joint action by the Federal Tariff Commission and President Johnson.

Action has been started in Congress, in the wake of an aroused public opinion, which swept across much of the Nation last week. Article 1, section 8 of the U.S. Constitution gives Congress the authority to "regulate commerce with foreign nations."

Senators and Representatives from cattle States were virtually unanimous in their belief that the voluntary agreements executed with Australia and New Zealand will do little to shore up sagging cattle prices.

BIPARTISAN ACTION

Senators of such ordinary diverse political viewpoints as Majority Leader MIKE MANSFIELD of Montana and Republican BOURKE HICKENLOOPER of Iowa are cosponsoring a bill to roll back beef imports to the 1959–63 average.

Nebraska's ROMAN HRUSKA plans to offer an amendment to pending wheat and cotton import-restricting legislation. The Nebraskan would add beef to the bill.

Other Senators and a number of Representatives have introduced bills to protect the domestic cattle industry from price-crashing imports.

The Tariff Act provides for Presidential action.

An industry group, company, labor union, or the like—or the Senate Finance Committee, House Ways and Means Committee or President Johnson himself—can ask the Tariff Commission to determine to what extent the imports are hurting the cattle industry.

In order to impose quotas, increase the tariff or apply a combination of both, the President must have a Tariff Commission determination that the domestic industry is in trouble. He must also have a recommendation for action.

The Senate Finance Committee has asked the Commission to study the effects of beef imports. A report is due by June 30.

But this was simply a request for information, not for a finding and recommendation to the President.

THE BARRIER: INERTIA

Both routes to relief for the cattle industry are open. But they are rocky and rough.

The most treacherous barrier is inertia.

A congressional committee staff expert emphasized this strongly Saturday. He declared:

"I believe there is a hope on the part of the administration that, given a little time, this will go away—that the present storm of protest from the cattle States will die out.

"A minor, temporary increase in the price of cattle might do it. Or time itself would permit them to shove the problem under a rug.

"This should not be permitted to happen."

He pointed out that cattle States legislators on both sides of the aisle "are all riled up about the voluntary agreements with Australia and New Zealand and the need for more effective import restrictions.

"We've got to keep them that way, or we're lost," he said.

If the storm does die down, much of the cattle industry will die with it.

A tariff expert told the World-Herald there is no industry petition before the Tariff Commission for an investigation of the deleterious effects of beef imports on the cattle industry.

"Obviously, this is needed if there is to be a formal investigation. And it is needed now," he said.

There is still another possibility, a bit forlorn perhaps, in view of the administration's apparent pride in the voluntary agreements concluded with Australia and New Zealand, but still a possibility.

IT'S A POSSIBILITY

If the administration were to count noses on Capitol Hill and discover that legislation providing for beef import restrictions could be enacted, the State Department would be driven back to the negotiating table and agreements satisfactory to the cattle industry might result.

Representative W. R. POAGE, of Texas, ranking Democrat on the House Agriculture Committee and chairman of the Livestock Subcommittee, has called the present voluntary agreements inadequate and has suggested a round of horsetrading.

"I think we ought to get more and can get more," he told the World-Herald.

Most others in the House and Senate are less optimistic about voluntary agreements. They believe the legislative route is the best and that the Tariff Commission should be tried, too.

Senator MANSFIELD introduced his bill almost immediately after the voluntary agreements were announced.

He called the State Department action "a small step—a very small one—in the right direction. But it is not enough."

Cosponsors of the Mansfield bill in addition to Senator HICKENLOOPER are Senators JACK MILLER, Republican, of Iowa, LEE METCALF, Democrat, of Montana, MILTON YOUNG, Republican, of North Dakota, QUENTIN BURDICK, Democrat, of North Dakota, and GEORGE MCGOVERN, Democrat of South Dakota.

Senator MILLER called the Mansfield bill "a far better solution" to the problem of beef imports than voluntary agreements.

Senator HRUSKA termed the agreements a "surrender."

MUCH TOO LIBERAL

Senator SPESSARD HOLLAND, Democrat, of Florida, member of the Senate Agriculture Committee and chairman of the Senate Agricultural Appropriations Subcommittee, told the World-Herald:

"It seems to me that the people in charge of making the agreement—notably the State Department—were much too liberal with our competition. It was nothing like a satisfactory reduction of the present stepped-up volume."

Representative CHARLES HOEVEN, of Iowa, top Republican on the House Agriculture Committee, told the World-Herald the agreements were "just a gesture." He added: "The responsibility is on President Johnson. He can do something about it if he wants to."

Senator KARL MUNDT, Republican, of South Dakota, member of the Agricultural Appropriations Subcommittee, told the World-Herald the agreements are worse than nothing because they tend to freeze a situation that is very, very serious. He called for import quotas.

Senator STUART SYMINGTON, Democrat, of Missouri, called for positive steps, including continued negotiations by the State and Agriculture Departments. He suggested Tariff Commission action if the negotiations do not bear fruit. He also called for labeling of foreign meats at the point of sale to the consumer.

Representative BOB DOLE, Republican, of Kansas, a member of the Agriculture Committee, told the World-Herald, "It's more important than ever" that Congress act on imports-limiting legislation.

Senator CARL CURTIS, Republican, of Nebraska, demanded both a tariff increase and quotas, but pointed out this would require bipartisan action in Congress. In addition to beef, he called for limitations on imports of other livestock "and all other agricultural commodities."

IMPOSE EMBARGOES

Representative BEN JENSEN, of Iowa, top Republican on the House Appropriations Committee, told the World-Herald the United States should "impose embargoes on meat imports up to a certain limit, just as every nation on earth embargoes against us."

Representative GLENN CUNNINGHAM, Representative, of Nebraska, has joined a number of House Members in urging Representative WILBUR MILLS, Democrat, of Arkansas, chairman of the House Ways and Means Committee, to hold hearings on legislation to increase tariffs when imports are excessive. However, Mr. CUNNINGHAM said quotas may be "a more practical and immediate remedy."

He charged that "the administration is responsible for these imports and, because they will do nothing about it, I think legislation is the only answer to force some action."

Representative RALPH BEERMANN, Republican, of Nebraska, said he had hoped the voluntary agreements would provide relief, but instead the administration "sold the largest segment of agriculture down the river." He said legislation is mandatory.

Representative DAVE MARTIN, Republican, of Nebraska, said he wants legislation to "severely limit" imports.

In Nebraska, Governor Morrison insists the President has "no authority" to impose effective restrictions against imports. He called for legislation.

Asked if President Johnson should ask for legislation, Mr. Morrison replied:

"No, the people should demand it."

THE CAUSE: IMPORTS

Fred A. Seaton, Hastings, Nebr., publisher, who was Interior Secretary in the Eisenhower administration, called for "action right now—not tomorrow or next year."

He said the voluntary agreements are "absolutely worthless. At the very best they keep the cattle industry on the ropes. At the worst they throw the industry over the ropes."

"The President has the inherent power to take care of this important problem," said Mr. Seaton. "If he needs help from Congress, he has Democratic control of both Houses."

Both the National Livestock Feeders Association and the American National Cattlemen's Association are attacking the voluntary agreements. Both organizations want import quotas.

John M. Shonsey, vice president of the Omaha National Bank and a nationally recognized authority on cattle industry financing, diagnosed the cattle industry sickness:

"The industry is in serious trouble because of beef imports.

"There have always been cycles, ups and downs, but the industry has always recovered, responding to the law of supply and demand—up to now.

"The industry could still operate under the law of supply and demand provided the Government didn't allow—and encourage—big imports of beef."

UNIVERSITY OF SOUTH DAKOTA STUDENTS EARN DISTINCTION

Mr. McGOVERN. Mr. President, I was most impressed by the stories of three outstanding students at the University of South Dakota that came to my attention in the January 1964 issue of the bulletin mailed out by the university.

Mr. Larry Pressler, currently serving as president of the University of South Dakota student body, will begin study next fall at Oxford University as one of the Nation's 32 Rhodes scholars. He has had a most remarkable career at the university, and as a 4–H leader. He is a graduate of Humboldt, S. Dak., High School.

The same issue of the university bulletin tells of the remarkable academic career of Mr. David Rumelhart, son of Mr. and Mrs. Everett Rumelhart, of Wessington Springs. This young man has not only graduated with honors at the University of South Dakota, but has been accepted for graduate study at Stanford University with one of the Nation's top-rated graduate fellowships.

The third honor student mentioned in the university bulletin is Mr. Robert C. Witt, a senior at the university, from Tyndall, S. Dak. He has been awarded the Northwestern National Bank scholarship for 1963–64. This scholarship is given annually to an outstanding senior in the school of business.

Mr. President, I ask unanimous consent that the stories of these three young men, as reported in the bulletin, Your University, be printed at this point in the RECORD.

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

LARRY PRESSLER IS RHODES SCHOLAR

Larry Pressler, who will begin study next fall at Oxford University in England as one of the Nation's 32 Rhodes scholars is a young man who understands the importance of setting realistic goals and achieving them.

He has, of course, superior intellect and a fine academic record but what sets him off from many others of equal intellectual potential is an impressive record of experience and achievement in a number of extracurricular fields.

Larry, a graduate of Humboldt High School, is the first to give credit to his professors and fellow students at the University of South Dakota. He appreciates the advantages offered by a comparatively small State university.

"The course offerings are comprehensive," Larry says, "and there is abundant opportunity for the personal relations with professors and fellow students that simply is not possible in bigger schools."

"It would have been easy for a student like myself to have become lost on a bigger campus. At the same time, I am afraid that a smaller school would have severely restricted the number of experiences that have so enriched my education at the university." Larry is completing a year as student body president at the University of South Dakota.

The pattern of success in Larry's life emerged early and has continued uninterrupted. He has won a number of 4–H awards at both State and national levels, has been a successful high school and collegiate debater, has visited Egypt as a 4–H delegate to the 1961 International Agricultural Fair at Cairo and was one of the two winners of the 4–H National Citizenship Award presented in March 1963 by the late President John F. Kennedy.

While a student at the university, Larry worked as part-time student assistant in the Governmental Research Bureau. His responsibilities there made him familiar with government publications and with research problems and methods.

In the summer of 1962, Pressler worked with the Bureau's professional staff in collecting precinct voting and other records in scores of courthouses and city halls in the State and later helped process and organize the data as it was prepared for publication. He utilized his experiences to write an article on municipal records that has since been published in the South Dakota Municipalities magazine.

Later in the summer of 1962, Pressler served as student intern on the Republican State campaign staff.

"Although much of my work was routine," Larry says, "being present where things were happening, closely observing political figures and getting the atmosphere of political life were valuable experiences that I feel fortunate to have had."

This past summer, following his junior year at the university, Larry secured an internship with the U.S. Department of State in Washington. While there he devoted most of his attention to Near Eastern affairs, which has solidified his interest in seeking a career as a foreign service officer with emphasis on that strategic part of the world.

Larry also made use of his summer in Washington to see Congress in session and to deepen his awareness of the force shaping U.S. foreign and domestic policy.

Pressler has had abundant opportunity already to make practical application of his government education. In the spring of 1963 he took part in a "revolution" of independent students on campus and became the first student president in years to have successfully opposed the fraternity-sorority combination.

Pressler is the third Rhodes scholar selected from the University of South Dakota in recent years. Others were Truman Schwartz of Freeman, who just completed work for his doctorate in chemistry at Massachusetts Institute of Technology, and Paul Van Buren, Dell Rapids, who is studying law at Stanford University.

HOW ONE STUDENT WILL GET THE PH. D. DEGREE FOR $350

A college education is relatively painless financially if a student is willing. There are many "C" and "D" students who could be doing "A" work. One doesn't have to be a brain to excel in college studies. The secret is to learn study habits and value of budgeting time in the first semester of college. Those were conclusions reached by one of the Nation's most successful college seniors last spring.

Officials in government, public finance, business, agriculture, education, and other fields where problems appear at times to be unsolvable could well take a lesson or two from University of South Dakota graduate David Rumelhart, who parlayed a desire to "be somebody" into one of the most auspicious collegiate careers of all time. His out-of-pocket cost was $350, the amount he had with him when he arrived in Vermillion in the fall of 1960. He is now studying toward his doctorate in psychology at Stanford University.

WONDERFUL DILEMMA

Rumelhart was unquestionably one of the most "sought after" college graduates in the country. His only problem was, not whether he would have the opportunity to study for the doctorate, but where. Seven or eight years of collegiate study a few years ago was out of the question, except for those who came from families of "means" but, today the question the student must answer is which fellowship to accept. Rumelhart was one of several students at USD and probably some other colleges, faced with this wonderful dilemma.

"You have to work at it," commented Rumelhart, who was offered all four of the top graduate fellowships available—Woodrow Wilson, Danforth, National Defense Education Act, and National Science Foundation, plus others from individual universities. "But you don't have to be a brain," he added.

THOROUGHLY FRIGHTENED

Rumelhart was graduated second high in his class of 48 at Wessington Springs High School in 1960 and had thought that perhaps he would be a C or B student at USD where he planned to major in psychology. It was early in the first semester of the freshman year when he was "thoroughly frightened" with a D minus-minus grade on an English theme for having 13 misspelled words, that Rumelhart was awakened to the precept of establishing study habits and budgeting time. He qualified for membership in Phi Eta Sigma, freshman honor society.

FIRST SEMESTER IS MOST IMPORTANT

Anyone can do it, contends Rumelhart, "if he is willing to work." After the D minus-minus grade on the English theme, Rumelhart was "frightened" enough to keep a dictionary handy while writing subsequent themes. He emphasized that the first semester is probably the most important one in college. It is then that the pattern for later college performance is set. In another freshman class, history, he read as many as 20 outside books, which he commented was easier then than in his upper class years when he was carrying more classroom hours. Rumelhart received his B.A. degree at summer session commencement in August, a month less than 3 years after enrolling as a freshman. Most college graduates spend 4 years in school, but it was possible for Rumelhart to complete all but 6 semester hours of his requirement for a double major in three academic years and two summer sessions. The final 6 hours were completed last summer.

After the first year at USD, Rumelhart became interested in the field of mathematics and by taking an extra heavy load of 21 or 22 hours some semesters (normal load is 15 or 16 hours), he managed to work in a major in mathematics along with his psychology major. When he received the B.A. degree he had completed 31 hours of mathematics and 32 of psychology. In all three summer sessions he carried on full time research projects in psychology in addition to regular courses.

DOCTORATE WILL BE IN PSYCHOLOGY

Psychology is the field in which Rumelhart wants to take his doctoral study. He accepted a National Science Foundation graduate fellowship at Stanford University where he will work toward the doctorate in the field of building mathematical models for theory of learning. The practical application of such study would be making predictions on what might happen in learning situations.

Rumelhart is already an authority from personal experience in how to learn which is an excellent foundation for graduate work. His graduate study will lead to the Ph. D. degree which will allow him to serve on a college faculty and continue research. He

wants to be a college teacher and feels that a teacher must continue to study.

A COLLEGE EDUCATION FOR $350

Rumelhart's principal financial help for his undergraduate education came from scholarships and employment in his church student center, the Wesley Foundation, where he performed janitorial duties for room rent. He was one of two students given $750 cash for the 1962–63 school year from a fund made available by an anonymous donor. The fund, administered by President I. D. Weeks makes possible two $750 awards each year in hopes that they might assist a worthy USD student in becoming "another Ernest O. Lawrence." He also received grants for summer research, had tuition scholarships and board jobs.

RELIGIOUS ACTIVITY VALUABLE

One of Rumelhart's most valuable experiences as a university student was being associated with the Wesley Foundation, Methodist student organization. He was foundation president 1 year and served on the board of directors 2 years. The foundation work was important to him, he said, in several ways, but principally as an enrichment factor making possible what educators call "education of the whole person." Through the Wesley Foundation, Rumelhart had an opportunity to learn the practical aspect of public speaking while serving on a deputation team. He had preaching assignments in the communities of Richland and Elk Point.

When Rumelhart received his USD degree in August, it was the end of one phase of his education and the beginning of another. Before matriculating at Stanford in late September he attended a Danforth fellowship conference in Michigan with other Danforth fellows from around the country. While his National Science Foundation fellowship at Stanford is his principal means of subsistence, he is also recognized as a Danforth fellow and a Woodrow Wilson fellow.

Rumelhart was 1 of 1,475 college seniors in the Nation to receive a Woodrow Wilson fellowship and 1 of 104 to receive a Danforth Foundation fellowship. Purpose of both awards is to grant assistance to students in quest of a profession of college teaching.

NO COST TO RUMELHART FOR DOCTORATE

His stipend at Stanford carries an award of $1,800 the first year, $2,000 the second, and $2,200 the third and/or fourth years for doctoral study, plus tuition and fees and travel allowance. The Danforth Foundation also promises additional financial aid if necessary and he has received encouragement from both foundations which has inspired him greatly.

Normally, a doctoral program takes 3 or 4 years of continuous study, but in true Rumelhart tradition, David wants to complete the program in two—"if they'll permit me." His 3,927 grade average (4,000 is the highest possible) as a senior at USD, and his election to the Phi Beta Kappa, national arts and sciences scholastic society, plus the convincing Rumelhart philosophy, indicate that it will come to pass.

Rumelhart's parents are Mr. and Mrs. Everett Rumelhart, of Wessington Springs. His father operates a job printing establishment. He has a younger brother, Donald, who enrolled at USD last fall. He has another brother in the fourth grade.

Any student can do it, Rumelhart says. If you want to study and take college seriously, to again quote Rumelhart, "any one can get a college education relatively painlessly financially." Rumelhart is doing it.

TYNDALL SENIOR RECEIVES LARGE BANK SCHOLARSHIP

Robert C. Witt, Tyndall senior at the University of South Dakota, has been awarded the Northwestern National Bank of Sioux Falls Scholarship of $300 for 1963–64, Dean R. F. Patterson announced today.

Witt is the first to receive the scholarship which will be made annually to an outstanding senior in the School of Business. A good academic record and the development of leadership qualities are the chief criteria in the selection.

Witt was on the Dean's honor list for both semesters of his junior year and as a freshman was elected to Pi Mu Epsilon, honorary mathematics society. He is president of the Business Student Association and has held offices in Delta Sigma Pi, professional business fraternity. He is a member of the business school investment club.

Active in all intramural sports, Witt has also served as chairman of the Intramural Sports Committee. For the past 3 years, he has served as a counselor in a university men's residence hall. After June commencement, Witt may go on to graduate school to prepare for a career as a college teacher.

In announcing the award Dean Patterson said, "Robert Witt is a fine example of a long line of outstanding seniors who have been graduated from the school of business. He richly deserves this award."

SHIPMENT OF WHEAT TO RUSSIA

Mr. YOUNG of North Dakota. Mr. President, the American wheat producer, as is so often the case, is taking a beating—this time because of the failure of Congress to act on badly needed new wheat legislation and because of the longshoremen's defiance of the Government of the United States in refusing to load wheat for export to Russia unless they can exact an unreasonable deal of their own.

Their demand that 50 percent of the wheat shipped to Russia be handled by American ships is just impossible. The American merchant marine does not have sufficient ships. The Longshoremen's Union knows this; nevertheless, it is continuing its unreasonable demands.

Mr. President, it is refreshing to read a very heart warming editorial appearing in the Fargo Forum published at Fargo, N. Dak., under date of February 23, 1964. I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

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

[From the Fargo Forum, Feb. 23, 1964]

ADMINISTRATION, CONGRESS ARE PERMITTING DOCKWORKERS TO KICK FARMERS AROUND

North Dakota wheat farmers should be convinced by now they are the low men on the totem pole when they look at what has happened to nullify the sale of some of our surplus wheat to Russia in an effort to get the excess bushels down to manageable proportions.

Two unions of dockworkers have combined to stop any further loading of wheat in Russia-bound ships because they contend that American vessels are not getting their full share of the tonnage. If the boycott continues, Russia will probably cancel the whole deal.

As a direct result, more and more criticism is being directed at the subsidies paid when this grain was moved out of storage. The farmers got all the criticism because it looked like Russia was getting the benefit of the subsidy.

When the late President John F. Kennedy OK'd the sale of wheat to Russia last October, he specified that half of the shipments should be transported in American-flag ships. Because American shipping costs more than foreign vessels, the Government had to hike the subsidy paid on Durum wheat particularly to cover this excess shipping cost.

When the first big exporter to make a deal with Russia, Continental Grain Co. of New York, was unable to secure enough American ships to handle its commitments, it asked the Maritime Administration to waive the requirement for 50-percent American shipping.

The company had found enough American ships to handle 38 percent of its sales, and the Maritime Administration agreed that it could use foreign shipping for the difference between the 38 percent and 50 percent. This is when the maritime unions balked. Now they say no grain will move on any ship, American or foreign, until the Johnson administration promises that there will be a 50–50 split of all wheat shipments to Russia.

The Maritime Administration, a branch of the Department of Commerce, has declared that the shipping is not available, despite intensive efforts over a month or more to find the ships that would carry the wheat to Russia at the stipulated rates.

Over a month ago, it was reported that the Russian grain deal was producing a fantastic shipping situation and that the Maritime Administration was virtually forcing American shipowners who have no desire to trade with Russia to carry some of the wheat. But the American shipping interests, by being unable or unwilling to meet the conditions imposed on the Russian trade, forced the Maritime Administration to declare American shipping unavailable and brought about the present crisis under which organized labor may block big export sales by American agriculture which would help level off its surplus problems.

The unchallenged ability of the unions to block movement of wheat to Russia is truly alarming. There have been shipping strikes before, but they have had little direct effect on North Dakota.

Now the maritime unions call a boycott, and North Dakota farmers see the sale of their wheat on the world market chopped off. This is critical, because unless the United States can sell wheat in the world market, the wheat harvest will soon be cut in half, or worse.

While the U.S. Government tries to end the embarrassing boycott, Canada's Wheat Board chairman, William C. McNamara, is touring the Soviet Union loking for a sequel to Canada's $500 million grain sale to Russia last fall.

There is a widely-held viewpoint that Russia's farm shortages won't be solved for several years. There is thus growing competition between the United States and Canada to ease their respective balance-of-payments and surplus wheat problems.

Canada has given growers what amounts to carte blanche to grow as much wheat as they want.

The Wheat Board must follow up with sales contracts.

So far Canada has had little trouble in meeting its shipping schedule for the big Russian contract. In case anyone wonders who will supply Russia if the longshoremen's boycott ties up U.S. wheat, just take a look at our northern neighbor. The boycott is inexcusable.

The dockworkers have made it clear that they will load no wheat for Russia except on their own terms—half of every sale by each American export firm must go in American bottoms, or all sales will be blocked.

If the American farmer ever tried anything so drastic, he would be chastised throughout the Nation as a virtual traitor. But there is no way the farmers can act completely in unison. In this instance, they are at the mercy of the maritime unions and the Federal Government.

The unions don't care whether they load wheat or something else, because there is plenty of work for them handling other goods. But the American farmer has only one big customer for its wheat right now, and that is Russia. With the Senate getting to the point where it may not be able to pass a new wheat bill to cover the 1964 crop—before it gets into its civil rights wrangle—the only real help in sight for the wheat farmer is the possibility that the surplus on hand will be cut considerably by the Russian purchases.

If the blockade stops the sale, if there is no new wheat bill, then the existing surplus will drive the market price down to the expected support price of $1.25 per bushel.

The administration and the Congress had better wake up to the critical situation they are permitting to develop as they continue to kick the farmer around.

URBAN RENEWAL IN ST. LOUIS

Mr. LONG of Missouri. Mr. President, Hon. Raymond R. Tucker, mayor of St. Louis, spoke last night at the annual banquet of the National Housing Conference here in Washington.

Mayor Tucker is exceptionally well qualified to speak on community development. Today, as president of the U.S. Conference of Mayors, he testified before the Housing Subcommittee of the Committee on Banking and Currency.

As President Johnson pointed out in his recent trip to Missouri, St. Louis has made outstanding achievements in the field of urban renewal. St. Louisans know that much of this progress has been because of Mayor Tucker's wise and determined efforts to realize an effective community development program.

In celebrating the 200th anniversary of its founding, St. Louis is reflecting this year on its colorful and historic past. But it has looked to the future also, with modern planning to give its citizens adequate housing.

In view of its many valuable insights I ask unanimous consent to have Mayor Tucker's speech, "Thoughts on Community Development," printed in the RECORD.

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

THOUGHTS ON COMMUNITY DEVELOPMENT

(Address by Raymond R. Tucker, mayor of St. Louis, president, United States Conference of Mayors, annual banquet, National Housing Conference, Washington, D.C., Feb. 24, 1964)

Mr. Robbins, Mr. Keith, distinguished Members of Congress, ladies and gentlemen, there are many reasons for my pleasure at being your speaker this evening.

I am certainly flattered that I have been asked to talk about housing to a group whose members and guests constitute the vast majority of the vanguard of the fighters for good housing for over 30 years.

Whether you are public officials or private citizens interested in housing, you possess the highest degree of energy, dedication, and ability in the continuing effort to provide decent homes for all Americans. And as I consider the dedication of public officials to the cause of good housing there comes immediately to my mind the distinguished Congressman from Alabama, the Honorable ALBERT RAINS. Congressman RAINS, your fellow friends of housing devoutly wish that you would change your mind and again stand for election to the Congress. You are too valuable a friend for us to lose.

When I was asked to supply a title for my speech this evening, I said it would be "Thoughts on Community Development."

I thought I was giving myself a broad enough umbrella to cover virtually anything I might say. I suspect the technique is familiar to some of you.

I do not want to imply, however, that I am going to give a complete analysis of the whole broad field of housing and community development.

I do, however, want to share with you some comments which appear to me to be appropriate at this stage of our housing efforts.

After 15 years of urban renewal we have made progress. Indeed, we can be proud of our accomplishments, but we are far from winning the war.

We have demolished over a quarter of a million slum dwellings, but we still have many, many more to clear.

We have 150,000 new dwelling units completed or under development on urban renewal sites, but we have only begun to meet the need.

We have relocated nearly 300,000 families, individuals and businesses, but we still have not discovered how to make the process painless. Relocation techniques are constantly improving based upon past experience and we must continue to be open to all thoughtful suggestions for improvement.

Finally, we have been endlessly talking about having to make better use of older housing—we still haven't come up with the final answers as to how you can promote a good effective and economical rehabilitation conservation program which will make our older urban neighborhoods more attractive areas in which to live.

Since 1949, we have learned a great deal about the mechanics—the techniques of renewal. We know how to acquire and to clear land—we are used to dealing with private developers, and we are developing greater appreciation for the final points of architecture.

We are, in short, rather expert in the purely physical and developmental aspects of urban renewal, and we tend to be preoccupied with the physical quality of our projects above all else.

This concern is deserved because we are obligated to put back on cleared land attractive as well as utilitarian structures. The final product of redevelopment should be something we can all be proud of, something of enduring value, and something of beauty.

This concern with the physical developmental aspects has led some to believe that we are not as concerned with the human implications in the program as we should be. We have been accused of being heartless in our relocation efforts with families, cold and indifferent to the economic difficulties small business displacement has sometimes caused.

We have been accused of moving slums around, of creating new slums through our redevelopment efforts.

We have been told that our redevelopment efforts to date have been for the rich and not for the poor or for the middle income.

It has also been suggested that only minority groups live in urban renewal areas and that the choice is deliberate since they can't fight back, and the disadvantaged are easier to push around.

Much of the currency that these accusations have enjoyed has been due to our inability to communicate with our own citizens as much as anything else.

We have not always done a good job of expounding the merits of the program.

In my opinion, urban renewal is good for us—we are for it in St. Louis just as the people of some 700 other cities in the United States are for it.

One of the reasons I am for urban renewal is because over the long term the program will do more good for more people and will have greater effect on improving urban life than any other program I can think of.

In its concentrated attack on slums, urban renewal did more to expose the ugliness and squalor of the poverty stricken among us than any other program.

Urban renewal did not cause problems anywhere near so much as it exposed human problems and is continuing to expose these unhappy elements in American life.

The exposure of the deplorable housing of the urban slum made the public generally more aware of the need to provide adequate housing for the forgotten fifth of our population. And I believe this attention has been in a large part responsible for sparking some significant efforts to meet the needs of this group.

No one of us would argue that housing alone, even in the best of neighborhoods, is the total solution to the quest for the good life. But decent, healthful housing in attractive neighborhoods, with adequate schools, plays an important role in making it possible for the poor to break out of the poverty cycle.

To be sure, good housing alone can't do the job. Unquestionably, however, family life is made a good deal more attractive when one doesn't have to suffer from the physical discomforts which are commonplace in the slum.

Urban renewal has starkly exposed the shame of the slum—the indignities man must suffer if he is poor; and urban renewal was the first Government program, at any level of government, which said if you take a family out of the slum through a publicly sponsored clearance program, you must, if possible, relocate him in standard housing.

Other governmental programs which involve displacement now are beginning to recognize the obligation to make sure that adequate relocation practices are followed.

Relocation has brought home to many city officials the need to do more than just find new housing for the displaced.

All manner of social and human problems have been uncovered by the relocation process. And it is incumbent on the local public agency to see that every available resource of the community is brought to bear to help the family or individual involved meet the problem and solve it.

For many families this change to improved surroundings is sufficient for them to function at a satisfactory standard, but it does not get to the heart of the problem of the low-income families and the so-called culturally deprived individual or family.

Much more effective and intensive efforts must be made in the direction of human renewal if we are to successfully attack the fundamental problem and to carry out the spirit of the President's "war on poverty."

The basis for this position is hard facts. We know, for example, that a disproportionally large segment of our population is poorly educated—in truth many are virtually illiterate. We know that a large proportion, particularly of our low-income families, have no male head of the household.

We know that an alarming number of persons have no job skills amenable to current employment demands. As a result the income levels of these families as well as of many aged and disabled persons are far below the minimal subsistence levels.

Low rent public housing can meet the housing needs of such families but until these basic limitations are effectively dealt with the problem can only grow in magnitude and intensity. Essentially the same facts of life hold true whether we are talking about low rent housing, urban renewal sites, or other geographic areas of economic depression.

We in St. Louis in cooperation with a wide variety of public and private agencies are making a strong concerted effort to attack these problems at their roots. Our land clearance and housing authorities have on

their staff persons specifically trained to serve as liaison persons between individual families and community agencies.

Public agencies at the National, State, and local level have been actively participating in this broad program. Universities have been involved on a consultant and research basis in order to give sound guidance to active programs. The city of St. Louis has created a new division of community services within its Department of Welfare in order to expedite and coordinate our concerted efforts toward the rehabilitation of individual families. And we hope to be expanding our efforts soon.

Time does not permit me to go into extensive detail about the multifaceted approach of our human redevelopment program. The significant fact, however, is that it is imperative that we keep foremost in our minds the concept that the programs we are carrying out, as much as they deal with blueprints and buildings, with budgets and balances, are still people oriented—and we cannot afford to forget it.

More than anything else, urban renewal has dramatized our inability to provide decent housing for our low-income and middle-income families.

The search for needed relocation housing—which must be available to enable renewal to continue—has exposed the two fundamental weaknesses of our housing resources: (1) our apparent inability to come up with a viable program of new housing for low- and middle-income groups; and (2) as I have already mentioned, our failure to come up with the means to carry out a continuing large-scale program of rehabilitation of our old housing.

It is time we took the initiative on both these problems. It is time we tried new methods, new approaches. It is time to make a decision to solve the problem with action and not talk.

To that end the U.S. Conference of Mayors has agreed to support this year legislation which would provide a demonstration middle-income housing program for the construction of 10,000 units.

The suggested program follows suggestions made by Dr. Wheaton and involves charging a variable interest rate which is set according to the family's income. We have talked about this approach for many years. We think it is time to actually test the feasibility of this approach.

In this same area, further liberalization of 221(d)3 is in order. Other approaches need to be explored, but we should try them. We should not be afraid to experiment, to test, to exhaust all possible approaches to solving this particular important problem.

In addition, we should tackle rehabilitation in exactly the same spirit. We should try all possible avenues.

Since 1954, after an exhaustive housing survey, the city of St. Louis has completed or is in the process of rehabilitating 14 neighborhood areas consisting of 2,200 acres designated by the city plan commission. The program is operated in areas where housing is generally better than a slum area, but showing definite signs of blight.

This unique program—without Federal assistance—complements our Federal-local urban renewal program.

Under our rehabilitation program 13,700 premises consisting of 34,400 dwelling units have been brought up to standards established by our housing ordinance, which was strengthened early last year. As a result of this code enforcement program, 56,400 housing violations have been abated through an orderly house-to-house inspection program. We estimate that the citizens of St. Louis have spent $7,200,000 of their own money to bring their properties up to standard.

We attribute much of the success of the St. Louis program to the public improvement features which, we believe, motivate the homeowner to spend money on his property. Under our program, the city spends approximately $500,000 per neighborhood on public improvements simultaneously with the code enforcement program because we recognize that public facilities, such as parks, streets, street lighting, and other neighborhood facilities, have deteriorated over the years as have our older residences. Thus far, the city has spent about $3 million in public funds to improve the neighborhood environment.

However, new techniques of financing for the property owner are needed for the fullest success of this type of program.

The conference of mayors is actively supporting legislation which would open 221 rehabilitation to the entire city where the city has an approved, workable program.

We also would like to have the local public agencies be able to do rehab without limit on all projects. We're even ready and willing to let the LPA undertake rehab work with their own work forces. We want the local agencies to have as free a rein as possible to try to make rehabilitation work.

The conference also favors having housing enforcement costs associated with urban renewal projects made eligible as part of project costs.

This would go far in bringing the manpower necessary to promote and sustain rehabilitation programs into our project areas. We believe the sustained effort which can be provided through systematic enforcement and help will go a long way toward developing a viable rehabilitation program.

These are in many respects critical times for the cities and for the urban renewal and public housing programs.

Despite our successes, we are far from having it made.

We continue to labor under heavy fire and unfortunately few of our critics can be categorized as being constructive.

We must do a better job of selling our programs—our goals and objectives. We must stop telling each other what we want to hear—about how good we are and how lofty are our aims.

We must continue the battle to eliminate blight and to halt its spread.

Recognizing that housing is not the entire answer to social welfare, we must devote new emphasis to human renewal.

However, we must fully understand that the redevelopment of our cities is a central element among the efforts to improve the level of the economy and to reduce poverty.

Indeed, properly drawn programs of urban renewal should develop balanced communities in which attention is given to commercial and industrial regeneration as well as to purely residential areas.

The balanced community approach would help create jobs for those whom we are housing. Such an approach will further recognize the interrelationship which must exist between purely physical renewal and human renewal.

Perhaps the ultimate climate of success for our community development programs will be provided as the public recognizes that properly planned urban renewal is a major weapon in the war against poverty.

THE PRESIDENT'S PHYSICAL FITNESS PROGRAM

Mr. LONG of Missouri. Mr. President, our Government recently gained the services of a famous Missourian when President Johnson named Stanley Frank Musial as special consultant to the President in the Nation's physical fitness program.

Mr. Musial's fame as a baseball player is too great to need any more description today. The more than 50 National League or major league records that he holds assure him of recognition wherever our national pastime is enjoyed. My State is justly proud that one of its best known citizens is to be a part of the President's program.

Since its beginning in 1956 this program has had notable success in calling attention to the lack of fitness among Americans and in initiating measures to remedy this lack. Programs designed to improve the physical condition of our young people are being instituted and increasingly emphasized in schools across the country. More than nine-tenths of our public secondary schools are now administering fitness tests. Physical achievement tests given in public schools in the 1962–63 school year showed a two-fold increase in passing scores over similar tests a year earlier. Corresponding trends at the college level indicate that our young people engaged in higher education are also more fit than college students of a few years ago.

Government action at the State level in response to the President's program has been considerable. Thirty-two States now have fitness councils or commissions and a larger number have a director in the department of education responsible for development of school physical education programs. Special directives urging schools to improve their fitness programs have been issued by 30 Governors.

The characteristic American talent for constructive self-criticism has shown itself again as we have acted to correct a failing in ourselves.

With the appointment of its new consultant we may certainly expect the President's program to meet with renewed success. In his 22 years with the St. Louis Cardinals Stan Musial has established a reputation for the finest qualities of good sportsmanship. An outstanding athlete on the playing field, he has also been outstanding as a citizen of his State and city. Mr. Musial has been exceptionally cooperative in lending his support to worthy causes in his community. Through activities as a civic leader and especially his work with the city's youngsters he has made invaluable contributions to the St. Louis community.

The fine qualities of character that Mr. Musial has shown throughout his career should be especially valuable in his new capacity as special consultant in the President's program. Our Government is fortunate to have the services of a man of his abilities.

I am sure that I speak for all Missourians when I express my warmest congratulations to Stan Musial on his appointment as special consultant to the President on physical fitness.

SARGENT SHRIVER TO DIRECT UNCONDITIONAL WAR AGAINST POVERTY

Mr. McGEE. Mr. President, no idea has so enthusiastically caught the imagination of the American public or has so well been translated into reality as that of the Peace Corps. The success of that

venture is due in large part to the efforts of its Director, R. Sargent Shriver.

Now the President has given Sargent Shriver a new job—that of organizing the unconditional war against poverty. Just what talents he will bring to that job and the parallels that can be drawn from his Peace Corps experience are set forth in an excellent story published in the Washington Post of February 22.

Mr. President, I ask unanimous consent that the article, written by Eve Edstrom, be printed in the RECORD.

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

WASTE ENDS WITH HASTE—SHRIVER THRIVES AMID A CHAOS OF CREATIVITY

(By Eve Edstrom)

In six jammed offices just off Farragut Square, they say it is just like the "good old days"—not enough telephones, typewriters, desks, or secretaries but brainpower is busting out all over.

The "good old days" were just 3 years ago when R. Sargent Shriver created the Peace Corps. And now in similar elbow-to-elbow space at 806 Connecticut Avenue NW., Shriver is masterminding the Nation's crusade against poverty.

To skeptics who view President Johnson's "unconditional war against poverty" as nothing more than a catchy campaign year phrase which won't be translated into meaningful action, Shriver is quick to recall how the Peace Corps was born.

"Look up President Kennedy's San Francisco speech," he says. "The Peace Corps first was mentioned then in just a few sentences."

That happened just before Shriver's brother-in-law, the late John F. Kennedy, was elected President in November 1960. Yet a couple of months later, Shriver, operating in the same shoestring way that he is operating now, had the Peace Corps off and running.

What was berated then as the "Kiddie Corps" turned into the stunning success of the Kennedy administration, earned this Nation a global reputation for goodwill, and continues to be the darling of even the most conservative Members of Congress.

And now the pessimists are at it again. They state the war on poverty will be hardly more than a skirmish, that at best it will be a band-aid program.

But even the harshest critics admit that if one man can achieve Shriver's stated goal—a "practical, manageable, understandable" way to effectively attack poverty—that man is Shriver.

This is not because the Kennedy magic has worn off on Shriver. Shriver has a magic of his own.

"He makes you forget to go to sleep," says Maryann Orlando who, as Shriver's secretary for 16 years, has become used to a round-the-clock schedule.

"It's not just that you want to work hard for Shriver," said Eric Tolmach, the antipoverty information chief who is on loan from the Labor Department.

"He's magnetic—he attracts the best brains and then extracts the best from them."

Around the conference table, Shriver does more than pick brains. He is the one who usually asks the key question—taking thinking from one step to the next, sifting thinking from tried, true, but also tired solutions toward new approaches.

The ability of the 6-foot, 175-pound Shriver to give directions is felt every time he strides into the offices of his borrowed staff. And he does this often—seeking out staff members rather than summoning them to him.

At first blush, Shriver's antipoverty shop appears to be a Tower of Babel. But a visitor actually can see progress being welded out of seeming chaos.

For example, the clatter from the typewriter in the center of one cluttered office may be coming from Michael Harrington, author of "The Other America: Poverty in the United States," and one of Shriver's brainstormers. With briefcase on his lap, Harrington is turning out excellent prose in space which can accommodate only a typewriter table and chair.

At the same time, in the same room—and because Harrington is using the chair—Commerce's Assistant Secretary for Economic Affairs, Richard H. Holton, must stand as he dictates a detailed memorandum to a secretary borrowed from across the hall.

Shriver's top lieutenants in the anti-poverty crusade are Adam Yarmolinsky, special assistant to the Secretary of Defense; Assistant Secretary of Labor Daniel "Pat" Moynihan; Deputy Under Secretary of Agriculture James L. Sundquist, and Frank Mankiewicz, Peace Corps representative for Peru.

Shriver also ranged far from Government seeking practical ideas. One might wonder, for example, why Shriver has discussed poverty with such well-heeled citizens as Daniel Petrie of Avis Rent-a-Car or Charles B. (Tex) Thornton of the Litton Industries or C. Vergil Martin of Carson, Pirie, & Scott Co.

"They have good judgment," says Shriver.

The list of people who have huddled with Shriver is a never-ending one. Governors, mayors, leaders in the civil rights, labor, health, education, and welfare fields all have found a ready listener in Shriver.

In addition, Shriver is making the daily rounds of Cabinet and Capitol Hill officials. He is a master at personally carrying a message to Congress.

When the bill establishing the Peace Corps appeared to be foundering in 1961, Shriver used personal diplomacy to sell the idea. He canvassed Capitol Hill like a precinct worker, initiated a series of breakfasts with small groups of Congressmen, then visited their offices.

A similar sustained Shriver blitz in behalf of the antipoverty program can be expected. And Shriver, as the special Presidential assistant in charge of the poverty war, insists that he can do that full-time job without neglecting his other full-time job as Director of the Peace Corps.

He notes that the Peace Corps has "matured," that he has a number of able men on his staff, and that applications for the Peace Corps are at an alltime high.

Shriver continues to whip up interest in the Peace Corps by making numerous speeches on college campuses and continues to interview potential Peace Corps men.

"It just means that I work a full 7-day week instead of a partial one and that the workday stretches until 10 p.m. instead of 8 p.m.," he said. "You can always find an hour or two more."

Shriver can find the hours because, in the words of a longtime friend, "Sarge just doesn't need sleep."

If he does sleep, he can do so in the most unlikely places. For example, he managed to sleep in a noisy helicopter over Israel during his January trip to the Middle East where he visited Peace Corps volunteers, carried personal messages from President Johnson to heads of state and delivered a Presidential letter to Pope Paul VI in the Holy Land.

It was when Shriver returned from that trip that President Johnson gave him the double-barreled job of running the Peace Corps and fighting the poverty war.

That was Saturday, February 1. On Sunday, February 2, Shriver asked a number of brain trusters to his home near Rockville, Md. He began a series of discussions on poverty which went well past the dinner hour and have continued ever since.

Quite apart from the immediate task of drafting an antipoverty program, these discussions have been considered of value because they have churned up many ideas which have lain dormant in Government offices.

"It will be interesting to note how many new programs included in fiscal 1966 budgets will have had their genesis in these poverty discussions," one of Shriver's aids said.

During the last few weeks, Shriver also has sandwiched in a trip to New York to oversee the awards dinner of the Joseph P. Kennedy, Jr., Foundation of which he is executive director, and a trip to Missouri and Illinois to stump for the Peace Corps.

On Monday, he did cancel a trip to Chicago for the excellent reason that his fourth child and third son was born to Eunice Kennedy Shriver at Georgetown Hospital.

"I would rather be speechless in Washington than in Chicago," he wired his hosts.

Chicago was certain to understand. It was there that Shriver began to earn his reputation as a man who gets things done. From 1948 until he joined the Kennedy administration, he was assistant general manager of the Chicago Merchandise Mart—the largest commercial building in the world—was the youngest school board president of any of the major cities of the United States, and was frequently mentioned as a possible Democratic candidate for the Illinois Governorship.

And now Shriver is being mentioned as a possible 1964 vice-presidential candidate.

Shriver admits he has a tough job. While the Peace Corps was a dream which became a reality, he views the war on poverty as a "nightmare—both for the 35 million Americans who live in poverty and for those who seek the means to eradicate poverty."

But Shriver is not a fellow who likes easy tasks. That is obvious to a first-time visitor to his office. Outside his office door is the message: "Bring me only bad news. Good news weakens me."

Inside the door are these messages:

"There is no place on this club for good losers" and "Nice guys don't win ball games."

If the Shriver magic continues to work, it's possible he may be the nice guy who does win the ball game.

TRIBUTE TO THEODORE C. SORENSEN

Mr. McGEE. Mr. President, the end of this month marks what I sincerely hope will be only a temporary interruption in the public service career of one of this Nation's keenest and most productive minds. I refer to the decision of Theodore C. Sorensen to leave the White House staff in order to write a book about the late John F. Kennedy. No one can object to this decision; we can only wish Mr. Sorensen well and look with anticipation toward the publication of that book.

Mr. President, Theodore Sorensen has combined service to a man and service to a country in the highest tradition of of both. On Sunday, February 23, the Washington Post published an excellent article, written by Carroll Kilpatrick, about Theodore Sorensen and his relationship with President Kennedy. I ask

unanimous consent that the article be printed in the RECORD.

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

[From the Washington Post, Feb. 23, 1964]

MORE THAN A SPEECH WRITER

(By Carroll Kilpatrick)

"A great President is not the product of his staff but the master of his house," Theodore C. Sorensen wrote last year in his book "Decision-Making in the White House." In the same book, Sorensen said, however, that "a good White House staff can give a President that crucial margin of time, analysis, and judgment that makes an unmanageable problem more manageable."

In those two sentences, Sorensen said about everything that needs to be said about a President and his staff.

Outside Washington, there may be little interest in an official's staff. Here it is recognized that a staff tells not only a great deal about the man who assembled it but also how effective he may be in carrying out his tasks. It is altogether fair to judge a President by the staff he assembles.

When Ted Sorensen leaves the White House this week as Special Counsel to the President to write a book about President Kennedy, he leaves a void that will be inordinately difficult to fill.

To the public Sorensen is known primarily as a speech writer. He was far more than that, and he probably would not have been a successful speech writer if he had not also been a participant in the making and carrying out of policy as well as a man who shared the late President's intellectual interests.

Sorensen was highly effective in the White House because he had played a key role for Mr. Kennedy at almost every point in his 8-year senatorial career. Sorensen had helped put together Senator Kennedy's legislative program. He had helped him write a book, "Profiles in Courage." He had helped devise the strategy for the presidential campaign.

He was present at every crisis of the presidential years. And when they arose, whether over Mississippi or Cuba, the President always turned quickly to Sorensen for advice and counsel and to see that the machinery of government was functioning.

The two men were intellectually and emotionally very much alike. Most of the articles on Sorensen have emphasized that he was a Midwesterner, a Unitarian, a product of the University of Nebraska while John F. Kennedy was a New Englander, a Catholic, a product of Harvard and the son of a multimillionaire.

But these differences were not so important as the feature writers have tried to make out. The President and Sorensen had similar intellectual interests. Each had a love of the English language, a penchant for the apt quotation, a lean style, a sense of history, a deep love of politics and a true wit.

When Sorensen said that "a President is not the product of his staff," he unquestionably had Mr. Kennedy foremost in mind. Some persons mistakenly thought that the President was dependent upon Sorensen for writing ability, for the historical allusion or for the poetry in the Inaugural Address. Sorensen knew better, as his statement about staff made clear.

Each man made it possible for the other to function better, but neither man was dependent on the other. Each would have made his mark without the other.

Some persons thought that the President was a better editor than Sorensen. The latter has said that every speech he ever wrote for the President was really the President's own because the President gave directions for what was to be said, then edited and reedited.

Reporters covering President Kennedy knew that he wrote and rewrote until time to speak, sometimes discarding or adding major sections. Persons who sat at a head table with Mr. Kennedy at a dinner at which he was to speak often must have regarded him as a poor companion; he was too busy rewriting his speech to engage in small talk.

Sorensen always keeps Bartlett's Familiar Quotations by his desk, but the President was as able as Sorensen to find the proper quotation, usually from his own prodigious memory. In the primary campaigns of 1960, Senator Kennedy almost never had a prepared speech before him as he spoke and each speech was new in some way, as though he could not abide hearing himself make the same speech over and over again.

Those speeches were full of quotations from everyone from Bismarck to Thomas Jefferson to St. Paul. Once during the Wisconsin campaign in 1960, I asked Mrs. Kennedy how her husband managed to remember the lines he used so well from history or literature.

She replied that he seemed never to forget anything. "A few days ago I was reading the New Yorker on the plane when I came across a quotation from Bernard Shaw," she said. "I read it to Jack. I wasn't sure he was listening, but two nights later I heard him use it in a speech exactly as I had read it to him."

It has been said that Sorensen, the George Norris liberal, was responsible for Mr. Kennedy's political education. That is a great oversimplification. Here again, two first-rate minds worked on each other.

By late 1952, when Sorensen first met the young man from Massachusetts, John Kennedy had written a very good book called "Why England Slept" that differed radically from the views of his father, who was Ambassador to England during the period covered in the book; he had served three terms in the House and had just been elected to the Senate in the Eisenhower landslide year of 1952. Sorensen was then 24; Mr. Kennedy was 34.

The Senator-elect had two brief interviews with Sorensen. He told him he had been elected on a promise to help rebuild New England industry. "I want you to go to Boston, meet the business and university leaders and help me build a program," the Senator-elect said.

It was a challenge, and Sorensen gladly accepted it. He says that from the very beginning he thought he was working for an exceptional person who ought to become President.

As Mr. Kennedy saw more of the country and learned more about politics and the needs of the people, read more deeply and perhaps listened also to Sorensen, who was a libertarian at heart, he became more of a traditional liberal, though he never liked the world. But anyone with the late President's inquiring mind, willingness to experiment and eagerness for facts would have grown. Sorensen was a contributor to the process without being responsible for it.

And Sorensen grew, too. He learned from the practical politician. In a radio interview last October, Sorensen was asked if he believed that a poor politician could make a good President.

"No, I don't," Sorensen replied, "I used to think that a man who was scholarly and able and talented would make a good President even though he couldn't be elected President—that is, if we could only appoint him, it would be fine.

"I don't believe that any more. It requires in the White House a large amount of the same qualities that it requires in a presidential candidacy—that is, the ability to understand people, and their needs, and to reflect their aspirations, and to win their support behind a program.

"It requires an ability to get along with politicians in the Presidency, just as it does as a candidate, and it requires a good deal of organizational ability and physical stamina merely to survive the primaries and the convention and the campaign. So I think our best Presidents are also our best politicians."

To paraphrase Sorensen, the best staffmen for a President are the men who have shown the organizational ability and the stamina that are required of a staff assistant in a campaign. The best staffmen and the best speechwriters are the men who have shared the intellectual interests, the excitement and the disappointments of the candidate.

Sorensen did all these things. He also argued with his Chief at times, disagreed with him frankly and yet always served him loyally.

Now he is going to write the book President Kennedy wanted to write himself.

"I never planned to write it," Sorensen has said. "He often told me to make a note of this or that for our book. 'Not our book, Mr. President; your book,' I always replied."

Now it is Sorensen's book alone. No one is better prepared to write it.

SPEECH BY COMMISSIONER OF RECLAMATION, FLOYD E. DOMINY, BEFORE WYOMING STATE CONFERENCE OF AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE COMMITTEEMEN AND COUNTY OFFICE MANAGERS

Mr. McGEE. Mr. President, no one in Wyoming should have to have the importance of the Bureau of Reclamation to our State explained to him. Yet, as in so many other instances, it is all too human for us to take for granted the blessings we receive through the concerted efforts of many people and the foresight of Government and citizen working as a team.

Therefore, I was pleased to note an excellent address on the work of the Bureau of Reclamation delivered recently in Casper, Wyo., before the State Conference of Agricultural Stabilization and Conservation Service Committeemen. The speech was given by my good friend, Floyd E. Dominy, Commissioner of the Bureau of Reclamation.

Wyoming is proud that Floyd Dominy got his start in our State, and proud of his continued ties with our land and people. In his speech he spoke not only of the record of accomplishment of the Bureau, but also of those concepts of resource development and conservation of our vital heritage of land and water that have guided the Bureau's efforts to change wasteland into productive cropland.

Mr. President, I ask unanimous consent that Mr. Dominy's speech be printed in the RECORD.

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

SPEECH BY COMMISSIONER OF RECLAMATION FLOYD E. DOMINY, BEFORE WYOMING STATE CONFERENCE OF AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE COMMITTEEMEN AND COUNTY OFFICE MANAGERS, CASPER, WYO., JANUARY 30, 1964

I was delighted to accept the invitation of your executive director, Jack Asay, to speak

at this meeting; it was in this State that my professional career began. During the depression years in Campbell County, I had my first lessons in the importance of resource conservation and development.

My visits to Wyoming are less frequent than I would like them to be because I have a reclamation program in 18 other States to attend to and have project development teams in several foreign countries as well.

The ASCS and the Bureau of Reclamation have much in common. We should have a close relationship and understanding of each other's purposes. Our objectives are the same to the extent that we both have the interests of farmers and economic stability and growth of the Nation at heart. Our mutual aims go even further. One of your programs is designed to bring production of wheat and feed grains into better balance with needs and reduce accumulated surplus stocks.

Whenever the Bureau of Reclamation brings irrigation water to a block of dry farmed land, the farmers can and do diversify from a one-crop operation such as wheat to nonsurplus crops such as forage, vegetables, and seed crops. Reclamation forage crops are an important complement of production in the important livestock industry.

There are numerous historical facts which make the relationship between the Bureau of Reclamation and the State of Wyoming a close one. Long before statehood, the first Wyoming Territorial Assembly in 1869 passed a law prohibiting construction of dams across any running stream which might hinder timber, log, and tie drives. It provided a penalty of $5 per day for each day a dam was allowed to remain after notification that the dam had been declared a nuisance.

Later assemblies, exercising foresight and wisdom, reversed this procedure and made it possible for the State to begin development of its water resources. In 1888, provision was made for appointment of a territorial engineer. The man appointed was Dr. Elwood Mead. On his advice, the 1888 assembly passed a law dedicating "the waters of the territory to the public for use of the people." Dr. Elwood Mead later became Commissioner of Reclamation and served with distinction in that position from 1924 until 1936. Lake Mead, the great reservoir backed up behind Hoover Dam, is named for him.

Next year Wyoming will observe its 75th birthday. It is a matter of considerable pride to me that the Bureau of Reclamation has had a vital part in the development of this State during most of these years. Bureau projects in Wyoming have provided opportunities for livelihood and investments beginning shortly after enactment of the Reclamation Act in 1902.

Our investment in plant, property and equipment located physically within the State totaled $234,635,813 during the period 1903 through 1962.

From sagebrush flats and wasteland, irrigation has transformed the pioneer Shoshone project area into lush, productive farms. Water users on the project are now producing crops on almost 77,000 acres. Since the first crop year in 1908 when the production from 1,500 acres was valued at $16,800, the water users have produced crops having a cumulative value of approximately $115 million. The contribution to farm income from the sales of livestock and livestock products enhances this total considerably.

Another pioneer development, of which we are justly proud, is the North Platte project. On this project, too, first irrigation deliveries were made in 1908. Project works currently can serve 335,000 acres, of which about 28 percent are in Wyoming. Water is delivered to about 2,650 farms which produce gross annual crop values of approximately $22½ million. House of Representatives Committee Print No. 12 (1956), which is a story of the North Platte project, states that the irrigated areas and the towns therein support 27 times as many people, and provide 40 times the income, as do adjacent dryland areas of equivalent size.

I am happy to say to the sportsmen of this area, that we have worked out arrangements for a flow of water downstream from Kortes Dam for this year, which will assure maintenance of the fishery resource. We will continue to seek some reasonable arrangement to maintain it on a permanent basis, without detriment to the primary revenue producing functions. In final analysis the project is reimbursable and this we must keep foremost in mind.

Even the much maligned Riverton project is an asset to the State and to the Nation. From 1925, when first water was made available to one farm, through 1962 the Riverton project has produced crops having a cumulative gross value of over $47 million.

In August 1962, a five-man Wyoming reclamation projects survey team was appointed to study existing and proposed reclamation developments and to make recommendations pertaining to the high altitude and short growing season farmers must contend with in Wyoming. The team consisted of exceptionally well qualified men representing the University of Wyoming, the Wyoming Natural Resource Board, the National Reclamation Association, the Agricultural Research Service, and the Upper Colorado River Commission. Two members of the team have extensive ranching and banking experience in Wyoming.

The team has done an excellent job in evaluating the problems and making specific, constructive recommendations. The comprehensive study by this team has enabled us to recommend legislation which would provide the means to a final solution to problems which have plagued the Riverton project. We are doing everything possible to restore normal operation of the project and to improve its productive capabilities.

But let's not dwell further on what has been done. Instead we must look to the future. It hardly needs to be emphasized to you that limited water supplies in the West, coupled with immense social and economic growth, compel emphasis on multiple-purpose water resource development. Under the most ideal conditions, the time required for completion of requisite feasibility studies, the perfection of a project plan and essential study by Congress is substantial.

There is now an underlying sense of urgency in water resource development which demands that we step up the tempo and shorten the span between project conception and beginning of construction. The pressures of an exploding population, and the importance of keeping our economy growing are among the considerations which make reclamation a matter of great urgency.

There are still some large-scale irrigation possibilities in this State which can be developed through a coordinated, basinwide type approach such as that in the Upper Colorado River. This approach opens the door to development of participating projects in a basin—a door which has been closed heretofore because of the limitations in water users' ability to repay the costs of the irrigation works needed.

Under the storage project, as authorized in 1956, revenues from the sale of power produced at dams, such as Flaming Gorge and Glen Canyon, will be utilized through the basin fund to assist farmers on participating projects in the repayment of irrigation construction costs. Power revenues will pay about 85 percent of the cost of participating project irrigation facilities. With this vital financial assistance, expanded development and use of Wyoming's water resources can proceed.

Construction of several participating projects is underway, including the Seedskadee and Lyman developments in this State. We hope to get the Savery-Pot Hook project authorized in this session of Congress.

Let me elaborate on the current status of the Seedskadee project. Fontenelle Dam is essentially complete, powerplant construction is going forward, but construction of the canal system has been deferred until we can obtain some definite answers from the operation of a development farm. In the Mountain States irrigation often cannot be profitably undertaken independently of a livestock economy; the two must be integrated. The traditional 160-acre single ownership acreage limitation imposed by reclamation law is a related stumbling block in some high altitude agriculture. Congress has relaxed this limitation for selected projects, yet we seek to remain within the concept of an economic-size family farm.

From the Seedskadee development farm, which we are working on now, we will determine the most adaptable water management practices, crop production, livestock handling techniques and their relationship to optimum family size farm units and efficient design of a project distribution system. Land leveling will begin as soon as the frost is out of the ground in the spring and plantings will be initiated in the spring and summer months.

The University of Wyoming will have a primary role in the operation and management of the farm from the time of seeding on through the life of the study. We look forward to utilizing the talents and experiences of the university to the maximum extent practicable.

I have repeatedly used the phrase "large scale irrigation projects" in discussing past and future development in Wyoming. Nevertheless, there is no question in my mind that many smaller projects throughout the State should be undertaken as well.

Water users' organizations in Wyoming, and in other Missouri Basin States, may be overlooking an excellent avenue for developing small irrigation projects which many other States are utilizing. As I have indicated, however, high elevation areas with short growing seasons do have difficulties in repaying total costs and generally need assistance beyond the usual allocations to nonreimbursable functions. The program should be studied, however, for possible application. In 1956, Congress established a small reclamation projects program under which certain types of organizations can obtain loans for small reclamation projects and grants for those portions of the projects that are nonreimbursable as a matter of national policy.

Grants may be made for flood control and fish and wildlife purposes where these are of general public benefit. The portion of the loan attributable to the irrigation of lands held in 160 acres or less in a single ownership is interest free.

The projects must be irrigation projects but may also serve other purposes if these are incidental to the primary development. The purposes may include domestic, industrial, or municipal water supplies and commercial power, as well as the nonreimbursable functions, provided irrigation is the principal purpose of the project.

Furthermore, the loans are available not only for new construction but also for rehabilitation and betterment of existing irrigation systems. I recommend strongly that water users acquaint themselves with the provisions of the Small Reclamation Projects Act. The program has been widely accepted and is providing excellent results in many States. Moreover, legislation has been introduced in Congress which would further improve its workability.

In talking about the remaining water resource development possibilities wherever

they may be, in Wyoming or elsewhere, we should look also at what it takes to get them going. There is a tendency toward complacency, of overlooking the fact that our Nation's population will double in about 40 years. Too few people are aware of the tremendous quantities of water which are required for municipal and industrial purposes. You probably know that about 800 tons of water are required to produce 1 ton of alfalfa; 240,000 gallons of water for each 1,000 pounds of processed wool material, but do you know that 320,000 gallons of water are required to produce a ton of aluminum? Six thousand gallons to produce a ton of steel, and 11 barrels of water to produce a barrel of beer?

Regardless of the vantage point from which the situation is viewed it is obvious that we cannot meet our future needs unless a steady pace in water resource development is maintained.

In my 30 years of Federal service, I have consistently held the view that the States should do as much as they possibly can in cooperation with local and private entities and the Federal Government. The State of Wyoming is to be commended for its foresight in contracting with the Bureau of Reclamation for up to 60,000 acre-feet of storage space for municipal and industrial water in Fontenelle Reservoir. This was the first contract we negotiated with a State for the repayment of municipal and industrial water supply costs under the terms of the Water Supply Act of 1958.

You have probably heard, as I have, challenges of the prudence of agricultural use of our water supplies when the prospects for municipal and industrial needs are so great. If beneficial use of water can be made now for agricultural purposes, we should proceed at once to construct the necessary storage and conveyance works but they should be built for maximum possible use for all purposes.

Provisions which recognize preferred uses of water can be made in authorizing legislation and repayment contracts. In this fashion, the development will be there ready to go to work for whatever industry may appear. Planners of industrial installations are usually very reluctant to consider locating in a locality when they find that 3, 4, or more years will be required to develop a suitable water supply.

To a very real degree, the term "reclamation" no longer signifies simply the reclaiming of arid lands; it means reclaiming and expansion of the economy of the West and the Nation. The single ingredient which every segment of the western economy must have for growth and survival is water.

Although the frame and body of reclamation is still irrigation, of no less importance are stable municipal and industrial water supplies. These will insure the economic health of our marketplaces and provide industrial employment opportunities for our labor forces.

Collateral consideration of unquestioned value is the advantageous use of water supplies for revenue-producing hydroelectric power, for the conservation of fish and wildlife, and for the enhancement of recreation. The essentiality of water supply to the economic development of this area has been so clearly demonstrated that the two phenomena cannot be considered separately.

Where there is an adequate supply of water, the economy flourishes and the population grows. Without this resource little can be done to develop either agriculture or industry.

Here in Wyoming, where you have the headwaters of three great river systems, it seems to me doubly important that we should join in a renewed effort to put the water to work. After it leaves your borders, there is no reclaiming it. You should make maximum use of every drop.

LANDMARK LEGISLATION—THE FOOD AND AGRICULTURE ACT OF 1962

Mr. SYMINGTON. Mr. President, in a recent speech before the National Association of Soil Conservation Districts in Kansas City, Mo., Secretary of Agriculture Freeman pointed out that much has happened in resource development under the provisions of the Food and Agriculture Act of 1962 which all Americans can applaud.

With passage of this important measure, the Congress recognized that land had new values beyond the production of food and fiber. As an example, land which once lay idle, is now being converted to the production of grass and timber and to wildlife and recreation uses.

This has meant a great deal to the rural community in terms of an expanding economy—and to the urban and city family in terms of recreation opportunities.

In order to give my colleagues an opportunity to read this excellent speech, I ask unanimous consent that it be printed in the RECORD.

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

SIGNS OF CHANGE

(Address by Secretary of Agriculture Orville L. Freeman before the National Association of Soil Conservation Districts, Kansas City, Mo., February 4, 1964)

It is a pleasure to meet with you again.

Two years ago I met with you at Philadelphia for the first time as your Secretary of Agriculture. I deeply appreciate the fine cooperation and support I have received from your organization and your president, Marion Monk, during the past 2 years.

Today we meet again as friends, as coworkers in resource development. I recognize many faces in this room. Many of you I met during our series of highly successful land and people conferences.

Since that day in Philadelphia much has happened in resource conservation that all Americans can applaud. I want to cite just a few examples, and to commend and thank this association and you personally for helping to make them possible.

In Cameron Parish, La., Curtis McCain and George Greathouse, cooperators with the Gulf Coast Soil Conservation District, opened an 80-acre farm pond converted from marshland with the assistance of the Soil Conservation Service. They are now getting extra income from what formerly was idle land. People pay a dollar a day for fishing privileges and a small fee for boat rentals. The owners operate a bait stand and refreshment stop, which add to the convenience of the fishermen and the income of the owners. The land grossed almost $30 an acre the first year. Previously it had not produced enough to pay its share of the taxes.

Near Ithaca, N.Y., James Gordon, with assistance from USDA Soil Conservation Service technicians, has opened his one-time livestock farm as an ideal spot for vacationing campers. A former half-acre stock water pond has been converted for swimming. Adjacent to this is a well equipped athletic field. He has 75 campsites for which he charges $2 the first day and $1.50 each additional day. He has built a small store in the barn to supply campers with emergency items and ice.

In Fairfax County, Va., Philip M. Mitchell has converted his 265-acre grain farm into the Bull Run Hunting Preserve. The preserve is open for pheasant hunting 6 months a year. Hunters are charged a fee of $15 which entitles them to two pheasants each. The farm is well stocked with birds. Natural vegetation and fields planted with sorghum in contour strips provide excellent bird cover.

In the State of Washington, Clayton Merry is revamping his 1,040-acre cattle ranch in Chumstick Canyon near Leavenworth to include recreational and wildlife developments ranging from pheasant and fish production to horseback riding and overnight camping.

His conservation plan provides for a bypass and two small dams that also will provide water for fishing ponds. Three ponds on two creeks running through his property will be used as reservoirs and fish ponds for public fishing for a fee. He also is licensed to operate a shooting preserve on 200 acres of his ranch, and plans bird-rearing pens, kennels for boarding hunting dogs, and a clubhouse. In addition he will board and room saddle horses, and will develop campsites and cabins for overnight camping.

In West Virginia, William D. Bailey, a cooperator in the Northern Panhandle Soil Conservation District, has converted his 135 acre dairy farm to a golf course, which opened Memorial Day in 1962.

As many as 250 golfers play the course on weekends and holidays, and from 75 to 125 on weekdays. The Baileys are also developing trails through the 40-acre woods with picnic tables and grills, and two ponds are kept stocked with fish as extra benefits to the golfers and their families.

The Bailey farm barely supported one family prior to converting to recreation. Now it supports three families.

These are but a few example of what is being done by 17,500 district cooperators who, since the passage of the Food and Agriculture Act of 1962, have established one or more income-producing recreation enterprises on their land. Of these, about 2,500 adopted recreation as a primary source of income on 750,000 acres of land. Another 17,500 cooperators have consulted with technicians of the Soil Conservation Service about the possibilities of going into income-producing recreation in some degree.

You can justifiably claim a good bit of credit for what has been done to bring a new source of income to rural America. But I also want to share that credit among some other people.

First, I think the Congress deserves recognition for enacting the legislation which has made much of this possible. Few people appreciate the significance of the Food and Agriculture Act of 1962 and what it means both to the rural community in terms of an expanding economy, and to the urban and city family in terms of recreation opportunities. It is a landmark in resource conservation legislation.

And I also want to pay tribute to some other agencies of the Department, for in this program all of them are participants.

Farmers Home Administration makes credit available to farmers and to nonprofit rural organizations for development of recreation facilities. To date, 139 farm operators and 27 nonprofit associations in 41 States have received $3½ million in loans for recreation development.

Under the pilot cropland conversion program, county ASC farmer committees (with technical assistance for Soil Conservation Service and Forest Service) entered into 5- to 10-year agreements with farmers in 128 counties in 37 States to shift 129,000 acres out of cropland. Of this 8,300 acres went into recreation use and 114,000 acres to grass.

The Department of Agriculture also shared the cost of establishing conservation practices that contribute to recreation and wildlife development through the agricultural conservation program in 1963.

There also has been a good response to the expanded watershed protection and flood prevention program which allows cost sharing on recreation developments in small watershed projects.

The Soil Conservation Service has received proposals for including recreation as a cost-sharing feature in 55 projects in 29 States. The total estimated cost of these developments is about $29 million, divided about equally between Federal and local funds. In addition, 50 watershed projects include fish and wildlife development proposals.

The advances in resource development over the past 2 years are notable because they have occurred in so short a space of time. To me, this is a most encouraging sign that we are beginning to better understand the causes of change in rural America, and to mold change to the advantage of people. I have tried to bring this point into sharper focus in the foreword to the 1963 Yearbook of Agriculture with these words:

"Signs of change are everywhere. We see them in the growth or decline of communities, the building of highways and other facilities, the moving of people to new homes and jobs, the renewal of cities and the growth of suburbs, the enlargement of some farms and the disappearance of others, questions about the place of family farms as a dynamic force in agricultural production, shifts in the uses of land, and changes in our human relationships, institutions, and aspirations of rural and urban America alike.

"All such changes are challenges to direct American energy, American dynamism, American ability, and, yes, American humanitarianism toward a greater fulfillment of the American goal.

"I believe the Federal Government must take a leading part in rural development because of its wide scope. But the work also will require investment capital and the help of commerce and industry. It will require the resources of State and local government. But it can succeed only with the initiative and leadership of local people.

"To the fulfillment of these opportunities, we commit our imagination, technical skills, and powers. Let us not seek tasks to fit our talents. Let us rather pray that our talents fit the obligations before us."

Let me say that in President Johnson we have the kind of President who can stretch his talents and our talents to this job. President Johnson is dedicated to the conservation ideals, for he is a soil and water conservationist by persuasion and by personal participation as well. His roots are deep in the soil. He is a rancher who lives on a ranch and operates two others. All his land is under a basic conservation plan. He is a cooperator with two Texas soil conservation districts.

Lyndon B. Johnson is a long-time friend of agriculture and of soil and water conservation. He proved that time and again as a Member of the House and through his many years as Senator and majority leader and Vice President. The first bill introduced in the Senate to authorize the small watershed program was S. 877.

As President he continues to be a friend of agriculture and conservation and soil conservation districts. He understands your work and believes in it. This administration will do all within our power to support soil and water conservation districts in the crucial days ahead.

The projects and programs I have described thus far emphasize only recreation. But recreation, however, is just one of the new uses that can be found for land that is producing crops which are in overabundance.

Many rural communities have discovered new economic opportunities by growing livestock and timber on land that had been producing crops already in surplus. Soil and water conservation districts have long provided leadership in this field, for shifting land to uses for which it is better suited has always been a basic part of your program. Cooperators in your nearly 3,000 districts are converting about 2.5 million acres of cropland to less intensive uses each year. This land is not being idled. Rather it is being converted to a use for which the soils are better suited—the production of grass and timber and to wildlife and recreation uses.

More than one-fourth of the cropland going permanently to grass is located in the Great Plains where the Great Plains conservation program has helped to speed up this process. To date, nearly 14,000 long-term cost-sharing contracts will convert 1 million acres to grass, or 23 percent of the cropland on these farms and ranches.

Finally, even more concentrated efforts toward land conversion and resource development will be planned in the new resource conservation and development projects, also authorized by the Food and Agriculture Act of 1962. We have received applications for assistance from local sponsors of about 20 of these proposed projects, covering about 30 million acres in 15 States.

R.C. & D. projects are a new approach to assisting rural communities. They are intended to carry out a program of land conservation and land utilization in an area where acceleration of current conservation activities, plus the use of new authorities, will provide additional income and job opportunities to its people.

Until about a month ago there were no funds available for these activities. Pending the availability of funds, I had authorized, in 1963, planning assistance for three projects—one in Indiana, one in Pennsylvania, and one in Minnesota. There are funds available for a total of 10 projects this year and next. I am today, therefore, announcing approval of planning assistance for the other seven new resource conservation and development projects, one each in the States of Georgia, Vermont, New Mexico, South Dakota, Wisconsin, and Oregon and one on land in both Washington and Idaho. I have directed the Soil Conservation Service to give planning assistance to the local sponsors of these 10 R.C. & D. projects. The details of these newly authorized projects are being made available here today.

These new projects represent a major step forward in rural areas development. Some of you will have a prominent role in these C. & D. projects. But are all of you—all 15,000 officials of the nearly 3,000 local districts—ready to participate fully, to assume a position of leadership in rural areas development? Are all of your programs and your ideas in tune with 1964?

At your Philadelphia meeting I offered each district a modernized memorandum of understanding that called for lifting your sights to broadened objectives, to modernize your work programs to fit today's and tomorrow's swiftly changing needs.

Since then about a third of the districts have updated their programs and entered into new agreements with the Department of Agriculture. This is a splendid start, and I commend those who have taken this step and the many others who are working toward it.

These revisions reflect that the job of soil conservation districts has changed greatly since the first one was organized nearly 27 years ago. The greatest changes have come in the past few years. Once you worked almost solely with the individual farmer and rancher, helping him plan and install a conservation program tailored to his land and his needs. That is still a big part of your job, and it will remain so. In the past quarter century, you have built an unchallenged reputation of leadership in soil and water conservation and agricultural land use.

Your challenge today, however, is to move boldly into community wide resource development action, providing the one element that will make rural areas development really work: local initiative and local coordination and direction. I urge you to be in the lead in RAD activities in your home community, for RAD is on the move and it will continue to gain momentum.

Rural areas development is a job you have done for years, for its base is the full development and management of the land and water resource of the community. These resources give us our wealth, the foundation on which to build an improved economy.

So I say to you that you have many real challenges today. Among them are:

1. To get and keep your district program up to date.

2. To participate in the work closely with the RAD committee in every county.

3. To help plan, develop, and sponsor resource conservation and development projects.

4. To go all the way with multipurpose watershed projects—from the idea through planning and installation and operation and management. They create employment, attract new rural industries to reliable water supplies, reduce flood losses, bring new recreational developments around reservoirs, and most important of all—new community pride emerges in improvement and progress.

5. To help in every possible way with the Department's credit and loan programs, especially those directly related to resource development.

6. To participate fully in the program development group activity of the agricultural conservation program in every county.

7. To tie to the cropland conversion program as it develops. It is directly related to your district program by departmental policy.

8. To take full advantage of today's opportunities in urban-rural planning, one of the keystones to RAD. Not all of the conservation problems are farm problems. They extend from the farm fields into the streets and alleys of the county seat. They are rural-urban problems. All are community problems, for natural resources are interlocked and they interact—each is a link in a chain.

9. To encourage greater financial participation in resource conservation by State and local governments. Non-Federal contributions to soil and water conservation districts were about $44 million—about $17 million from local government, $14 million from States, and $11 million from individuals. This is excellent, because it indicates more people are aware of conservation needs than ever before. But that record can and must be improved if we are to move ahead as fast as the needs indicate.

The dimensions of the resource job we face are staggering. Land today has new values beyond the production of food and fiber. It is looked upon as a source of community stability and economic growth, as the development base for new jobs, for recreational opportunities, for living, and working space and other benefits that relate to nonfarm as well as to farm and ranch people.

As you know, a major objective of USDA programs in the past 3 years has been to help improve farm income, to broaden the income base for farmers and ranchers, and to help them shift land that is either unsuited or unneeded for cultivation away from the production of surplus crops.

The Department's land and water conservation efforts which contribute to this are decentralized. They are controlled and managed at the local level by local people—responsible local citizens like the officers of soil and water conservation districts. These are not Federal programs. They are local programs with Federal assistance. We want them to remain that way.

The progress of the past 2 years reflects the wisdom of this approach, and the promise

of the future depends on how well you and other leaders move ahead to the job at hand.

When you return home I urge that you make your voice heard, and your leadership felt. You and I know that the big job, the vital job of resource conservation and development, is on the private lands of this Nation. You and I know that this job is not moving along as fast as it should. You and I know that dollars for this purpose are not expenditures but investments. You and I know that the resource conservation and development job on private lands is linked to the welfare and prosperity of all our people and to our future as a nation.

For us to know these things is not enough. Others must know. They must be told by those who know, and understand, and believe, and care.

I will do my part, but the job is largely yours. You are the people. When the people speak, all men listen.

SENATOR BARTLETT SUPPORTS A 12-MILE LIMIT FOR OUR FISHERIES

Mr. GRUENING. Mr. President, on February 19 my able friend and colleague from Alaska [Mr. BARTLETT] discussed the urgency for legislation which would make it unlawful for foreign vessels to fish inside the territorial waters of this Nation.

His bill, S. 1988, which would put teeth into existing law, has been approved by the Senate and is now under consideration in the other body. Senator BARTLETT's testimony at the time was before the House Merchant Marine and Fisheries Committee. His discussion of the situation confronting our fishermen is thorough and thoughtful. I ask unanimous consent that the full text of his remarks be printed in the CONGRESSIONAL RECORD at the close of my remarks.

I am particularly pleased that Senator BARTLETT endorses emphatically action by the United States to extend its present 3-mile fishing limit to 12 miles.

Such an extension is required if we are to harvest our fisheries.

Let me quote directly from the informative statement made by my colleague:

The United States stands virtually alone as a world fishing power with no jurisdiction over our fisheries beyond the 3-mile limit and with certain knowledge that these extensive coastal fisheries are the target of foreign fishing interests. We find ourselves in this position even while knowing that over 80 percent of the United States catch off our coast is taken within a 12-mile limit. I believe that pressure will continue to grow in support of action by the President to extend jurisdiction over our coastal fishery resources by establishing a 12-mile fishery zone to assure the conservation of this natural wealth. The clear international trend is to recognize the right of any foreign nation that has traditionally fished within the 12-mile zone, and we must make certain that the rights of U.S. fishermen are fully and unconditionally protected in this respect. I sincerely hope that the President can make the necessary arrangements to act and establishes a 12-mile fishery conservation zone off our coast before these resources become traditionally fished by Russia and Cuba or any other foreign nation and are thereby destroyed or lost.

I commend him for his realistic appraisal of a depressing situation which must not be allowed to continue.

On previous occasions I have discussed the defects of our present policy of maintaining a 3-mile territorial water. This policy permits the fishing vessels of other nations to make themselves at home in our waters, gorge themselves with our fish, and sometimes, ironically, to even compound their profits as they sell to U.S. consumers the very product which has been taken from our waters.

The lesson illustrated in the story of the Trojan horse, Mr. President, is repeated every day we allow an archaic policy established during the days of the supremacy of the cannonball to continue unchanged.

My bill, S. 1816, introduced June 28, 1963, would remedy the present situation by extending the territorial waters of the United States for fishing purposes to 12 miles. Today, more than ever before, the need for this action is imperative.

When the United States adopts the 12-mile limit, the provisions of Senator BARTLETT's bill subjecting foreign violators of our territorial waters for fishing to arrest, trial, and penalties would apply equally to these waters, 12 miles wide. Both measures are desirable to protect our fishermen and our fishing industry.

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

STATEMENT OF SENATOR E. L. (BOB) BARTLETT BEFORE THE HOUSE MERCHANT MARINE AND FISHERIES COMMITTEE ON S. 1988, FEBRUARY 19, 1964

The introduction of this bill, S. 1988, and the need for its early enactment are related directly to the recent appearance of foreign fishing fleets—primarily Russian, Japanese, and more recently Cuban—off the coast of the United States. Five years ago no large foreign fishing fleets operated off the U.S. coast, with the exception of the Bering Sea. The picture has drastically changed since then. Last year there were over 200 large, modern foreign fishing vessels off our Atlantic Coast while at the same time approximately 300 foreign vessels were in Alaska waters, including the Gulf of Alaska, operating along both coasts at times within 15 miles or less of the mainland. Not infrequently foreign fishing vessels strayed within our territorial waters. These water are reserved for the exclusive use of our own fishermen and are subject to the fishery regulations of our States.

Alaska has been the State hardest hit by these violations. During the last 8 months, 16 foreign vessels have been officially sighted by the U.S. Navy or Coast Guard in territorial waters within our 3-mile limit off Alaska. My guess is that there have been numerous unreported instances also. The latest known incident occurred on January 17 of this year, approximately 2 weeks before the four Cuban vessels were found in our territorial waters off Dry Tortugas. The recent Alaska incident involved a Soviet fishing vessel sighted within 2 miles of Attu by a Navy aircraft. Apparently there is something of interest in the area since on the 27th of November last year, the Navy reported a Soviet fishing vessel in the same area, again within 2 miles of our coast. The Navy reported at that time the trawler's actions indicated a willful violation of our territorial waters.

Now we are without defense of any kind. Today there is no provision in the U.S. law of any kind to prevent effectively fishing in our territorial waters by foreigners. When foreign fishing vessels enter those waters they do so illegally.

But there is no penalty whatsoever—none—which they confront if they violate our national sovereignty 100 times a day by drifting back and forth across the limit of the territorial sea.

The Coast Guard may escort such vessels beyond the 3-mile limit and does when it discovers them too close to our line of coast. But in effect the Coast Guard can only say to the master of the offending ship "please go away."

In law there is no provision for the seizure or forfeiture of these vessels or their cargoes or for any penalties against the officers and crew.

The present law 46 U.S.C. 251 only in the most general and really vague terms gives to U.S. vessels exclusive privilege of fishing up to the limit of our territorial waters by providing that they shall be exclusively for "vessels employed in the coasting trade or fisheries." Actually, the fact is that existing law is so vague that one has no clear meaning of what is intended after reading it. The purpose of S. 1988 is to make it clearly unlawful for any foreign vessels to fish in the U.S. territorial waters or to take Continental Shelf fishery resources which belong to the United States. In addition to making these actions unlawful the bill provides appropriate penalties for violators and establishes the necessary enforcement machinery.

I believe the wording of the bill makes it quite clear that the legislation itself establishes no new claim of jurisdiction. The purpose of the bill is simply to provide for effective enforcement of any claims made by the United States with respect to the scope of its territorial waters and with respect to Continental Shelf fishery resources which belong to the United States. The bill does not define either the territorial waters of the United States or any fishery zone nor does the bill identify what particular fishery resources of the Continental Shelf appertain or belong to the United States. These claims have been established or in the near future will be established by international agreement or by other executive action.

The United States has recognized the 3-mile limit as the scope of its territorial waters since Thomas Jefferson took that position in 1793. If later the United States extends its jurisdiction on the high seas as numerous other nations recently have, the penalties provided in the bill would continue to apply.

There are two possible bases under which the United States may claim fishery resources of the Continental Shelf. The first possible claim is based on the Submerged Lands Act and the Outer Continental Shelf Act of 1953. This legislation extended U.S. jurisdiction over the natural resources of the seabed and subsoil of the Continental Shelf. Natural resources was defined to include marine animals. On the basis of this extension of jurisdiction the President of the United States in March of 1960 issued an executive proclamation, Proclamation No. 3339, claiming jurisdiction over a living coral reef and its associated marine life on the Continental Shelf beyond the 3-mile limit off Florida. The executive has not to my knowledge proceeded pursuant to this legislation to extend the U.S. jurisdiction over any other living resource of the shelf. The wording of the bill, however, is sufficiently broad to prohibit any foreign vessel from taking the marine resources protected by the executive proclamation and will permit a further interpretation of the Outer Continental Shelf Act and the Submerged Lands Act to include additional living resources of the Continental Shelf.

The second basis of claim over resources of the Continental Shelf rests on the Convention of the Continental Shelf signed in Geneva in 1958 as part of the United Nations

Conference on the Law of the Sea. This convention has been ratified by the United States and by 20 other nations. It must be ratified by only one additional nation before it becomes effective. Since legislation is pending in Britain and in Germany to ratify the convention, it would appear that the convention will become effective within the next few months.

On the basis of this convention the United States will gain exclusive jurisdiction over the fishery resources of the Continental Shelf as defined in the convention. Article 2(4) of the convention defines these resources as those living organisms of the sedentary species which at their harvestable stage are immobile or are unable to move except in constant physical contact with the seabed. This I understand very clearly includes oysters, clams, and crawling crabs, such as the Alaska king crab and the dungeness crab. If this bill becomes law and the convention on the Continental Shelf becomes effective, the penalty provision of the bill would apply to any violations of our claims pursuant to the convention as well as claims under the Outer Continental Shelf Lands Act.

The Continental Shelf is that submerged portion of our continent that has been overlapped by the oceans. Along the Atlantic Coast the maximum distance from the shore to the outer edge of the shelf is 250 miles and the average distance is 70 miles. In the Gulf of Mexico the maximum distance is 200 miles and the average is about 93 miles. The area off Alaska is estimated to contain 600,000 square miles, an area almost as large as Alaska itself.

S. 1988 provides that the penalties apply unless otherwise provided by an international agreement or unless a license has been issued by the Secretary of the Treasury after the certification by the Secretary of the Interior and any State affected that such permission was in the national interest. Concern has been expressed over the provision authorizing the Secretary of the Treasury to issue a license with the concurrence of the Secretary of the Interior and any State affected. Although I believe adequate protection is assured by the requirement that both State and Federal officials concur, the committee may wish to look again at the need for this exception and as to the adequacy of the protection afforded.

This legislation is similar to statutes found in other coastal nations. The closest example is the Canadian Coastal Fisheries Protection Act passed in 1953. However, in certain respects S. 1988 is not as severe as the Canadian statute. The penalties in the Canadian act carry a fine of $25,000 or imprisonment for a term of 2 years whereas S. 1988 places a limit of $10,000 fine and imprisonment for 1 year. Only a vessel and the master or other person in charge of the vessel would be subject to the penalty under S. 1988. This is in contrast to the Canadian act which under certain circumstances would impose a penalty upon any person aboard the foreign vessel.

In considering the need for this legislation most fishermen have indicated to me that they were amazed that there is no penalty or provision for the seizure of foreign fishing vessels operating in our territorial waters today. Although I, too, was amazed to learn this fact I believe it is understandable in light of the situation we faced only a few years ago. Two years ago the U.S. fishermen were accustomed to seeing Soviet fishing vessels only in the North Atlantic and in the Bering Sea. But in the summer of 1962 the situation began to change swiftly. During that summer for the first time, Soviet vessels entered the Gulf of Alaska with well over 100 vessels, some of which were engaged intentionally or otherwise in destroying our crab gear close to Kodiak. The Russian fleet continued along the southern coast of Alaska and within 30 miles of Cordova. Later that summer several foreign fishing vessels were sighted as far south as Washington State and Oregon. During that same time, the summer of 1962, a parallel advance was being made in the Atlantic. As many as 160 Soviet vessels were sighted off the Atlantic Coast. The Soviet vessels were reported off the mid-Atlantic States and several moved along the coast of the Carolinas and as far south as Florida.

In the early part of last year our consulate in Vera Cruz reported that several Soviet vessels had been operating in the Gulf of Mexico using the port of Vera Cruz for supplies.

In the summer of 1963 this effort was intensified. By May of last year there were 140 Japanese vessels operating off Alaska primarily along an area 15 to 20 miles north of the Aleutian Islands and from 20 to 60 miles south of Kodiak. In addition there were 40 Russian vessels operating in the Bering Sea and in the Gulf of Alaska.

In June of last year the Japanese fleet of approximately 140 vessels continued their operations. The number of Russian vessels increased to 60, operating primarily off Kodiak and within 40 to 60 miles of Bristol Bay.

By July of last year the Russian fleet had swelled to 230 vessels concentrating approximately 15 to 40 miles off the coast in the Gulf of Alaska. The Japanese fleet remained relatively stable at approximately 100 vessels but there was some indication of a decrease in activity.

Through August and September there were approximately 150 Russian vessels and 100 Japanese vessels operating at times within 15 to 40 miles off Kodiak and in the Gulf of Alaska.

The number of foreign fishing vessels operating off Alaska sharply decreased during the fall but by January of this year, only 1 month ago, there were again over 200 Russian vessels operating near Alaska in the Bering Sea.

I submit this month-by-month account of the situation in order to give to the committee an impression of the degree of intensity of the foreign fishing operations near our coast. I think that it should be emphasized that these vessels concentrate where fish can be taken in substantial quantities. This frequently means along the edge of our Continental Shelf which at times lies very close to our coast.

The size of this operation itself suggests that it would be anticipated that intrusions within our territorial waters would occur. This is particularly true when there are no penalties attached to such intrusions. I have prepared for the committee a list of incidents in which the 16 foreign vessels have been sighted within the territorial waters of Alaska in the past 8 months. I am personally convinced that more will occur this summer, particularly if no legislation is passed to provide any effective deterrent.

I have referred primarily to the situation off Alaska but it is well known that Russian fleets have operated frequently within 15 to 20 miles off Cape Cod on the Atlantic coast and even at times within 4 miles. It has also been confirmed that Cuba through the Swiss Embassy in Havana has recently notified the United States that we can expect an accelerated level of Cuban fishing near our Gulf coast States this summer. If the Cubans have learned to fish from the Russians (and I am convinced they have) I believe the Cubans will fish as close to shore as we permit. Sometimes they will fish closer.

I believe that it would be a misconception if one were to interpret this foreign fishing activity off the United States in isolation. Actually the trend has been to increase substantially the world fishery catch and to improve substantially and modernize fishing vessels.

One of the most obvious examples of this postwar expansion is the Russian fishing industry. The Soviet catch has increased approximately fourfold since 1946. The primary effort in this accelerated program has been to develop a Soviet high seas fishery. The importance given to foreign fishing grounds is due in part to the fact that the Soviet catch in the Baltic, Caspian and Black Seas has substantially decreased and has suffered from excessive exploitation. In 1950 only 40 percent of the Soviet catch was taken on the high seas. By 1962 this figure had reached 80 percent. This Russian accomplishment has been made possible by the construction and operation of modern trawlers and factory ships. The trawlers ranged from 2,400 tons to 3,200 tons with crews of approximately 100 men each. The largest vessels are the Soviet floating canneries and mother ships which have a crew of up to 640. These modern vessels have permitted Russia to take fish in waters throughout the world and have permitted this to be accomplished with the use of rough, high seas tactics. Russian trawlers have recently been involved in serious international incidents off Plymouth and Devon, England; Scotland; Norway; and Alaska. Criticism has been made not only of the rough tactics used but reports were also made that the Soviet trawlers caused a decrease in the resources along the coast.

Primarily as a result of this increased foreign fishing activity, numerous nations within the past 5 years have extended their jurisdiction over fishery resources beyond the traditional 3-mile limit. This has been done frequently by establishing fisheries zones similar in many respects to other contiguous zones recognized by the United States such as those for customs and immigration. At the time the question of the territorial sea was raised at the United Nations Conference in 1958 a majority of coastal nations did not exercise jurisdiction over fisheries beyond their 3-mile limit. Within the past few years the situation has drastically changed.

Well over a majority of coastal nations today exercise jurisdiction over fishery resources beyond the 3-mile limit. Many of the traditional coastal States that have stood in favor of the limited jurisdiction have swung sharply in the other direction. For example Canada made public last year its intention to exercise jurisdiction over a 12-mile fishery zone beginning in May of this year. Last month in London a European fisheries convention agreed to recommend to their governments a new convention which would give to each of the 13 coastal states the exclusive right to fish within a 6-mile zone and to impose its regulations in a further zone between 6 and 12 miles which would remain open only to fishermen who had traditionally fished the area. Those attending the Conference included the United Kingdom, Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, the Netherlands, Norway, Portugal, Spain and Sweden.

The United States stands virtually alone as a world fishing power with no jurisdiction over our fisheries beyond the 3-mile limit and with certain knowledge that these extensive coastal fisheries are the target of foreign fishing interests. We find ourselves in this position even while knowing that over 80 percent of the U.S. catch off our coast is taken within a 12-mile limit. I believe that pressure will continue to grow in support of action by the President to extend jurisdiction over our coastal fishery resources by establishing a 12-mile fishery zone to assure the conservation of this natural wealth. The clear international trend is to recognize the right of any foreign nation that has traditionally fished within the 12-mile zone, and we must make certain that the rights of U.S. fishermen are fully and unconditionally protected in this respect. I sincerely hope that the President can make

the necessary arrangements to act and establishes a 12-mile fishery conservation zone off our coast before these resources become traditionally fished by Russia and Cuba or any other foreign nation and are thereby destroyed or lost.

This bill is only a step in the direction of conserving our offshore fishery resources. This type of legislation was passed by other nations similarly situated years ago. This is an essential step if the United States is to begin to meet its obligation to conserve and protect our coastal fishery.

TABLE OF FOREIGN VIOLATIONS OF ALASKAN TERRITORIAL WATERS

(1) Two Soviet trawlers on June 3, 1963, sighted within 3-mile limit near Port Moller.

(2) Two Soviet fishing vessels (one mother ship and one catcher) on June 28, 1963, sighted within te.ritorial waters off Sutwik Island.

(3) One Japanese whaler on July 3, 1963, sighted 1½ miles from Cape Edgecumbe.

(4) Three Japanese whaling vessels on July 10, 1963, sighted within territorial waters off Coronation Island.

(5) Four Soviet whale killer vessels on July 30, 1963, sighted 1½ miles west of Nakchamik Island.

(6) Two Soviet whale killers on August 30, 1963, sighted within 3-mile limit off Adak.

(7) One Soviet trawler on November 27, 1963, sighted 2 miles from Shemya Island.

(8) One Soviet fishing vessel on January 17, 1964, sighted 2 miles off Attu.

THE PRESIDENT'S WAR ON POVERTY NEEDS MORE ACCELERATED PUBLIC WORKS FUNDS

Mr. GRUENING. Mr. President, a thoughtful appraisal of the tax cut bill is found in the current, February 29, issue of the New Republic. It is authored by T.R.B., the pen name of that knowledgeable Washington correspondent, Richard L. Strout.

He points out—and this is in accord with my for sometime reiterated remarks on the floor—that the tax cut bill we have enacted will not appreciably reduce unemployment; that indeed by promoting modernizing of factories and thus automation, may actually increase unemployment.

The article urges, as I have, that what is needed are "job-rich" projects, of which he lists several categories. First, and foremost of these, I believe, is accelerated public works whose inadequate $900 million appropriation has long since been exhausted. A year ago I introduced a bill which would authorize an additional $3 billion. Subsequently the distinguished chairman of the Public Works Committee introduced a bill for $1.5 billion. Neither increase has been acted upon. Although it has been known for nearly a year that the funds for accelerated public works have run dry, over $700 million of excellent projects have been approved and are ready to go.

President Johnson's declared war on poverty—which is virtually synonymous with unemployment—an action on his part which should have the militant support of every American, could have no better sendoff than the enactment of one of the pending measures to provide funds for accelerated public works, legislation which has amply demonstrated its value and its effectiveness in putting people to work at the same time that it supplies communities with worthwhile needed projects. Indeed without such action and other similar action the President's wisely declared war on poverty will not be won.

Hearings authorized by the Chairman of the Senate Public Works Committee, Senator MCNAMARA, have been held under the able chairmanship of Senator JENNINGS RANDOLPH of West Virginia. Testimony has been received from State Governors and other State officials, county and municipal officials, and citizens in private life. It forms an impressive record of the need and urgency for this legislation. I urge the President promptly to give it his unqualified support.

And I ask unanimous consent that T.R.B.'s article from the New Republic be printed in the RECORD at this point in my remarks.

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

WAR ON POVERTY

[From the New Republic, Feb. 29, 1964]

The original Kennedy tax bill was a sweetly proportioned economists' dreamboat. It was full of reforms, i.e., it closed loopholes. (These are mostly dropped.) It proposed $4.9 billion offsets to tax cuts. (Offsets are reduced to $800 million.) It proposed a smooth, two-stage stimulus. (Congress has concentrated most of the relief into one big bounce this year.) Again, J.F.K. asked for speed. (Congress took a year and a half.)

The tax cut was exciting because for the first time we tried to abort a threatened recession before it happened; it was an economic pep pill wrapped in a deliberate deficit. This was revolutionary. The Reader's Digest-Eisenhower economic school will never be quite the same again. The world has moved. But deary me, what a price Congress has extorted.

To begin with: speed. While Congress fiddled, the British parliament, in April, darted in and out again with an equivalent tax cut that has been successful. We dragged it drearily out. One asks whether our Government is nimble enough to achieve economic balance or can it only act after the emergency has appeared?

Most serious fault is in the who-gets-what. We think this is a rich man's tax cut. We fear it won't cut unemployment much because it tries to fertilize the economic plant at the top, not the roots.

You can skip this, if you hate figures; but here is the score as we see it: In 1962 the Treasury gave corporations a preliminary $2 billion tax cut. Now it gives them $2.2 billion more, a total of $4.2 billion. This money will go into great new factories and labor-saving machines (while the saved labor goes on the dole) although some 15 percent of existing factories are idle.

More valuable for the economy, the tax bill also gives some $9 billion relief to individuals. Fine. But who gets what? From this total of about $9 billion for individuals, the poor man gets no relief. The grateful $3,000-a-year man, 2 percent; the $7,500-a-year man, 2.1 percent; the affluent $100,000-a-year man gets 8.3 percent and the rich $200,000-a-year man, 16 percent. And so on.

We figure that the well-to-do ($10,000 or over) constitute 13 percent of the population but that they get 33 percent of this cut. Maybe that's necessary. The trouble economically is that whereas the poor man spends his increase right away and thereby irrigates the economy, the wealthy man tends to invest a good chunk of his. Where does it go? Well, it goes into Wall Street, perhaps, to bid up the shares of General Motors stock; in other words into more plant and more automated machinery. It adds to the $4.2 billion for corporate investment which we already mentioned above.

The irony is that President Johnson is simultaneously launching an attack on poverty. The shadow that lies over America's economy is unemployment—poverty—call it what you will. A better distribution of this big tax cut would have got the money down where it counts, consumption rather than investment. Better still, in retrospect, we could have spent this same amount of Treasury deficit in the desperately starved public sector: job-rich public housing, for example, urban renewal, mass transportation, schools, and the like. What we see is an election year boom ahead; but one that may not last long because the tax cut stimulus is going to the wrong places and the wrong people.

HARTKE COLLEGE STUDENT AID BILL

Mr. HARTKE. Mr. President, on February 3, just before the beginning of the tax bill discussion concerning Senator RIBICOFF's amendment to give tax credit for the expenses of college students, I offered a bill dealing in broad fashion with the problems of financial aid to students in higher education.

Even though the tax bill has now gone to its final stage of consideration and the Ribicoff amendment is not a part of it, I am sure there is still a volume of mail arriving in the offices of many of the Members pleading for help or relief of some sort from the burdens of college costs. At the time of its introduction, S. 2490 was promised an early schedule of hearings by the Senator from Oregon as chairman of the Education Subcommittee. He has kept his word, and the first such hearing was held on February 20.

Mr. President, because there was not sufficient opportunity in the midst of the tax bill discussion to present fully the reasons for my offering at that time an alternative approach to the Ribicoff tax credit amendment, and because the subject of aid to students in higher education is one over which there is increasingly great concern throughout the country, in order that Members may have the benefit of a fuller exposition of the ways in which the Hartke bill will meet the rising demand, I ask unanimous consent for insertion in the RECORD of the testimony which I presented before the Subcommittee on Education concerning this bill, and also a table showing the loan plan to students.

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

STATEMENT OF SENATOR VANCE HARTKE CONCERNING THE HIGHER EDUCATION STUDENT ASSISTANCE ACT OF 1965, S. 2490, INTRODUCED BY SENATOR HARTKE ON FEBRUARY 3, 1964, TO THE EDUCATION SUBCOMMITTEE OF THE SENATE LABOR AND PUBLIC WELFARE COMMITTEE, FEBRUARY 20, 1964

Mr. Chairman, I would like to begin my statement in support of S. 2490, the Higher Education Student Assistance Act of 1965 which I introduced on February 3, 1964, by quoting from President Kennedy's statement to the Congress in his message on education dated January 29, 1963. He said:

"Our present American educational system was founded on the principle that opportunity for education in this country should

be available to all—not merely to those who have the ability to pay. * * * Now a veritable tidal wave of students is advancing inexorably on our institutions of higher education, where the annual costs per student are several times as high as the cost of a high school education, and where the costs must be borne in large part by the student or his parents. * * * Well over half of all parents with school age children expect them to attend college. But only one-third do so. Some 40 percent of those who enter college do not graduate, and only a small number continue into graduate and professional study. The lack of adequate aid to students plays a large part in this disturbing record."

President Kennedy went on to speak of the objective of Federal legislation in this area, saying that "it has not fulfilled its original objective of assuring that no student of ability will be denied an opportunity for higher education because of financial need."

It is that which the present bill seeks to do, to provide through four separate approaches means whereby we may fulfill the responsibility of this Nation to assure that "no student of ability will be denied an opportunity for higher education because of financial need." It will do this though expansion of the National Defense Education Act student loan program; through a new program of providing guarantees for student loans obtained through non-Government sources; through a Federal scholarship program; and through a work-study program of self-help to the student which will also be helpful to the institutions. In this, I agree with Commissioner Francis Keppel of the Office of Education, when he said to this committee last June 25, "the best way to think about this problem of financial aid at the college level is in terms of a combination of ways of going about it. No single method would seem to me to be suitable to every student." [1] As he went on to say, we need "a package approach" for solution of the student's financial problem, and he specified the elements of this bill—namely, "scholarship aid," "loans," "and finally, work," adding that "it is this combination that makes sense to me."

It is my intention today, first, to review quickly some of the salient facts about the need for increased higher education as a necessity for our national welfare; second, to point out again, as has been done before this committee on other occasions, the loss of potential national leadership sustained because of the financial difficulties faced by today's college students and their parents; and then to speak of the specific effects of this bill toward achieving that major goal of assuring "that no student of ability will be denied an opportunity for higher education because of financial need."

THE CHANGING JOB MIX

From the standpoint of the national interest, the education of our youth to their fullest potential cannot be separated from the need we have for that education. As long ago as 1960 the U.S. Department of Labor's Bureau of Labor Statistics made some startling estimates concerning the changing "job mix" which is occurring during this decade. The essential fact is that:

(1) Farm labor is decreasing absolutely by one-sixth in this decade despite the increase in population.

(2) In absolute numbers, unskilled jobs are remaining stationary.

(3) Semiskilled jobs in blue-collar work are increasing at a rate lower than the work force increase, or about 18 percent between 1960 and 1970.

(4) Skilled workers, such as craftsmen, foremen, and the like will increase by 24 percent, slightly more than the expected 20-percent gain in the work force.

(5) Proprietors, managers, and officials will increase at the same 24-percent rate.

(6) Clerical and sales forces will go up slightly faster, by 27 percent. But—and this is the most significant factor for us here—

(7) A 41-percent increase is expected in professional and technical occupations, a growth rate more than double that of the labor force as a whole.[2]

We are already seeing the effects of this change in the job mix in the shortage of qualified professional and technical people, for whom advertisements in the classified sections of newspapers in every major city are crying most strenuously while at the same time there are increasing numbers of unemployed among the unskilled and semiskilled. It is because of our great need for supporting technicals as well as professionals that this bill calls for broadening of the National Defense Education Act loan authority to non-degree-granting schools, such as technological institutes, which provide supportive personnel in these crucial areas although they are not 4-year colleges.

EDUCATION AS INVESTMENT

One writer has put the case for Federal support of higher education in its strictly economic aspects about as succinctly as it can be done when he says, "The most fundamental economic argument is simply that the intellect of the young is an essential natural resource that must be developed and used to the fullest if the Nation is to maximize satisfactions for the citizenry. In this economic sense higher education becomes a process that produces capital in the form of improved intellectual equipment for future service in the society." [3]

This concept of educational potential as a national resource is one which has been slow to develop, but one which we are increasingly accepting in this Nation as we strengthen the educational process through increased Federal support in recent years. It is time that we accepted it fully rather than tentatively, making a much increased effort to develop systematically this natural resource. As the same writer puts it, "The Federal Government must concern itself with higher education because the products of education are essential to the Nation's growth and well-being. It has to be recognized that the returns from investment in education accrue not only to the individual but also to the Nation of which he is a part. In effect, the social benefits from education exceed the private benefits—another reason why complete reliance cannot be placed on the free market allocation of resources to education." [4]

In order to secure public understanding of this undeniable fact, we need to educate our citizens away from the popular view of education as a cost and a burden to the public, since in reality it is an investment with dividends which are handsome both to the individual and to the Nation.

Dr. T. W. Schultz of the University of Chicago has calculated that for each dollar spent in all education there is a return of 17 cents each year. Certainly a 17-percent return is a rate which would find a rush of investors if it were on a private-profit basis. I will not attempt to outline the intangible economic benefits associated for the Nation with improved education, which include reduction of poverty and reduction of crime, the unpredictable but real addition to profitable ideas developed by the educated in both an economic and a social sense, and the improvement of race relations, which all evidence shows has a positive correlation with educational attainment for both races.

But I do want to refer to a 1961 study of average incomes for males aged 25 to 64, which shows increasingly high returns for added years of schooling at the level of individual income—which presumably measures to some extent also added value to society. Those who had completed the eighth grade earned $4,750 in 1961, a sum $1,267 greater than the $3,493 earned by grade school dropouts.

The high school graduate's average income in 1961 jumped another $1,352 above the eighth-grade graduate to $6,102. But the biggest gain came in the added earnings of the college graduate over the high school graduate. The college graduate's income in 1961 averaged more than 50 percent above that of the high school graduate, shooting up to $9,530. It is not a coincidence that the 20 percent who attended college hold more than 70 percent of the jobs that pay above $5,000 per year.[5]

THE STUDENT AND COLLEGE COSTS

Evidence previously presented to this committee [6] shows that college enrollment of first-time students first passed the million mark in the fall of 1961, when total enrollment was less than 4 million. It is expected that next year the total will top 5 million for the first time, and indeed is estimated at 5,257,000. But despite the dramatic increase in college attendance, there is a great loss of potential college-qualified youth to the overcrowded job market at lower levels simply because college costs have also spiraled. Let me remind you of the testimony of Dr. Keppel before you last June 25, when he pointed out that the cost of attending college in public institutions has risen from a low of $730 in 1930 to $1,480 today and a projected $2,400 in 1980, with the 1962–63 average direct cost in private institutions already reaching $2,240.

"Comparison of these average costs with the current annual median family income of $5,700," said Dr. Keppel, "indicates immediately that a college education represents an extremely large outlay for most American families. As a major item of expenditure it is second only to the purchase of a home." The burden is particularly heavy in the case of a family with several children. If there are three children each 2 years apart in age and schooling, if each enters college immediately upon concluding high school, there will be 8 years of these high costs without a break, and during two of those years the doubled cost of two in college at one time. All of us know such cases, and some of us have experienced them or can expect to shortly, as in my own case. At the figure cited for a public institution, the total becomes nearly $18,000 spread over only 8 years; at a private institution, it would be

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[1] Education Legislation Hearings, 1963, vol. V, p. 2486.

[2] Address of Louis F. Buckley, then New York Regional Director, Bureau of Labor Statistics, before the Catholic Economic Association, St. Louis, Dec. 28, 1960.

[3] Roy E. Moor. "The Federal Government Role in Higher Education," in Economics of Higher Education, U.S. Department of Health, Education, and Welfare, 1962, p. 208.

[4] Ibid., p. 209.

[5] All figures of last 3 paragraphs drawn from "People, Jobs and Growth" by Prof. Arthur Mauch (University of Michigan) in Banking, the American Bankers' Association publication, for February 1964.

[6] Education legislation 1963, hearings. V, exhibit 11, pp. 2411–2412.

nearly $27,000. And this does not take account of the projected rise in college costs.

What is the effect in loss of potential talent for the well-educated leadership of the Nation? Dr. Keppel continues:

"It is no wonder, then, that each year between 100,000 and 200,000 able high school graduates who have high aptitude and interest for college fail to continue their education, many because of financial inability to do so. According to the 1962 findings of the Office of Education-financed Project Talent, 30 percent of the high school seniors in the 80 to 90 academic percentile of their class and 43 percent of those in the 70 to 80 percentile failed to enter college.

"Moreover, enrollment figures indicate that approximately 40 percent of all students who begin college withdraw before graduation. Many of these are talented but leave college because of financial hardships. Surely this is an intolerable loss to the Nation of urgently needed college-trained manpower. In the case of every American youngster with college capabilities who is denied the opportunity of starting or completing a college education we not only limit the individual opportunities which come with greater education, but we also retard our scientific advance, slow our economic growth, and deplete our reservoir of future leadership." [7]

The relationship of education to employment has been stressed many times in the past before this committee. Unemployment and all its concomitant miseries are a festering problem of the American economy. We will serve the national interest well if we can, by education, transfer some of the capable but financially unable from the potentially unemployed to the ranks of those for whom, because of full training, there is no lack of work. A recent Michigan State University study has shown that between 1952 and 1960 the rate of unemployment among those with less than a high school education increased by 13 percent. But in the same period, unemployment rates among college graduates dropped by 36 percent.

The demand, and the necessity, for college graduates is increasing. The bill before us for consideration is therefore a necessity for the fullest development of our greatest remaining "natural resource," the talents of those whose ability is great but whose financial circumstances are limited.

In the February issue of the journal of the American Bankers' Association, Banking, Prof. Arthur Mauch discusses "People, Jobs, and Growth." I would like to quote from this article, appearing as it does in a publication speaking to and for what is considered an economically conservative segment of the community. Speaking to the Nation's bankers in their own journal, he says, "If financing of education is to be adequate, the public must accept the fact that such support is an investment that brings high returns and that we can afford to make the investment—indeed that we can ill afford not to."

Professor Mauch continues, "Our gross national product is in the neighborhood of $600 billion a year. If we credited the effects of education to only 10 percent of this, instead of the 20 percent or more than studies indicate would be justified, it would not seem out of line to invest up to $60 billion. Only about $25 billion, or less than 5 percent, is being spent by educational institutions from kindergarten through university, both public and private."

I quote one further paragraph: "The most able students should have an opportunity for education beyond high school. Unfortunately academic ability of the student and financial status of the parent do not always coincide. College costs are rising. Unless loans or scholarships are provided, a valuable resource will be wasted."

In line with Dr. Keppel's concept of a "package" to which I referred earlier, the bill which I have introduced will offer a means, far better than some which have been suggested and which do depend to a considerable extent on the coincidence of student ability and parental financial status, at least with respect to the income tax. In the combination of loans with government guarantee, outright scholarships for the most able students without resources, and course-related paid work programs there is some feature available for everyone capable of maintaining acceptable college academic standards, as I shall show.

First, however, before turning to the specific provisions of the bill, I want to speak not only about the economic benefits, as I have been doing, but also about the economic needs of the students and the degree of loss the Nation suffers by their financial disabilities.

These are the young people that the package in my bill is designed to help—"every American youngster with college capabilities" now retarded in his educational effort by financial lacks. The problem is not entirely that of the lowest income segment, although that is often automatically the group to whom college opportunity is financially denied. For example, the Educational Testing Service has found that among the highest 10 percent of public high school seniors, by aptitude test, 30 percent of those graduating in 1955 did not go on to college. For these, based on high merit, the bill would make available scholarship funds, which might be supplemented with loans and/or work.

But there is a need for relief from the high costs, from the burden of college education's price tag for the middle income family as well. Here it is often possible for the first year of two of college costs to be financed by planned savings. But for the college-capable of only average grades, there are not presently, and probably will not be, scholarships; and perhaps, on the principle of an educational means test of the sort now employed by the many schools affiliated with the College Scholarship Service, there should not be. But the burden is still there. My bill will benefit particularly this group through the opportunities afforded for vastly increased commercial loans for college education which the guarantee of their repayment by the Federal Government, much as we now guarantee FHA loans for housing, will stimulate. The truly upper income group, for whom the benefits would be largest under a tax credit plan, do not have this problem in the same degree; they already have resources or borrowing power with which to meet the need.

I turn now to the provisions of the bill itself.

STUDENT LOANS

In some respects the opportunity to borrow money as an investment in his future career may be of greater value to the student than the opportunity for scholarships. There are many very capable people, future leaders who do not have or do not acquire the high degree of academic proficiency which could win them a scholarship on the basis of grades or other such merit tests. Yet they can, and should profit by the college education they may secure if finances permit. Here, as in the whole of this bill's total package, the emphasis is not a regressive backward look to the ability of the parents to earn enough to secure a tax credit, but on a progressive forward look to the ability of the student himself to earn the means to repay the loans granted to him.

Two of the four parts of this bill deal with loans. The first, the expansion of National Defense Education Act funds and the extension of new borrowing beyond June 30, 1965, requires participation in the loan by the institution, which puts up $1 out of every $10 of the amount loaned to the student. Because the loans are under the direction of the institution, there is a close scrutiny of the need and an effort to place the money where it will be the most valuable in its effect. The result is a considerable emphasis on the most severe need.

But the second loan provision, that for guarantees of commercial loans, will open the door to the middle-income family and the student who has their backing for the securing of help with less regard to severe need. In many cases, it may not make a final difference in the ability of the student to go to college but it may make a vital difference in the financial situation of the family. Essentially, too, it shifts the focus from the family to the individual, who in most cases would be the responsible borrower although the family might be the cosigner and responsible secondarily. Now all too often the only way a student can secure a commercial loan is through the security his family can provide, such as a mortgage on the family home. The two are not duplicating each other, but are complementary to each other.

NATIONAL DEFENSE EDUCATION ACT LOANS

The National Defense Education Act amendments embodied in Public Law 88–210, part B, provided for $135 million in fiscal 1965 and such sums as may be necessary in the following 3 fiscal years for students holding prior loans. It also raised the loan ceiling per institution from $250,000 to $800,000. Under it new money authorization ends June 30, 1965.

The success of the National Defense Education loan system is undoubted. One thousand four hundred and sixty-eight institutions participated in fiscal 1962, when they added nearly $7.4 million of their own funds to the almost $90 million provided by the Federal funds authorized. The cumulative total by June 30, 1962, was nearly $225 million advanced to students, with a loss of only $700. With average loans of about $470, aid had been given to 327,000 undergraduates and more than 36,000 graduate students.

According to a survey of students borrowing in fiscal 1961, 9 out of 10 were dependent on availability of a student loan to begin or continue in college. Two out of every five came from families with annual incomes below $4,000, and five out of seven from families with less than $6,000. Nearly a third were financing their expenses entirely from nonfamily sources—loans, scholarships, and part-time work; 8 out of 10 got more than half their funds in such a manner. Of further significance, 74 percent had brothers and sisters of college age or younger.[8]

These facts indicate the great extent of the need for student loans, a need which the National Defense Education Act program has never been able to satisfy. The growing demand is indicated by the fact that with a $250,000 limitation on the amount available to any one institution, 34 colleges and universities requested more than that limit in fiscal 1961. Requests over the limit rose to 102 in fiscal 1962, and to 123 institutions in the 1963–64 year. Even though the ceiling has now been lifted to $800,000, the 1963 requests included three beyond even that sum and four more in excess of $700,000. The

[7] Ibid., pp. 2353–2354.

[8] Senate Subcommittee Hearings, Education Legislation, 1963, vol. VI, p. 3285.

present bill does not set any such arbitrary limitation, which tends to penalize the student attending the largest schools by making loans unavailable even though the college is willing to put up its share of the fund. The University of Minnesota, for example, as the one with the largest request asked for $1,017,000 for loans to 1,607 students at an average of $478 in 1963–64.[9]

While the new National Defense Education Act amendments provide $135 million for fiscal 1964, the new bill would lift this to $200 million and would authorize also the amount of $250 million each for 2 years beyond that, plus the sums necessary in the following 4 years to carry students with prior loans. I do not believe we can afford to close out this program as the present law would do, but that it needs to be enlarged.

Further enlargement would be accomplished by extending loan preference not only to prospective elementary and secondary school teachers, but also to college and university teachers. It would also increase the annual loan limit for undergraduates from $1,000 to $1,500 and to $2,500 for graduate or professional students with total limitations of $7,500 for undergraduates and $10,000 for graduates.

In addition, and perhaps this is the most important change in the National Defense Education Act loan program, there is a new definition of institutional eligibility. In addition to institutions awarding a bachelor's degree, there would also be eligible junior colleges and technical schools offering at least a 2-year program requiring high school graduation for admission. These must be accredited by a nationally recognized accrediting agency on a list to be published by the Commissioner, or in some instance by an advisory committee if there is no proper agency. Here we are attempting to meet the need for technical personnel and to avoid the present discrimination against the junior college or communitiy college type of institution.

LOAN INSURANCE PROGRAM

For the moment I shall skip the undergraduate scholarship program in order to consider with you the loan insurance provisions of part C. For the most part, I am sure you are familiar with this, which appears with slight change in this version substantially as it does in S. 580, on which you have held hearings. The major change from that bill is in the doubling of the total amount authorized as insurable and in the doubling of the revolving insurance fund from $500,000 to $1 million.

While the bill would not be complete without all its parts, it is probable that for the small sum of investment needed to put such a program into effect, the results here would be the most valuable as a stimulant to what might be called the private sector of the college education economy. It would vastly expand loan funds available to students, since it would give that added measure of guarantee against loss which would release many sources of funds by those who now rightly feel that an unsecured loan to a student is too great a risk for their situation. This would, of course, include regular banking institutions, but it might conceivably make it possible for colleges and universities to invest some of their own endowment funds in the education of their students rather than in stocks and bonds.

Nowhere have I seen a better indication of the deep and urgent need for such a program than in the publication of the Credit Union National Association (CUNA), the Credit Union magazine, for May 1963. I should like to include at the end of my testimony as an exhibit two pages of tabulations which appear there stating the conditions under which education loans may be secured from some of the rapidly expanding State student loan guarantee corporations, most of them publicly financed; through United Student Aid Funds, Inc., which has headquarters in Indianapolis and guarantees bank loans in some 30 States where the plan has been endorsed by the State bankers association; the plans of a number of large banks; and those of the subsidiaries of two finance companies. One of the most arresting features of this tabulation is the calculation of the true interest rate, which appears in a separate column.

The great need for student loans is indicated by the rapid development of the State plans, of which the Massachusetts Higher Education Assistance Corp., privately financed by contributions from businesses, individuals, and charitable foundations was the first, beginning in 1956. Incidentally, by 1962 this plan had loaned about $6 million to nearly 13,000 students with default by only 56 involving a total of just over $24,000. The New Jersey Higher Education Assistance Corp. in its first 2 years guaranteed $600,000 in loans to over 1,000 students with only 1 default, which was a result of death. This is a good indication that student loans even though unsecured are actually good risks if properly handled.[10]

While interest under these plans ranges from 3 percent in Wisconsin to 6 percent in some States, the tabulation shows that student loan plans sponsored by individual large banks run to a true interest rate ranging around 11 to 12 percent. But the shocking development, one which shows the strength of the demand for commercial loans at even the most highly unfavorable rates, is the way in which the largest finance companies have moved into the field with their own incorporated high-rate plans, plans which in many cases are trusted by the borrowers and unknowingly recommended by college authorities without realization of their ownership or usurious terms. One of these is Education Funds, Inc., of Providence, R.I., a subsidiary of Household Finance Corp. As the chart shows, under its three repayment plans, with loans ranging up to $14,000, the equivalent interest rate runs to approximately 26, 36, and 55 percent.

The Credit Union magazine article has more details about the operations of one of the best known plans, operating throughout the country, the Tuition Plan, Inc., of New York, a subsidiary of C.I.T. Financial Corp. Under their 40-month repayment plan the effective interest rate is an unbelievable 60.02 percent. Here is the article's description of how this is done:

"The tuition plan will furnish a student $500 a semester for eight semesters in return for a fixed service charge of $240, paid at the rate of $106 a month for 40 months beginning a month after the first advance. Instead of being a repay-as-you-go plan, it soon evolves into a prepayment plan which indicates the parent is either paying the company to hold his money instead of vice-versa, or he is paying a huge amount of money on some very small advances.

"In effect, the parent repays $530 on a $500 advance during each of the first 2 semesters and then prepays $212 before the start of the third semester. This means the third advance is only $288 plus the $212 which has been prepaid. By the beginning of the third year, the parent is given $424 of his own money back and a $76 advance to equal the $500. Still the monthly payments of $106 continue until the parent receives no more advances but is given back his own money to pay the expenses for the final two semesters of college. The service charge as applied to this plan is comparable to a true annual interest rate of 60.02 percent."

There can be no question of the need for more favorable terms for commercial student loans, in the light of such situations as this which apparently find enough need from borrowers to make them operable. My bill would allow borrowing to be insured up to $2,000 in 1 year, with a $10,000 ceiling on the total, with the fund liable for no more than 90 percent of the unpaid balance and interest in case of default. The loan would go to the student himself, who must be a full-time attendant under the institution's rules and in good academic standing. If the borrower is a minor, endorsement may be required. Repayment may extend over a 10-year period and normally would begin 1 year after completion of schooling. Interest would be within a maximum prescribed by the commissioner, and most probably would be 6 percent, with the one-fourth of 1 percent charged for the guarantee service included. This would be paid by the loaning institution.

One difference from the provisions of S. 580 is the incorporation of a new section allowing the commissioner to issue a comprehensive insurance coverage certificate to any eligible lender, eliminating the need for a separate certificate on each individual loan.

Mr. Chairman, a provision of this kind has been talked about for several years. A bill to provide for student loan insurance was introduced into the Senate by our present President, then Senator Lyndon Johnson, as long ago as September 14, 1959, in the bill S. 2710 of the 86th Congress. President Kennedy's message to which I referred at the beginning of my remarks called for enactment of such a provision in these words: "I recommend that the Congress enact legislation to * * * authorize a supplementary new program of Federal insurance for commercial loans made by banks and other institutions to college students for educational purposes."

I made such a proposal in the 87th Congress, and renewed it in the present Congress with my separate bill, S. 1115, which was a narrower concept than the one now before us. The need is very great, the cost is very small, and the amount of benefit for the surging numbers of youth who need aid of this sort is almost incalculable. I have no doubt, however, that once in operation it may very well serve many more than the 110,000 it is estimated would be aided by it each year after its initial beginning in 1965.

UNDERGRADUATE SCHOLARSHIPS

There is no further need here to argue the desirability of college scholarships in order to benefit the Nation by assisting the academically capable but financially incapable student, whose waste of potential talent is robbing the Nation of this great "natural resource." Senator RIBICOFF, then Secretary of Health, Education, and Welfare, in 1961 stated before this committee in one paragraph the basic need for Federal scholarships. His testimony on the bill S. 1241 of that year, which proposed a scholarship program by the Government, is equally applicable today to the bill before us:

"The proposed plan of scholarships would implement the efforts already begun under the National Defense Education Act to assist the States and high schools in their programs for the early identification and motivation of talented youth through improved counseling serviecs. It would provide for a national talent search, to be conducted on a partnership basis by the Federal Government and the States, to discover, encourage, and assist significant numbers of students of high ability who otherwise might be unable to enter college. It is designed to stimulate and supplement rather than to supplant or

[9] Ibid., Vol. V., p. 2397.

[10] Elmer D. West, "Financial Aid to the Undergraduate," American Council on Education, 1963; p. 41.

discourage additional scholarship assistance by the States, corporations, voluntary groups, and other private sources. Actually, the seriousness and size of the problem of erosion of talent warrants vigorous participation by all sectors, public and private, of our society in its solution.[11]

It is estimated that this fall 1.2 million students will enter college as freshmen. At the same time, a study of more than 300,000 applicants in the National Merit Scholarship Competition in 1958–59 showed that about 10 percent of those qualifying for college in the upper 30 percent of the group did not enter college most often for lack of finances. On this basis, 10 percent of the 1.2 million figure will be about the number left behind for financial reasons, or 120,000 students.[12]

My bill, which would provide an average $750 scholarship and a $1,000 annual maximum, does not begin to meet the need, since it would provide for only 50,000 new students each year for 4 years, while continuing those previously in the program. The cost would be $37.5 million each year, with a peak total of $150 million in the fourth year, when the program would be helping a total 200,000 students. Need would be a controlling criterion, with student selection made by State commissions on scholarships. Each State's allotment of funds, except for 2 percent of the total divided among Puerto Rico, Guam, the Canal Zone, American Samoa and the Virgin Islands, would be half on the basis of the relative number of high school graduates in the State and half on the basis of the State's population aged 14 through 17. The scholarship could be used without regard to State boundaries, at "any institution of higher education which admits him." These features are essentially the same as those specified in the administration bill of 1961, and like that bill the present measure would also award the institution attended by the scholarship holder $350 as a "cost of education allowance."

Scholarship awards have been increasing in recent years from nongovernmental sources, as we have increasingly realized their necessity. But they are still far from adequate to reach more than a part of the talented but relatively poor. If we are to make the all-out effort to abolish poverty which is being now so earnestly considered, there is no better investment than this to raise a bright slum boy to a higher level of possibilities.

How great is the need? Is it not possible that the great number of scholarships already available can do the job?

There has been manful effort by the colleges and universities themselves to offer scholarships for the needy. In the decade between 1949–50 and 1959–60, the number of higher institutions awarding scholarships increased substantially. In 1949–50, 1,198 colleges and universities out of a total of 1,808 gave $27 million in scholarships to 124,223 students. But 10 years later 1,677 out of 2,011 institutions granted more than $98 million in scholarships to 287,589 students. Almost one-third of the total, however, was concentrated in the three States of New York, Pennsylvania, and Massachusetts.[13]

The largest scholarship program financed by public rather than private funds is that of New York State, which in 1961–62 provided scholarship and fellowship aid to about 40,000 residents of the State in a total amount of $15.7 million. The principle of publicly financed scholarships is far from new here; the first provided by New York State gave $100 annually for 4 years to 128 Cornell University students. This is not so surprising as the date, which was 1868. The program was increased from 128 to 150 scholarships in 1895, and in 1913 the first 750 regents' scholarships were established. Nearly every year since 1954 there have been increases and additions made available.

New York State is not alone. California began its scholarship program with 640 awards in 1956, and in 1965 the total number of authorized scholarships will reach 5,120. Illinois, New Jersey, Rhode Island, Maryland, and Virginia also have State-supported scholarship programs of significance. But it is worthy of note that all of the States with such programs are among those with higher per capital incomes than the States with the greatest need for help to their students. Nothing less than a Federal scholarship program will reach many of those who need help most.

In addition to institutionally sponsored and State sponsored scholarships, there are those by private groups, including labor unions, business firms, civic organizations, women's clubs, churches, and others. The Educational Testing Service has estimated that in 1960–61 business firms and corporations gave 37,000 grants worth $22.5 million. The total of undergraduate scholarship assistance in 1961–62 has been estimated by the Office of Education at $150 million. The report stating this figure adds, "Although this sum represents a considerable effort to overcome the economic barriers to higher education, it is not regarded as adequate in view of recent increases in tuition charges and other college costs and the growing number of high school graduates who have the requisite ability and seek the opportunity for higher education." [14]

In view of the great need, and in order to harvest the "natural resource" of the Nation's underprivileged brainpower, I feel that the 50,000 scholarships per year in this program is a vital part of the total package.

WORK-STUDY PROGRAM

This brings us to the final part of this comprehensive student aid bill, the work-study program. Again, this is much the same as S. 580, the administration bill which you have considered earlier, though on a larger scale. It would help more students than any other part of the program except loans, with an estimated 330,000 being assisted each year. However, the concept involves more than a make-work assistance program. The entire drive of this device is toward better programs of professional preparation for careers, since funds granted to the institutions for this use would go for academically related work, not for leaf raking, snow shovelling, or any such nonmental activity. Rather, both the institution and the student would gain from work done, for example by teaching and research assistants who will learn while they earn. Likewise, in such programs as those involving case work or public welfare trainees, public school teaching interns or teacher aids, nursing trainees, or similar courses with off-campus work requirements, payment will be allowed for such service. One difference from S. 580 is the specific inclusion of the purpose "to assist such institutions to develop and expand courses of study requiring periods of full-time on-the-job training."

It is significant that in 1959–60 more students were employed by institutions of higher education than the number receiving scholarships from the institutions. Studies at the University of Illinios in 1961 showed that 48 percent of single men and 69 percent of the married men at the school received some income from employment of one kind or another, while 36 percent of single women and 59 percent of wives were also money-earners. At Wisconsin a study of the same year revealed similar figures, 46 percent of resident men and 42 percent of resident women, with lower figures—35 and 21 percent—for those coming from outside the State.

"It is apparent," says Elmer D. West in an American Council on Education publication,[15] "that the working student is not a rarity on the college campus. Workweeks of 10 hours may not seem long, but they are, one-fourth of the normal workweek of a man employed full time. The 10 hours are, in most cases, in addition to the requirements of full-time academic work. Many, of course, work more than 10 hours, which is taken as the average." Then Mr. West adds this sentence, which points up the effect of the work-study program in this bill: "One can only speculate on the advantage of assigning this 'more than 10 hours per week' to the task of learning instead of earning." This is what the course-related work-study program would do. Other sources, incidentally, estimate that probably an average of 40 percent of all students are employed.

There is one other thing this part of the bill would achieve, as a sort of side effect or as a "fallout" result. It would remove a sizeable number of students who must work from filling stations and taxicabs and jobs as supermarket stockboys, opening up a measure of employment for possible replacement by those with no jobs at all. The type of unskilled labor at which the college student is typically employed off campus is precisely the type of work which is in shortest supply to meet the needs of those at the bottom of the employment ladder.

IN CONCLUSION

Mr. Chairman and members of the committee, I have made here a fuller and lengthier statement than I might have prepared. I have done so in order that I might try to anticipate many of your questions and to make a comprehensive case for the necessity for such a "package" of educational assistance to students at the post-high school level.

Let me reiterate. Our most precious resource lies within our youth. We once allowed our forests to be despoiled, our hillsides to be eroded, our streams to be polluted. But of the value of these resources and the need for their conservation we have become increasingly aware. Programs of the Federal Government now include appropriations for air pollution control, for development of better hybrid corn, for recreation areas, for the preservation and improvement of natural beauty areas. Isn't it time that we realized that expenditure for college education assistance is a vital investment, not an expense?

Now, this year, is the time to start. We have all, here in the Senate, felt the surge of response to another type of proposal for college aid, one which would have cost double the amount involved in this comprehensive bill. We know that the people of this Nation are ready to back such forward-looking legislation as this which is directed toward our youth themselves. We know that there is not only a demand for student aid but a very real need behind the demand. I hope and trust that in this committee, with its distinguished members and most able chairman, there will be sufficient acceptance of the need and a considered judgment that this is the appropriate answer to that need, so that this bill will be reported to the Senate and eventually enacted into law.

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[11] "Aid for Higher Education," hearings before the Subcommittee on Education, 1961; p. 60.

[12] Figures from Office of Education. CONGRESSIONAL RECORD, Feb. 4, 1964, p. 1894.

[13] "Non-Federal Undergraduate Scholarships," Office of Education memorandum in subcommittee hearings of August 1961. Aid for Higher Education, p. 67; and West Financial Aid to the Undergraduate, p. 32.

[14] "Aid for Higher Education," p. 69.

[15] "Financial Aid to the Undergraduate," 1962; p. 52.

Typical education loan plans available to parents, guardians, or sponsors of students

	Amounts which can be borrowed	Length of repayment period	Examples of the plans offered							Eligible borrowers
			Amount borrowed	Monthly payment	Total interest charges	Total insurance charges	Other charges	Total cost	Comparable interest rate [1]	
First National Bank of Allentown, Pa.	Up to $10,000 for 4 years of study.	Up to 6 years.	$500 a semester repaid in 6 years.	$63.60	$320.00	[2] $259.20	$15 initial investigation fee.[3]	$594.20	11.36	Parents under 60 years of age who live in the Lehigh Valley area, or who have children attending school in the area.
			$1,250 a semester repaid in 6 years.	159.00	800.00	[2] 648.00	do.[3]	1,463.00	11.12	
Wachovia Bank & Trust Co., Winston-Salem, N.C.	do	do	$500 a semester repaid in 6 years.	64.32	307.04	[4] 216.00	$15 initial investigation fee [3] plus 50 cents monthly service fee ($36) and 25 cents per $1,000 monthly administration fee ($72).	646.04	12.36	Any responsible adult with typical credit qualifications and who is acceptable to the insurance company.
			$1,250 a semester repaid in 6 years.	160.05	767.60	[4] 540.00	$15 initial investigation fee [3] plus 50 cents monthly service fee ($36) and 25 cents per $1,000 monthly administration fee ($180).	1,538.60	11.70	
Wheeling Dollar Savings & Trust Co., W. Va.	No maximum	do	$500 a semester repaid in 6 years.	63.30	320.00	[5] $201.60	$15 initial charge [3] plus 50c monthly service fee ($36).	572.60	10.94	Parents, under 60 years of age, anywhere in continental United States, except those whose children have less than 2 years of college remaining.
				64.50	320.00	[6] 288.00	do [3]	659.00	12.62	
				66.50	320.00	[7] 432.00	do [3]	803.00	15.45	
Bank of America, California	Up to $10,000 for 4 years of study.	do	$500 a semester repaid in—							Residents of California who have children attending school anywhere in the United States. Students are eligible if their income is sufficient.
			4 years	87.02	176.96	(3)	None	176.96	13.17	
			5 years	72.78.	366.80	(3)	do	366.80	11.18	
			6 years	63.36	561.92	(3)	do	561.92	10.62	
Central National Bank of Cleveland, Ohio.	do	Up to 8 years.	$750 a semester repaid in 8 years.	78.84	Unknown	(9)	Unknown	[10] 1,636.56	11.06	Residents of Ohio under age 65 who have children attending school anywhere in world.
In the preceding plans, insurance on the borrower provides funds for completion of study by the student in case the borrower dies										
Lincoln Rochester Trust Co., Rochester, N.Y.	Up to $10,000 for 4 years of study.	Up to 6 years.	$1,250 a semester repaid in 6 years.	$154.16	$799.52	[11] $300.00	None	$1,099.52	8.29	Parents living in the 7-county banking area, or have children attending school in the area.
Boatmen's National Bank of St. Louis, Mo.	do	do	$600 a semester repaid in—							Parents living in the Greater St. Louis area.
			4 years	104.68	Unknown	Unknown	do	224.64	13.92	
			5 years	86.75	Unknown	Unknown	do	405.00	10.26	
			6 years	74.88	Unknown	Unknown	do	591.36	9.31	
The Tuition Plan, Inc., New York, N.Y. (subsidiary of C.I.T. Financial Corp.).	No maximum	Up to 5 years.	$500 a semester repaid in—							Parents under 60 years of age who have children attending schools participating in the plan.
			40 months	106.00	None	(3)	$240 service charge (6 percent of cash price)	240.00	60.02	
			60 months: (payments begin on June 1 preceding start of school year)	73.30	None	(3)	$398 service charge (9.95 percent of cash price)	398.00	23.38	
Funds for Education, Inc., Manchester, N.H.	Up to $10,000 for 4 years of study.	Up to 6 years.	$500 a semester repaid in—							Families anywhere.
			4 years	89.59	Unknown	Unknown	None	300.32	22.24	
			5 years	75.59	Unknown	Unknown	do	535.40	16.44	
			6 years	66.96	Unknown	Unknown	do	821.12	15.65	
American Fletcher National Bank & Trust Co., Indianapolis, Ind.	No maximum	Up to 8 years.	$500 a semester repaid in—							Parents under age 60 who reside in Indiana.
			4 years	87.28	189.44	(3)	do	189.44	14.09	
			5 years	72.88	372.80	(3)	do	372.80	11.36	
			6 years	63.28	556.16	(3)	do	556.16	10.51	
In the preceding plans, insurance on the borrower provides funds for completion of study by the student in case the borrower dies or becomes totally disabled										

Typical education loan plans available to parents, guardians, or sponsors of students—Continued

	Amounts which can be borrowed	Length of repayment period	Examples of the plans offered							Eligible borrowers
			Amount borrowed	Monthly payment	Total interest charges	Total insurance charges	Other charges	Total cost	Comparable interest rate [1]	
Education Funds, Inc., Providence, R.I. (subsidiary of Household Finance Corp.).	Up to $14,000	Up to 5 years	$500 a semester repaid in—							
			40 months	$105.06	$202.40	[8]	None	$202.40	54.80	Parents living anywhere in the United States.
			48 months	[12] 88.18	232.64	[8]	do	232.64	35.90	
			60 months	[13] 73.98	438.80	[8]	do	438.80	26.39	
In the preceding plan, insurance on the borrower provides funds for completion of study by the student in case the borrower dies or becomes totally disabled. Life insurance on the student pays off the loan balance outstanding in case the student dies										
The Philadelphia National Bank, Philadelphia, Pa.	Up to $10,200 for 4 years of study.	Up to 5 years	$525 a semester repaid in 5 years.	[14]	$420.00	[8]	None	$420.00	12	Any financially qualified adult.
			$1,275 a semester repaid in 5 years.	[15]	1,050.00	[8]	do	1,050.00	12	
In the preceding plan, insurance on the borrower pays off only the balance outstanding and does not provide funds for completion of study by the student in case the borrower dies										
Canadian Imperial Bank of Commerce, Canada.	Up to $8,000	Up to 8 years	$500 a semester repaid in 6 years.	[16] $57.46–$65.45	$370.00	[17]	None	$370.00	6	Parents with a regular income and good credit rating may borrow up to 80 percent of costs for tuition, books, room, board, and travel.
Royal Bank of Canada	Up to $500 a year if student lives at home; otherwise, $1,000 a year.	No set schedule. Students usually repay out of summer earnings; parents can reduce loan on monthly repayment plan worked out at the bank or its branch offices.				[17]	do	[18]	6	Usually parents, but students are also eligible.

[1] Because the amounts borrowed and length of repayment periods vary in many of the plans, the Credit Union Bridge Magazine engaged an authority to obtain a standard of comparison for all the plans. The standard decided upon was to consider all the costs (interest, insurance, extra fees and service charges) as interest and compute what would be comparable to a true annual interest rate. For ease of comparison, all plans except those noted were treated as if advances were made on Sept. 1 and Feb. 1, with the monthly repayments beginning on Sept. 30. In reality they do vary to some degree, depending upon when the school year begins and other factors.
[2] 90 cents per month per $1,000.
[3] This fee is paid only once and, although not a part of the monthly payments, is included in the total cost of the plan.
[4] 75 cents per month per $1,000.
[5] 70 cents per $1,000 if age 45 or less.
[6] $1 per $1,000 if age 46 to 55.
[7] $1.50 per $1,000 if age 56 to 60.
[8] Included at no extra cost.
[9] Unknown; 1st year's premium, based on amount borrowed plus length of time, is payable in advance.
[10] Includes initial insurance premium of $67.92.
[11] 50 cents per $100 per annum.
[12] Begin Aug. 1.
[13] Begin June 1.
[14] $70 plus 1 percent per month on balance outstanding.
[15] $170 plus 1 percent interest.
[16] Depending upon balance outstanding and interest due.
[17] No insurance provided.
[18] Depends upon repayment schedule.

Typical education loan plans available to students

	Amounts which can be borrowed	Repayment begins	Length of repayment	Annual interest rate	Life insurance	Other charges	Who may borrow	Additional information
National defense student loan program.	Up to $1,000 a year for 5 years.	1 year after leaving school.	Up to 10 years	3 percent once repayment begins; none until then.	Included	None	Students attending U.S. schools participating in the program.	Apply at college or university. Public school teachers receive a 10 percent reduction of the loan for each year they teach, up to a maximum of 50 percent of the total loan.
North Dakota State Department of Public Instruction.	Up to $500 a year for 4 years.	do	1 year for each school year financed.	3 percent from date of loan; payable annually.	None	do	North Dakota residents attending school in the State and who have completed their 1st semester.	Similar plans are available in other States. Check with the school or the State department of public instruction.
Wisconsin State loan fund	Up to $750 a year	do	do	1 percent while in school; then 5 percent.	do	do	Wisconsin residents attending school in the State.	
New York Higher Education Assistance Corp. (NYHEAC).	$500 to $1,500 a year, depending on grade.	Arrangements to be made 60 days after leaving school.	Up to 6 years	None in school (paid by NYHEAC); then 3 percent.	NYHEAC guarantees the loan.	do	New York residents in need of financial assistance. May attend school out of State.	NYHEAC established by New York State Legislature. Similar plans are operating in Illinois, New Jersey, Rhode Island, Virginia, and Wyoming. Corporation guarantees student's loan from financial institutions participating in the plan.
Massachusetts Higher Education Assistance Corp. (MHEAC).	$500 a year in final 3 years.	6 months after leaving school.	Up to 3 years	3½ to 5½ percent (depending on prime rate in Boston) while in school; then MHEAC sets rate.	MHEAC guarantees 80 percent of loan.	do	Massachusetts residents who have completed their freshman year and are in need of financial assistance.	MHEAC financed by contributions from businesses, individuals and charitable foundations. Maine has a similar plan. Corporation guarantees student's loan from financial institutions participating in the plan.
United Student Aid Funds, Inc. (USAF)	Up to $1,000 a year in final 3 years.	4 months after graduation.	do	No more than 6 percent from date of loan.	USAF guarantees loan.	do	Students who have completed their freshman year, are in need of financial assistance, and are residents of State in which they apply.	USAF guarantees loans made by banks in areas where plan has been endorsed by State bankers associations. 30 States have already endorsed the plan, others are considering it.
Province of Ontario	Up to $500 a year for 4 years.	1 year after leaving school.		4 percent once repayment begins; none until then.	None	do	Students in Ontario schools	Other provinces have similar plans.

SURVEY REPORT ON WALNUT RIVER BASIN, KANS.—RESOLUTION

Mr. CARLSON. Mr. President, the Corps of Engineers has submitted a comprehensive survey report on the Walnut River Basin in Kansas.

The report recommends the construction of several reservoirs on that stream for the control of floods and the supply of water for beneficial uses. It is my sincere hope that we may get early authorization of these recommendations.

I ask unanimous consent that the resolution be made a part of these remarks.

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

RESOLUTION

Whereas the Corps of Engineers, Tulsa District, Tulsa, Okla., has completed a comprehensive survey report of the Walnut River Basin in Kansas; and

Whereas their favorable report has been approved by the Southwest Division Engineer, Corps of Engineers, Dallas, Tex., and forwarded to the Board of Engineers for Rivers and Harbors, Washington, D.C., with recommendation that the survey report be approved in its entirety and authorized by Congress; and

Whereas this basinwide project is of the most vital importance to the city of Augusta, Kans., for a dependable municipal water supply, for industrial uses, for flood control, and for other needful and beneficial purposes, and recognizing that undue emphasis on, or elimination of, any portion of the inseparable projects would defeat the overall flood control benefits inherent in the recommended basin system: Therefore be it

Resolved, That the governing body of the city of Augusta, Kans., unanimously urges the approval and authorization of the recommended system of the Towanda, El Dorado, and Douglass Reservoirs, and the local flood protection works at El Dorado and Winfield, Kans., at the earliest possible date, and that copies of this resolution be forwarded to the Governor of the State of Kansas, the Kansas congressional delegation, the Kansas Water Resources Board, and other interested parties. This resolution adopted at the regular meeting of the governing body of the city of Augusta, Kans., this 17th day of February 1964.

IVAN H. RICH,
President of the Council.

DISARMAMENT NEGOTIATIONS

Mr. WILLIAMS of New Jersey. Mr. President, I would like to call the attention of the Senate to several recent editorials which make observations and suggestions concerning the disarmament negotiations presently underway in Geneva.

A significant editorial appeared in the New York Times on Saturday, February 22, which echoes the thoughts of many of us. If disarmament is to be more than a negative action, taken out of fear of destruction, specific programs must be worked out to make effective use of the money and productive capacity that will accrue to this Nation as we are able to reduce our output of weapons. The human result as well must be taken into account; because, as I am painfully aware, a State like New Jersey, which is the fourth largest defense contractor in the country, pays a terrible price in unemployment when there are defense cutbacks. This is why I support the McGovern bill, S. 2274 and the Humphrey-Hart bill, S. 2427. These bills would, if enacted, provide us with valuable data in the complex field of economic reorganization.

As significant as these approaches, however, is some planning to determine how the capacity and funds now engaged in making weapons can most effectively be channeled into the battle our President has called upon us to wage against poverty. In this connection it is significant to note that the earliest writer to advocate disarmament had a plan for the utilization of the swords he wanted destroyed—they were to be beaten into plowshares. Let us at least be as prepared with suggestions as he was.

The other editorials which I referred to deal with the current discussion over the mutual destruction of bombers. The Soviet delegate, Mr. Tsarapkin, has advocated that all bombers from all countries be destroyed. American officials immediately characterized such a proposal as "neither acceptable to nor practical." I concur in that judgment and am extremely pleased to have further indication of the firm, discerning, and knowledgeable attitude of our negotiators, who are admirably led by William Foster of the U.S. Arms Control and Disarmament Agency.

I also concur with editorials on this subject which appeared in the Washington Post and the Washington Evening Star earlier this month. Both of these papers view the Soviet proposal as unrealistic and insincere. By contract, both papers expressed support for the American suggestion for the verified destruction of obsolescent bombers on a one-for-one basis. To me, these comments and the American proposals reflect sound and reasonable judgment.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorials entitled "Burn the Bombers" from the February 10 issue of the Washington Star, "Bomber Bonfire" from the February 2 issue of the Washington Post, and "Poverty and Disarmament" from the February 22 issue of the New York Times.

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

[From the Washington Evening Star, Feb. 10, 1964]

BURN THE BOMBERS?

In informal discussions with the Russians last year, American representatives suggested that the United States and the Soviet Union join in building a "bonfire" to destroy their obsolete or obsolescent bombers. The prime purpose of this, as our officials explained, would be to keep such weapons from finding their way into markets where they could be bought up by small powers. Thus there would be less chance of those powers engaging in air strikes against each other, and the cause of peace would thereby be served.

This idea now has been seconded by Semyon Tsarapkin, the Kremlin's chief representative at the Geneva Disarmament Conference. But he has enlarged upon it to an extent that almost burlesques it. What the Soviet Union wants, he says, is to light a "bonfire"—and right away—that would destroy "all bombers of all countries." The proposal could hardly be more unrealistic. It is based on the untenable premise that weapon-carrying planes of every type are already obsolete. The fact is that they are not. The United States has no intention of burning up aircraft it still can use to good effect. Neither, of course, does a country like France. And neither does Russia.

Mr. Tsarapkin's remarks must be judged accordingly. They plainly indicate that the Kremlin is not really being very serious in responding to the American idea of destroying obsolescent aircraft like our B–47's and the Soviet Badgers. Nevertheless the idea remains sound. If it were made operable, it could head off proliferation of bombers which, in their way, are as dangerous as bombs.

[From the Washington Post, Feb. 2, 1964]

BOMBER BONFIRE

The Soviet proposal to destroy bombers surely is vague enough and possibly is promising enough to merit the clarification which the American Government now seeks. In a formal session of the disarmament conference at Geneva, the Soviet delegate, Mr. Tsarapkin, spoke of an agreement to destroy obsolete bombers. Since this seemed to resemble an older American suggestion for a one-by-one joint "bonfire" of obsolete American B–47's and Soviet Badgers, the American delegate, Mr. Foster, passed a preliminary judgment in favor.

This was good. A B–47-Badger bonfire would not reduce the security of either country or alter the balance of power; nor would it rouse the sleeping-dog inspection problem. But it would serve the extremely positive purpose of preventing the bombers from falling into the hands of third countries by whom they might be used. It also would be a useful psychological display of real disarmament.

In the corridors at Geneva, however, Mr. Tsarapkin gave a less encouraging version, saying that all countries and not just the Soviet Union and the United States should throw bombers into the fire, and that all bombers and not just obsolete ones should be burned. The broad scope of this version doubtless dooms any early hope for it. France and China, who count on airplanes to carry their future nuclear bombs, would reject it, to cite but one complication. Nor can Moscow be taken seriously for an idea which would obviously be to its own strategic disadvantage; destruction of bombers would expose Moscow to the full effects of its own inferiority in strategic missiles.

Surely small steps are easier and more likely than large. The idea of burning all bombers in the world may produce a glorious imaginary conflagration for some future day. But the burning of useless Soviet and American bombers could make a welcome and warming blaze—now.

[From the New York Times, Feb. 22, 1964]

POVERTY AND DISARMAMENT

Profits, wages, and employment are all at record levels today, yet 4 million Americans are jobless and 30 million live in families whose incomes are less than $3,000 a year. At all levels of government—from the White House to city hall—programs for combating poverty are being feverishly drafted, with next November well in mind.

No undertaking could be more deserving of total national commitment than aggressive war against urban and rural slums, against undereducation, against inadequate medical care and other manifestations of encrusted social neglect. The danger is that the campaign will degenerate too quickly into empty sloganeering and thus leave in greater despair than ever those whom it is supposed to help.

The conquest of poverty will be neither swift nor cheap. For the first year President Johnson says he hopes to make nearly a billion dollars in new money available for

Federal antipoverty programs. However, the indications are that the amount actually to be spent for the 1964-65 fiscal year will not exceed one-third that amount. This is perhaps as much as can be usefully applied at the start; but vastly larger appropriations will be necessary later if the assault is to attain the massive dimensions essential to chop away the root causes of dependency.

The Nation's awareness of this need comes just as it has been found possible to make the first modest cuts in the billion-dollar-a-week military budget. What could be more appropriate than to establish now, as a matter of conscious national policy, a clear link between cutbacks in defense spending and increased investment in human welfare and community services?

Improved international understanding, plus the overkill capacity already possessed by both sides in the cold war, may in the foreseeable future permit dependable agreements for scaling down outlays for weapons. How quickly such cuts can be made with safety we do not yet know. But already the possibility that a development so beneficial to all peoples would upset the domestic economy has prompted President Johnson to appoint a special Cabinet Committee on Disarmament Planning.

By a decision now that a large part of the funds released from defense will be earmarked for schools, housing, health, and public works, the movement away from military war could be coupled with a movement forward in the war against poverty. By this example, a powerful spur would simultaneously be applied to other governments to make similar commitments for reallocation of their resources to peaceful programs. The campaign against poverty could eventually be turned into the worldwide undertaking it must be for true security and the abolition of want.

APPROACH TO ALLIANCE FOR PROGRESS

Mr. CANNON. Mr. President, a new grassroots approach to the Alliance for Progress is underway. It is an approach that makes sense.

In brief, it is a plan for an alliance of people in an area of a State with people in a Latin American country for a meaningful partnership for progress. It is a direct attempt to draw a close identification between them—private U.S. organizations on the one hand and villagers in our sister republics on the other. The encouraging thing about this approach is that our Government is not giving another handout but is acting as a catalyst to stimulate the more effective use of the private sector in our foreign aid program—a better use of our institutions and industries which are willing and able to help.

Interest in this type approach has mushroomed until there have been offers from groups throughout the United States to participate in the program and help fill the needs for these small items. Several States are already actively participating. Many States are in advanced stages of planning, while many have expressed a real interest in learning how to take part.

Heading this program is Mr. James Boren, special assistant to the U.S. Coordinator for the Alliance for Progress. Mr. Boren recently made a trip to the West in response to interest in Colorado, Idaho, and Nevada. He addressed a representative civic and business group in Las Vegas at a luncheon meeting to explain the program of grassroots help to our Latin neighbors. Mr. President, I ask unanimous consent that the article concerning the meeting, published in the Las Vegas Review-Journal for February 7, 1964, be printed in the RECORD.

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

[From the Las Vegas Review-Journal, Feb. 7, 1964]

U.S. AID TELLS VEGANS LATIN POLICY

A "hand in glove" self-help program for Latin American nations and communities has been instituted in 22 States of our Nation, James Brown of the State Department said here Thursday.

Boren, special assistant to Thomas Mann, newly appointed Assistant Secretary of State for Latin American Affairs and U.S. Coordinator for the Alliance for Progress, met with 40 civic and business leaders here.

In the past 4 months Boren said the idea of cities or States instituting programs in cooperation with the Alliance for Progress has developed from absolutely nothing into a growing movement."

A native of Wichita Falls, Tex., Boren was formerly Deputy Director of the Agency for International Development and traveled throughout Latin America.

In essence, Boren said, U.S. communities have formed Alliance for Progress committees to assist in a project in which the people of a Latin American nation are themselves deeply involved.

"It might be helping provide a sewing machine for an orphanage or a jackhammer for a village attempting to build a road with the pick-and-shovel method," he said.

Boren termed the "grassroots level program" one of the brighter hopes of the United States to prevent communistic influences from getting a hold on the impoverished peoples of Latin America.

"One of the most rewarding things about the program is that the people of the villages or cities in Latin America are receiving the very real impression that people of the United States care about them, that there is hope and they are not the forgotten people of the world."

He stressed that the small projects for Latin countries are not gifts, but exchanged for self-help on their part.

The Alliance for Progress was intiated by the late President Kennedy, and has been termed "absolutely vital" by President Johnson.

The United States along with other nation members of the Alliance, pledged in 1961 "to seek the common objective of all in a grand offensive against poverty, and despair in this continent."

Through the Alliance Latin nations are given loans which are repayable in cash, technical assistance in establishing institutions and programs, and other aid based on the nation's own active participation.

The program headed by Boren is, as he terms it, "an effort to buy a little more time" for the larger programs of the Alliance to bear fruit.

The PRESIDING OFFICER. Is there further morning business?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDER OF CONSIDERATION OF TREATIES

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that, so far as concerns the treaty for the return of Austrian assets, Executive A (86th Cong. 2d sess.), the debate be limited to 45 minutes, 30 minutes to be under the control of the distinguished Senator from New York [Mr. JAVITS] and 15 minutes to be under the control of the distinguished Senator from Arkansas [Mr. FULBRIGHT], chairman of the Committee on Foreign Relations.

The PRESIDING OFFICER. As in executive session, without objection, it is so ordered.

Mr. MANSFIELD. It is the intention of the leadership to bring up the other three treaties at about 2 o'clock, or as soon thereafter as possible. When they have been disposed of, it is intended to have the Senate proceed to the consideration of Executive A, the treaty relating to the return of Austrian assets. When that treaty has been disposed of, it is anticipated that the Senate will be approaching the time when the conference report on the tax bill may well be available to the Senate for consideration and debate.

Mr. President, as in legislative session, 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. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

Mr. FULBRIGHT. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

Mr. FULBRIGHT. Mr. President, what is the pending business?

The PRESIDING OFFICER. With respect to the treaty relating to the return of Austrian assets, a unanimous-consent agreement has been reached, providing for 45 minutes of debate, 30 minutes to be controlled by the Senator from New York [Mr. JAVITS] and 15 minutes to be controlled by the Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. I do not refer to that treaty; I am referring to the three treaties which are to be voted on en bloc. It is my understanding, according to the previous order of the Senate, that they are to be considered first.

The PRESIDING OFFICER. The Senator is correct.

Mr. FULBRIGHT. They are Executive C, Executive F, and Executive S.

PREVENTION OF POLLUTION OF THE SEA BY OIL

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive C (88th Cong., 1st sess.), on

prevention of pollution of the sea by oil, which was read the second time, as follows:

AMENDMENTS

(The following are the amendments to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954:)

1. The existing text of Article I of the Convention is replaced by the following:

"ARTICLE I

"(1) For the purposes of the present Convention, the following expressions shall (unless the context otherwise requires) have the meanings hereby respectively assigned to them that is to say:

" 'The Bureau' has the meaning assigned to it by Article XXI;

" 'Discharge' in relation to oil or to oily mixture means any discharge or escape howsoever caused;

" 'Heavy diesel oil' means marine diesel oil, other than those distillates of which more than 50 percent by volume distills at a temperature not exceeding 340° C. when tested by A.S.T.M. Standard Method D. 86/59;

" 'Mile' means a nautical mile of 6,080 feet or 1,852 metres;

" 'Oil' means crude oil, fuel oil, heavy diesel oil and lubricating oil, and 'oily' shall be construed accordingly;

" 'Oily mixture' means a mixture with an oil content of 100 parts or more in 1,000,000 parts of the mixture;

" 'Organization' means the Inter-Governmental Maritime Consultative Organization;

" 'Ship' means any sea-going vessel of any type whatsoever, including floating craft, whether self-propelled or towed by another vessel, making a sea voyage; and 'tanker' means a ship in which the greater part of the cargo space is constructed or adapted for the carriage of liquid cargoes in bulk and which is not, for the time being, carrying a cargo other than oil in that part of its cargo space."

"(2) For the purposes of the present Convention, the territories of a contracting government mean the territory of the country of which it is the government and any other territory for the international relations of which it is responsible and to which the convention shall have been extended under Article XVIII."

2. The existing text of Article II of the convention is replaced by the following:

"ARTICLE II

"(1) The present convention shall apply to ships registered in any of the territories of a Contracting Government and to unregistered ships having the nationality of a Contracting Party, except:

"(a) tankers of under 150 tons gross tonnage and other ships of under 500 tons gross tonnage, provided that each Contracting Government will take the necessary steps, so far as is reasonable and practicable, to apply the requirements of the Convention to such ships also, having regard to their size, service and the type of fuel used for their propulsion;

"(b) ships for the time being engaged in the whaling industry when actually employed on whaling operations;

"(c) ships for the time being navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of St. Lambert Lock at Montreal in the Province of Quebec, Canada;

"(d) naval ships and ships for the time being used as naval auxiliaries.

"(2) Each Contracting Government undertakes to adopt appropriate measures insuring that requirements equivalent to those of the present Convention are, so far as is reasonable and practicable, applied to the ships referred to in subparagraph (d) of paragraph (1) of this Article."

3. The existing text of Article III of the Convention is replaced by the following:

"ARTICLE III

"Subject to the provisions of Articles IV and V:

"(a) the discharge from a tanker to which the present Convention applies within any of the prohibited zones referred to in Annex A to the Convention, of oil or oily mixture shall be prohibited;

"(b) the discharge from a ship to which the present Convention applies, other than a tanker, of oil or oily mixture shall be made as far as practicable from land. As from a date three years after that on which the Convention comes into force for the relevant territory in respect of the ship in accordance with paragraph (1) of Article II, sub-paragraph (a) of this Article shall apply to a ship other than a tanker, except that the discharge of oil or of oily mixture from such a ship shall not be prohibited when the ship is proceeding to a port not provided with such facilities for ships other than tankers as are referred to in Article VIII;

"(c) the discharge from a ship of 20,000 tons gross tonnage or more, to which the present Convention applies and for which the building contract is placed on or after the date on which this provision comes into force, of oil or oily mixture shall be prohibited. However, if, in the opinion of the master, special circumstances make it neither reasonable nor practicable to retain the oil or oily mixture on board, it may be discharged outside the prohibited zones referred to in Annex A to the Convention. The reasons for such discharge shall be reported to the Contracting Government of the relevant territory in respect of the ship in accordance with paragraph (1) of Article II. Full details of such discharges shall be reported to the Organization at least every twelve months by Contracting Governments."

4. The existing text of Article IV of the Convention is replaced by the following:

"ARTICLE IV

"Article III shall not apply to:

"(a) the discharge of oil or oily mixture from a ship for the purpose of securing the safety of a ship, preventing damage to a ship or cargo, or saving life at sea;

"(b) the escape of oil or of oily mixture resulting from damage to a ship or unavoidable leakage, if all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimizing the escape;

"(c) the discharge of residue arising from the purification or clarification of fuel oil or lubricating oil, provided that such discharge is made as far from land as is practicable."

5. The existing text of Article V of the Convention is replaced by the following:

"ARTICLE V

"Article III shall not apply to the discharge from the bilges of a ship:

"(a) during the period of twelve months following the date on which the present Convention comes into force for the relevant territory in respect of the ship in accordance with paragraph (1) of Article II, of oily mixture;

"(b) after the expiration of such period, of oily mixture containing no oil other than lubricating oil which has drained or leaked from machinery spaces."

6. The existing text of Article VI of the Convention is replaced by the following:

"ARTICLE VI

"(1) Any contravention of Articles III and IX shall be an offence punishable under the law of the relevant territory in respect of the ship in accordance with paragraph (1) of Article II.

"(2) The penalties which may be imposed under the law of any of the territories of a Contracting Government in respect of the unlawful discharge from a ship of oil or oily mixture outside the territorial sea of that territory shall be adequate in severity to discourage any such unlawful discharge and shall not be less than the penalties which may be imposed under the law of that territory in respect of the same infringements within the territorial sea.

"(3) Each Contracting Government shall report to the Organization the penalties actually imposed for each infringement."

7. The existing text of Article VII of the Convention is replaced by the following:

"ARTICLE VII

"(1) As from a date twelve months after the present Convention comes into force for the relevant territory in respect of a ship in accordance with paragraph (1) of Article II, such a ship shall be required to be so fitted as to prevent, so far as reasonable and practicable, the escape of fuel oil or heavy diesel oil into bilges, unless effective means are provided to ensure that the oil in the bilges is not discharged in contravention of this Convention.

"(2) Carrying water ballast in oil fuel tanks shall be avoided if possible."

8. The existing text of Article VIII of the Convention is replaced by the following:

"ARTICLE VIII

"(1) Each Contracting Government shall take all appropriate steps to promote the provision of facilities as follows:

"(a) according to the needs of ships using them, ports shall be provided with facilities adequate for the reception, without causing undue delay to ships, of such residues and oily mixtures as would remain for disposal from ships other than tankers if the bulk of the water had been separated from the mixture:

"(b) oil loading terminals shall be provided with facilities adequate for the reception of such residues and oily mixtures as would similarly remain for disposal by tankers;

"(c) ship repair ports shall be provided with facilities adequate for the reception of such residues and oily mixtures as would similarly remain for disposal by all ships entering for repairs.

"(2) Each Contracting Government shall determine which are the ports and oil loading terminals in its territories suitable for the purposes of sub-paragraphs (a), (b) and (c) of paragraph (1) of this Article.

"(3) As regards paragraph (1) of this Article, each Contracting Government shall report to the Organization, for transmission to the Contracting Government concerned, all cases where the facilities are alleged to be inadequate."

9. The existing text of Article IX of the Convention is replaced by the following:

"ARTICLE IX

"(1) Of the ships to which the present Convention applies, every ship which uses oil fuel and every tanker shall be provided with an oil record book, whether as part of the ship's official log book or otherwise, in the form specified in Annex B to the Convention.

"(2) The oil record book shall be completed on each occasion, whenever any of the following operations takes place in the ship:

"(a) ballasting of and discharge of ballast from cargo tanks of tankers;

"(b) cleaning of cargo tanks of tankers;

"(c) settling in slop tanks and discharge of water from tankers;

"(d) disposal from tankers of oily residues from slop tanks or other sources;

"(e) ballasting, or cleaning during voyage, of bunker fuel tanks of ships other than tankers;

"(f) disposal from ships other than tankers of oily residues from bunker fuel tanks or other sources;

"(g) accidental or other exceptional discharges or escapes of oil from tankers or ships other than tankers.

In the event of such discharge or escape of oil or oily mixture as is referred to in sub-paragraph (c) of Article III or in Article IV, a statement shall be made in the oil record book of the circumstances of, and reason for, the discharge or escape.

"(3) Each operation described in paragraph (2) of this Article shall be fully recorded without delay in the oil record book so that all the entries in the book appropriate to that operation are completed. Each page of the book shall be signed by the officer or officers in charge of the operations concerned and, when the ship is manned, by the master of the ship. The written entries in the oil record book shall be in an official language of the relevant territory in respect of the ship in accordance with paragraph (1) of Article II, or in English or French.

"(4) Oil record books shall be kept in such a place as to be readily available for inspection at all reasonable times, and, except in the case of unmanned ships under tow, shall be kept on board the ship. They shall be preserved for a period of two years after the last entry has been made.

"(5) The competent authorities of any of the territories of a Contracting Government may inspect on board any ship to which the present Convention applies, while within a port in that territory, the oil record book required to be carried in the ship in compliance with the provisions of this Article, and may make a true copy of any entry in that book and may require the master of the ship to certify that the copy is a true copy of such entry. Any copy so made which purports to have been certified by the master of the ship as a true copy of an entry in the ship's oil record book shall be made admissible in any judicial proceedings as evidence of the facts stated in the entry. Any action by the competent authorities under this paragraph shall be taken as expeditiously as possible and the ship shall not be delayed."

10. The existing text of Article X of the Convention is replaced by the following:

"ARTICLE X

"(1) Any Contracting Government may furnish to the Government of the relevant territory in respect of the ship in accordance with paragraph (1) of Article II particulars in writing of evidence that any provision of the present Convention has been contravened in respect of that ship, wheresoever the alleged contravention may have taken place. If it is practicable to do so, the competent authorities of the former Government shall notify the master of the ship of the alleged contravention.

"(2) Upon receiving such particulars, the Government so informed shall investigate the matter, and may request the other Government to furnish further or better particulars of the alleged contravention. If the Government so informed is satisfied that sufficient evidence is available in the form required by its law to enable proceedings against the owner or master of the ship to be taken in respect of the alleged contravention, it shall cause such proceedings to be taken as soon as possible, and shall inform the other Government and the Organization of the result of such proceedings."

11. The existing text of Article XIV of the Convention is replaced by the following:

"ARTICLE XIV

"(1) The present Convention shall remain open for signature for three months from this day's date and shall thereafter remain open for acceptance.

"(2) Subject to Article XV, the Government of States Members of the United Nations or of any of the Specialized Agencies or parties to the Statute of the International Court of Justice may become parties to the present Convention by:

"(a) signature without reservation as to acceptance;

"(b) signature subject to acceptance followed by acceptance, or

"(c) acceptance.

"(3) Acceptance shall be effected by the deposit of an instrument of acceptance with the Bureau, which shall inform all Governments that have already signed or accepted the present Convention of each signature and deposit of an acceptance and of the date of such signature or deposit."

12. The existing text of Article XVI of the Convention is replaced by the following:

"ARTICLE XVI

"(1)(a) The present Convention may be amended by unanimous agreement between the Contracting Governments.

"(b) Upon request of any Contracting Government a proposed amendment shall be communicated by the Organization to all Contracting Governments for consideration and acceptance under this paragraph.

"(2)(a) An amendment to the present Convention may be proposed to the Organization at any time by any Contracting Government, and such proposal if adopted by a two-thirds majority of the Assembly of the Organization upon recommendation adopted by a two-thirds majority of the Maritime Safety Committee of the Organization shall be communicated by the Organization to all Contracting Governments for their acceptance.

"(b) Any such recommendation by the Maritime Safety Committee shall be communicated by the Organization to all Contracting Governments for their consideration at least six months before it is considered by the Assembly.

"(3)(a) A conference of Governments to consider amendments to the present Convention proposed by any Contracting Government shall at any time be convened by the Organization upon the request of one-third of the Contracting Governments.

"(b) Every amendment adopted by such conference by a two-thirds majority of Contracting Governments shall be communicated by the Organization to all Contracting Governments for their acceptance.

"(4) Any amendment communicated to Contracting Governments for their acceptance under paragraph (2) or (3) of this Article shall come into force for all Contracting Governments, except those which before it comes into force make a declaration that they do not accept the amendment, twelve months after the date on which the amendment is accepted by two-thirds of the Contracting Governments.

"(5) The Assembly, by a two-thirds majority vote, including two-thirds of the Governments represented on the Maritime Safety Committee, and subject to the concurrence of two-thirds of the Contracting Governments to the present Convention, or a conference convened under paragraph (3) of this Article by a two-thirds majority vote, may determine at the time of its adoption that the amendment is of such an important nature that any Contracting Government which makes a declaration under paragraph (4) of this Article and which does not accept the amendment within a period of twelve months after the amendment comes into force, shall, upon the expiry of this period, cease to be a party to the present Convention.

"(6) The Organization shall inform all Contracting Governments of any amendments which come into force under this Article, together with the date on which such amendments shall come into force.

"(7) Any acceptance or declaration under this Article shall be made by a notification in writing to the Organization which shall notify all Contracting Governments of the receipt of the acceptance or declaration."

13. The existing text of Article XVIII of the Convention is replaced by the following:

"ARTICLE XVIII

"(1)(a) The United Nations in cases where they are the administering authority for a territory or any Contracting Government responsible for the international relations of a territory shall as soon as possible consult with such territory in an endeavour to extend the present Convention to that territory and may at any time by notification in writing given to the Bureau declare that the Convention shall extend to such territory.

"(b) The present Convention shall from the date of the receipt of the notification or from such other date as may be specified in the notification extend to the territory named therein.

"(2)(a) The United Nations in cases where they are the administering authority for a territory or any Contracting Government which has made a declaration under paragraph (1) of this Article, at any time after the expiry of a period of five years from the date on which the present Convention has been so extended to any territory, may by a notification in writing given to the Bureau after consultation with such territory declare that the Convention shall cease to extend to any such territory named in the notification.

"(b) The present Convention shall cease to extend to any territory mentioned in such notification one year, or such longer period as may be specified therein, after the date of receipt of the notification by the Bureau.

"(3) The Bureau shall inform all the Contracting Governments of the extension of the present Convention to any territory under paragraph (1) of this Article, and of the termination of any such extension under the provisions of paragraph (2) stating in each case the date from which the Convention has been or will cease to be so extended."

14. The existing text of Annex A to the Convention is replaced by the following:

"ANNEX A—PROHIBITED ZONES

"(1) All sea areas within 50 miles from the nearest land shall be prohibited zones.

"For the purposes of this Annex, the term 'from the nearest land' means 'from the baseline from which the territorial sea of the territory in question is established in accordance with the Geneva Convention on the Territorial Sea and the Contiguous Zone, 1958'.

"(2) The following sea areas, insofar as they extend more than 50 miles from the nearest land, shall also be prohibited zones:

"(a) PACIFIC OCEAN—THE CANADIAN WESTERN ZONE.

"The Canadian Western Zone shall extend for a distance of 100 miles from the nearest land along the west coast of Canada..

"(b) NORTH ATLANTIC OCEAN, NORTH SEA AND BALTIC SEA.

"(i) The North-West Atlantic Zone

"The North-West Atlantic Zone shall comprise the sea areas within a line drawn from latitude 38°47′ north, longitude 73°43′ west to latitude 39°58′ north, longitude 68°34′ west thence to latitude 42°05′ north, longitude 64°37′ west thence along the east coast of Canada at a distance of 100 miles from the nearest land.

"(ii) The Icelandic Zone

"The Icelandic Zone shall extend for a distance of 100 miles from the nearest land along the coast of Iceland.

"(iii) The Norwegian, North Sea and Baltic Sea Zone

"The Norwegian, North Sea and Baltic Sea Zone shall extend for a distance of 100 miles from the nearest land along the coast of

Norway and shall include the whole of the North Sea and of the Baltic Sea and its Gulfs.

"(iv) The North-East Atlantic Zone

"The North-East Atlantic Zone shall include the sea areas within a line drawn between the following positions:

"Latitude:	"Longitude:
"62° north	"2° east,
"64° north	"00°
"64° north	"10° west,
"60° north	"14° west;
"54°30′ north	"30° west,
"53° north	"40° west;
"44°20′ north	"40° west,
"44°20′ north	"30° west;
"46° north	
	"20° west, thence toward Cape Finisterre at the intersection of the 50-mile limit.

"(v) The Spanish Zone

"The Spanish Zone shall comprise the areas of the Atlantic Ocean within a distance of 100 miles from the nearest land along the coast of Spain and shall come into operation on the date on which the present Convention shall have come into force in respect of Spain.

"(vi) The Portuguese Zone

"The Portuguese Zone shall comprise the area of the Atlantic Ocean within a distance of 100 miles from the nearest land along the coast of Portugal and shall come into operation on the date on which the present Convention shall have come into force in respect of Portugal.

"(C) MEDITERRANEAN AND ADRIATIC SEAS—THE MEDITERRANEAN AND ADRIATIC ZONE

"The Mediterranean and Adriatic Zone shall comprise the sea areas within a distance of 100 miles from the nearest land along the coasts of each of the territories bordering the Mediterranean and Adriatic Seas and shall come into operation in respect of each territory on the date on which the present Convention shall have come into force in respect of that territory.

"(D) BLACK SEA AND SEA OF AZOV—THE BLACK SEA AND SEA OF AZOV ZONE

"The Black Sea and Sea of Azov Zone shall comprise the sea areas within a distance of 100 miles from the nearest land along the coasts of each of the territories bordering the Black Sea and Sea of Azov and shall come into operation in respect of each territory on the date on which the present Convention shall have come into force in respect of that territory.

"Provided that the whole of the Black Sea and the Sea of Azov shall become a prohibited zone on the date on which the present Convention shall have come into force in respect of Roumanian and the Union of Soviet Socialist Republics.

"(E) RED SEA—THE SEA ZONE

"The Red Zone shall comprise the sea areas within a distance of 100 miles from the nearest land along the coasts of each of the territories bordering the Red Sea and shall come into operation in respect of each territory on the date on which the present Convention shall have come into force in respect of that territory.

"(F) PERSIAN GULF

"(i) The Kuwait Zone

"The Kuwait Zone shall comprise the sea area within a distance of 100 miles from the nearest land along the coast of Kuwait.

"(ii) The Saudia Arabian Zone

"The Saudi Arabian Zone shall comprise the sea area within a distance of 100 miles from the nearest land along the coast of Saudi Arabia and shall come into operation on the date on which the present Convention shall have come into force in respect of Saudi Arabia.

"(G) ARABIAN SEA, BAY OF BENGAL AND INDIAN OCEAN

"(i) The Arabian Sea Zone

"The Arabian Sea Zone shall comprise the sea areas within a line drawn between the following positions:

"Latitude	"Longitude
"23°33′ north	"68°20′ east,
"23°33′ north	"67°30′ east;
"22° north	"68° east,
"20° north	"70° east;
"18°55′ north	"72° east,
"15°40′ north	"72°42′ east;
"8°30′ north	"75°48′ east,
"7°10′ north	"76°50′ east;
"7°10′ north	"78°14′ east,
"9°06′ north	"79°32′ east,

and shall come into operation on the date on which the present Convention shall have come into force in respect of India.

"(ii) The Bay of Bengal Coastal Zone

"The Bay of Bengal Coastal Zone shall comprise the sea areas between the nearest land and a line drawn between the following positions:

"Latitude	"Longitude
"10°15′ north	"80°50′ east,
"14°30′ north	"81°38′ east;
"20°20′ north	"88°10′ east,
"20°20′ north	"89° east,

and shall come into operation on the date on which the present Convention shall have come into force in respect of India.

(iii) The Malagasy Zone

The Malagasy Zone shall comprise the sea area within a distance of 100 miles from the nearest land along the coast of Madagascar west of the meridians of Cape d'Ambre in the north and of Cape Ste. Marie in the south and within a distance of 150 miles from the nearest land along the coast of Madagascar east of these meridians, and shall come into operation when the present Convention shall have come into force in respect of Madagascar.

(H) AUSTRALIA—THE AUSTRALIAN ZONE

The Australian Zone shall comprise the sea area within a distance of 150 miles from the nearest land along the coasts of Australia, except off the north and west coasts of the Australian mainland between the point opposite Thursday Island and the point on the west coast at 20° south latitude.

"(3)(a) Any Contracting Government may propose:

"(i) the reduction of any zone off the coast of any of its territories;

"(ii) the extension of any such zone to a maximum of 100 miles from the nearest land along any such coast, by making a declaration to that effect and the reduction or extension shall come into force after the expiration of a period of six months after the declaration has been made, unless any one of the Contracting Governments shall have made a declaration not less than two months before the expiration of that period to the effect that it considers that the destruction of birds and adverse effects on fish and the marine organisms on which they feed would be likely to occur or that its interests are affected either by reason of the proximity of its coasts or by reason of its ships trading in the area, and that it does not accept the reduction or extension, as the case may be.

"(b) Any declaration under this paragraph shall be made by a notification in writing to the Organization which shall notify all Contracting Governments of the receipt of the declaration.

"(4) The Organization shall prepare a set of charts indicating the extent of the prohibited zones in force in accordance with paragraph (2) of this Annex and shall issue amendments thereto as may be necessary."

15. The following changes to be made in Annex B to the Convention:

"1. Throughout the Annex replace the words 'Identity numbers of tank(s)' by 'Identity numbers of tank(s) concerned'.

"2. In Form I(a) replace the words 'Place or position of ship' by 'Place or position of ship at time of discharge'.

"3. In Form I(d) and Form II (a) and (b) replace the words 'Place or position of ship' by 'Place or position of ship at time of disposal'.

"4. In Form I(c) add a new line 17 as follows: '17. Approximate quantities of water discharged' and re-number lines in (d) 18 to 20.

"5. Delete the words 'from ship' in the headings of Forms I(d) and II(b).

"6. In Form III replace the words 'Place or position of ship' by 'Place or position of ship at time of occurrence'."

[Certified by the Acting Secretary-General of IMCO to be a true copy of the amendments adopted by the 1962 Conference of Contracting Governments to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954.]

Mr. FULBRIGHT. Mr. President, Executive C, amends a convention approved by the Senate in 1961—the International Convention for the Prevention of Pollution of the Sea by Oil. The purpose of this convention was to regulate the discharge of oil and oily wastes on the high seas by tankers and other ships, in order to control the harmful effect of these discharges on beaches and coastal areas, birds, and other wildlife, and fish and marine resources. In general, the convention provided for a 50-mile zone around the coasts of all countries into which no oil or oily wastes could be discharged. It also provided for the maintenance and inspection of oil record books on all convention ships, and specified the ships to which the convention was to apply.

The committee recommended this convention to the Senate in 1961, but it did not gloss over its shortcomings which had kept the United States from signing the convention at the time it was negotiated in 1954. In fact, the Senate gave its advice and consent to ratification, subject to one understanding, two reservations, and five recommendations—all proposed by the Department of State—to deal with these shortcomings. By the same token, the committee shared the view of the Department that by becoming a party, the United States could be more effective in its efforts toward improving the convention and eliminating oil pollution. The amendments now before the Senate are largely the result of this effort. Many of the amendments were proposed by the United States, and all of them are considered improvements over the original provisions.

Briefly stated, the amendments strengthen the existing convention, first, by the addition of new categories of ships, both large and small, which must practice antipollution measures; second, by extending the system of prohibited zones from 50 to 100 miles from shores where pollution is particularly prevalent; and third, by amending the prescribed penalties and enforcement procedures.

The committee report contains a full description of all amendments.

There are several points that I might note in passing. One is that the revised convention makes the former understanding, reservations, and recommendations unnecessary. The new provisions eliminate the language that gave rise to them before. A second one is that the convention applies only to ships on the high seas. Within U.S. territorial waters, only U.S. laws apply—in this case, the Oil Pollution Acts of 1924 and 1961. The last point I wish to stress is the complete agreement by Government agencies, industry, and conservation groups on the merits of these amendments. This was disclosed at a public hearing on February 11.

The Committee on Foreign Relations feels that as a leading proponent of more effective antipollution measures, the United States should accept these amendments promptly. I ask that the Senate now give its advice and consent to their acceptance.

MAINTENANCE OF CERTAIN LIGHTS IN THE RED SEA

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive F (88th Cong., 1st sess.), on maintenance of certain lights in the Red Sea, which was read the second time, as follows:

INTERNATIONAL AGREEMENT REGARDING THE MAINTENANCE OF CERTAIN LIGHTS IN THE RED SEA

The contracting Governments:

Considering that certain lights on the Islands of Abu Ail and Jabal at Tair in the Red Sea were constructed at the expense of the Ottoman Government and subsequently maintained on the behalf and at the expense of the said Government; and

Considering that in the course of the 1914–18 war the above-mentioned Islands were occupied by the forces of His Britannic Majesty; and

Considering that by Article 16 of the Treaty of Peace with Turkey signed at Lausanne on 24th July, 1923, Turkey renounced all her rights and titles over the above-mentioned Islands, the future of these Islands being a matter for settlement by the Parties concerned; and that no agreement on the subject of the future of the above-mentioned Islands has been come to among the Parties concerned; and

Considering that in 1930 a Convention was signed on behalf of certain interested Governments, making provision for the maintenance of the lights on the above-mentioned Islands; and that the Convention of 1930 did not come into force but the lights continued to be maintained by the Government of the United Kingdom with contributions towards the cost thereof from the Governments of Germany, Italy and the Netherlands; and

Considering that the outbreak of the 1939–45 war put an end to the arrangement just recited and that the Government of the United Kingdom has maintained the two lights and since 1945 has received contributions towards the cost thereof from the Government of the Netherlands; and

Desiring to conclude an agreement which will provide for the maintenance of the lights on the Islands of Abu Ail and Jabal at Tair in the interests of shipping and for the sharing of the cost of their maintenance in an equitable manner;

Have agreed as follows:—

ARTICLE 1

In the present Agreement:

(i) the word "tonnage" means net tonnage as ascertained in accordance with the tonnage measurement rules of the Suez Canal Authority;

(ii) the expression "vessels of" a Government means vessels registered in the metropolitan territory of that Government;

(iii) the expression "contributing Government" means a contracting Government which for the financial year in question has not relieved itself of liability to contribute by giving notice in accordance with the provisions of Article 5;

(iv) the expression "financial year" means the twelve months ending 31st March; and

(v) the expression "the lights" means lights on the Islands of Abu Ail and Jabal at Tair.

ARTICLE 2

Subject to the provisions of Article 6, the Government of the United Kingdom of Great Britain and Northern Ireland shall be the Managing Government and as such shall continue to manage and maintain the lights. The Managing Government may appoint an agent to act on its behalf at a fee agreed between the Managing Government and such agent.

ARTICLE 3

(1) The contributing Governments shall defray the expense of managing and maintaining the said lights by contributions based on the total tonnage of the vessels of each contributing Government as ascertained in accordance with paragraphs (5) and (6) of the present Article.

(2) The Managing Government shall forward to the other contracting Governments, as soon as possible after 31st March in each year, particulars of the expenditure which it has incurred in managing and maintaining the lights during the previous financial year, a statement of the contribution due from each contributing Government and an estimate of the next year's expenditure. Should this estimate exceed £30,000 the Managing Government, at the request of any contributing Government, shall call a meeting of the contributing Governments to discuss the estimate.

(3) Should it become desirable to expend on renewals, replacements, or repairs, other than normal maintenance, more than £5,000 in any one financial year, the Managing Government shall consult the other contributing Governments, by a meeting of contributing Governments should any one so request, or in writing if not so requested, before incurring such expenditure in excess of £5,000 except in case it is necessary to provide for any sudden emergency; in that event the contributing Governments shall be informed as soon as possible.

(4) Each other contributing Government shall pay to the Managing Government the amount of its contribution as soon as practicable after the receipt from the Managing Government of the statement referred to in paragraph (2) of the present Article and in any event within twelve months after the statement is received.

(5) The Managing Government shall assess the contributions on the total tonnage of the vessels of each contributing Government passing through the Suez Canal as compared with the total tonnage of all vessels of all the contributing Governments passing through the Suez Canal: the tonnage in each case being the tonnage (as ascertained from publications issued by the Suez Canal Authority) passing through the Suez Canal during the calendar year ending 31st December immediately preceding the said 31st March.

(6) Where however a contributing Government has made representations before 31st March in any year to the Managing Government that the total tonnage of its vessels passing through the Suez Canal in the previous calendar year was substantially greater than the tonnage benefiting from the lights, and produces figures to that effect, the Managing Government shall assess the contribution of that Government in respect of that calendar year on the total tonnage of its vessels benefiting from the lights (this total tonnage to be determined by agreement between the Managing Government and the contributing Government concerned) as compared with the total tonnage of all vessels of all the contributing Governments passing through the Canal, and shall re-assess the contributions of all the other contributing Governments in respect of that calendar year proportionately.

(7) Subject to any declaration made under Article 9(4), each contributing Government shall pay its first contribution under the present Agreement in respect of the expenditure incurred in whichever of the following financial years is the later, (a) the financial year in which the present Agreement comes into force in accordance with the provisions of Article 11, or (b) the financial year in which it becomes a party to the present Agreement in accordance with the provisions of Article 9.

ARTICLE 4

(1) If for any reason the contribution of a contributing Government in respect of any financial year has not been paid within the twelve months time limit referred to in Article 3(4) the defaulting Government remains responsible for the contribution outstanding and the Managing Government shall use every endeavour to obtain the monies due.

(2) If such efforts prove abortive after a lapse of 2 years the other contributing Governments shall defray the amounts in default in the proportions laid down in Article 3(1) and the rights under Article 3 (2) and (3) and under Article 7 shall be suspended with respect to the defaulting Government until outstanding payments are made and payment of contributions resumed.

ARTICLE 5

(1) Each contracting Government has the right to discontinue its contribution for any financial year upon giving written notice to the Managing Government before 1st October in the previous financial year; it shall continue to be responsible for its current contribution up to the 31st March following the date of giving such notice. Any Government giving such notice shall state the reasons therefor, and for the financial year in respect of which its contribution is thus discontinued the rights of that Government under Article 3 (2) and (3) and Article 7 of the present Agreement shall be suspended. It shall, however, remain a party to the present Agreement.

(2) The Managing Government shall inform all contracting Governments of any notice received in accordance with the provisions of the present Article.

ARTICLE 6

(1) The Government of the United Kingdom has the right to discontinue its obligation to be Managing Government by giving to the other contracting Governments written notice to this effect. Its obligation shall cease at the end of the financial year following the financial year in which notice was given.

(2) In such event, the contracting Governments shall consult among themselves with a view to appointing another Government as Managing Government or making other arrangements for the management of the lights. If no such arrangements are made before the obligation of the Government of the United Kingdom ceases in accordance with paragraph (1) of the present Article, the present Agreement shall cease to be in force.

ARTICLE 7

If any contracting Government desires that any amendment should be made in the provisions of the present Agreement, it shall communicate its proposals, together with the reasons therefor, to the Managing Government. The Managing Government shall inform all the other contracting Governments of any proposal for amendment received by it with a request that they shall, as soon as possible, inform it whether they accept the proposal. A contracting Government shall be deemed to have accepted a proposal for amendment only after a notification of acceptance has been filed with the Managing Government. If a proposal for amendment is accepted by all the contributing Governments, the Managing Government shall draw up a certificate of the amendment which has been so agreed and communicate it to all the other contracting Governments, and the amendment shall be deemed to have come into force on the date of the certificate unless a different effective date has been provided in the accepted proposal.

ARTICLE 8

Nothing in the present Agreement shall be regarded as constituting a settlement of the future of the Islands or territories referred to in Article 16 of the Treaty of Lausanne or as prejudicing the conclusion of any such settlement in the future.

ARTICLE 9

(1) Subject to the provisions of paragraph (2) of the present Article, the Government of any State invited to attend the Diplomatic Conference regarding the maintenance of certain lights in the Red Sea held in London from 11th to 13th October, 1961, namely Denmark, Federal Republic of Germany, Finland, France, Greece, Italy, Liberia, Netherlands, Norway, Pakistan, Panama, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and the United States of America, may become a party to the present Agreement by

(i) signature without reservation as to acceptance; or

(ii) signature subject to acceptance, followed by acceptance; or

(iii) acceptance.

(2) The present Agreement shall be open for signature from the 20th of February to the 19th of August, 1962 and thereafter it shall remain open for acceptance.

(3) Acceptance shall be effected by the deposit of an instrument of acceptance with the Government of the United Kingdom.

(4) Any Government which deposits its instrument of acceptance after the present Agreement has come into force may declare that its acceptance shall not take effect until 1st April following the date of its signature or acceptance

(5) The Government of the United Kingdom shall inform all signatory Governments and all Governments that have accepted the present Agreement of each signature or acceptance received and the date of its receipt and of any declaration made in accordance with paragraph (4) of the present Article.

ARTICLE 10

If in any calendar year the total tonnage of the vessels of any Government other than a contracting Government passing through the Suez Canal exceeds 1 per cent. of the total tonnage of all vessels passing through the Suez Canal, the Managing Government, after obtaining the assent of all contracting Governments, shall invite that Government to become a party to the present Agreement.

ARTICLE 11

The Government of the United Kingdom shall notify all signatory Governments and all Governments which have accepted the present Agreement when the total tonnage of the vessels passing through the Suez Canal of those Governments which have taken the action required by Article 9 to become parties to the Agreement has, in the preceding calendar year, exceeded 50 per cent. of the total tonnage of all vessels which have passed through the Suez Canal in that year, and the Agreement shall enter into force on the date of such notification.

ARTICLE 12

(1) Any contracting Government may denounce the present Agreement by giving written notice to the Managing Government. A notice of intention to discontinue contributing for an indefinite period shall be deemed to be a notice of denunciation. Denunciation shall take effect at the end of the financial year following that in which notice is given and a contributing Government shall remain liable for a contribution incurred before its denunciation takes effect.

(2) The Managing Government shall inform all contracting Governments of any such notice received by it.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed the present Agreement.

Done in London this 20th day of February 1962, in the English and French languages of which the English text shall be authoritative, in a single copy which shall be deposited in the archives of the Government of the United Kingdom which shall transmit certified copies thereof to each Government which has signed or accepted the present Agreement.

Denmark:
B. RICHNAGEL
3rd August 1962
Federal Republic of Germany:
R. THIERFELDER
16. August 1962
Subject to acceptance.
Greece:
Italy:
P. QUARONI
14 August 1962
Subject to acceptance.
Liberia:
Netherlands:
A. BENTINCK
16. August 1962
Subject to acceptance.
Norway:
E. ULSTEIN
17 August 1962
Subject to acceptance.
Pakistan:
Panama:
Sweden:
GUNNAR HÄGGLÖF
2d of August 1962
Union of Soviet Socialist Republics:
United Arab Republic:
United Kingdom of Great Britain and Northern Ireland:
J. B. GODBER
Feb 20th 1962
United States of America:
STEPHEN C. BROWN
March 2, 1962
Captain HARRY L. MORGAN, U.S.C.G.
March 2, 1962
Subject to acceptance.
Certified a true copy:
FOREIGN OFFICE, LONDON, August 20, 1962.
R. W. MASON
Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

Mr. FULBRIGHT. Mr. President, Executive F., although a new agreement, is addressed to an old problem. After World War I, Turkey surrendered sovereignty over two islands in the Red Sea on which it had maintained lighthouses since before that war. Sovereignty to this date over these islands has not been established; but the British, as the World War I occupying power, undertook to tend them, with varying assistance from several Western European nations. In recent years, with the lighthouses requiring repairs and capital improvement, the United Kingdom has come to feel that this burden ought to be shared by the nations whose shipping made the greatest use of these lights. Twelve nations accepted the United Kingdom invitation to the conference, which resulted in the agreement now before the Senate. Five of these nations have completed their acceptance of the agreement.

The committee's report describes the agreement in detail. Its principal feature is a cost-sharing formula based on the tonnage of the vessels of each contributing Government transiting the Suez Canal, as compared to the total tonnage of all contributing governments transiting the canal. This, clearly, will be a variable figure, depending on the tonnages and the number of contributing governments. At its maximum, the Department of State estimates, it would come to approximately $5,800 a year.

The lighthouses in question are considered by industry and Government agencies alike to be important aids to navigation in the southern end of the Red Sea. The United States has previously participated in cost-sharing agreements of this nature. Currently, the North Atlantic Ice Patrol is being financed by 17 governments according to a similar formula.

Mr. President, on behalf of the Committee on Foreign Relations, I ask that the Senate advise and consent to the ratification of Executive F.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I ask unanimous consent that the vote on the three treaties, exclusive of the treaty on return of the Austrian assets, be had at 2 o'clock p.m. today.

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

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. FULBRIGHT. Have the yeas and nays been ordered?

The PRESIDING OFFICER. Not yet.

Mr. MANSFIELD. Mr. President, I assure the Senator that the yeas and nays will be asked for, and that by 2 p.m. there will be a sufficient attendance of Senators to order them.

Mr. FULBRIGHT. Very well.

PARTIAL REVISION OF RADIO REGULATIONS—GENEVA, 1959—AND ADDITIONAL PROTOCOL

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive S (88th Cong., 1st sess.), on partial revision of the radio regulations—Geneva, 1959—and additional protocol,

which was read the second time, as follows:

FINAL ACTS OF THE EXTRAORDINARY ADMINISTRATIVE RADIO CONFERENCE TO ALLOCATE FREQUENCY BANDS FOR SPACE RADIOCOMMUNICATION PURPOSES

ABBREVIATIONS

The following abbreviations are used in the annexes, to indicate the nature of amendments made in the partial revision of the Radio Regulations: MOD, modification; SUP, suppression; ADD, addition; NOC, no change.

NOTE.—If a modification effects only the drafting of a number, without changing the substance, the following symbol is used: MOD.

PARTIAL REVISION OF THE RADIO REGULATIONS, GENEVA, 1959

Recommendation No. 36 of the Ordinary Administrative Radio Conference, Geneva, 1959, recommended that the Administrative Council of the Union should consider the convening, in the latter part of 1963, of an Extraordinary Administrative Radio Conference to allocate frequency bands for Space Radiocommunication Purposes.

The Administrative Council considered this question during its annual session, in 1962, and, at its session in 1963, adopted Resolution No. 524, which, with the prior concurrence of a majority of the Members of the Union, determined the Agenda of the Conference and decided that it should be convened in Geneva on 7th October 1963.

The Extraordinary Administrative Radio Conference accordingly convened on the appointed date, and in accordance with the provisions of Nos. 60 and 61 of the Convention, revised the relevant portions of the Radio Regulations, Geneva, 1959. Particulars of these revisions are given in the attached Annexes.

The revised provisions of the Radio Regulations, Geneva, 1959, shall form an integral part of the Radio Regulations, which are annexed to the International Telecommunication Convention. They shall come into force on the first of January, 1965, upon which date the provisions of the Radio Regulations, Geneva, 1959, which are cancelled or modified by these revisions, shall be abrogated.

The delegates signing this revision of the Radio Regulations, Geneva, 1959, hereby declare that should an administration make reservations concerning the application of one or more of the revised provisions of the Radio Regulations, Geneva, 1959, no other administration shall be obliged to observe that provision or those provisions in its relations with that particular administration.

In witness whereof the delegates of the Members and Associate Member of the Union represented at the Extraordinary Administrative Radio Conference, Geneva, 1963, have signed in the names of their respective countries this revision of the Radio Regulations, Geneva, 1959, in a single copy which will remain in the archives of the International Telecommunication Union and of which a certified copy will be delivered to each Member and Associate Members of the Union.

Members and Associate Members of the Union shall inform the Secretary-General of their approval of the revision of the Radio Regulations, Geneva, 1959, by the Extraordinary Administrative Radio Conference, Geneva, 1963. The Secretary-General will inform Members and Associate Members of the Union promptly regarding receipt of such notifications of approval.

Done at Geneva, November 8, 1963.

For the Democratic and Popular Republic of Algeria:
M. BOUGARA

For the Argentine Republic:
J. A. AUTELLI
J. J. ETULAIN
G. B. RUSSO
H. TIZEIRA

For the Commonwealth of Australia:
L. M. HARRIS

For Austria:
F. HENNEBERG
A. SAPIK

For Belgium:
L. ROS
P. BOUCHIER
A. VANCOILLIE

For the Byclorussian Soviet Socialist Republic:
L. PODORSKIJ

For the People's Republic of Bulgaria:
M. VELKOV

For the Kingdom of Cambodia:
Y. KHAMVANN

For Canada:
W. A. CATON

For China:
P. CHENG
S. CHEN

For the Republic of Cyprus:
A. E. EMBEDOKLIS

For the Vatican City State:
A. STEFANIZZI
H. DE RIEDMATTEN

For the Republican of Colombia:
E. ARANGO
M. VEGA O
A. VILLEGAS A.
O. ROVIRA ARANGO
A. TAPIAS ROCHA
F. HOYOS ARENAS

For the Republican of the Congo (Leopoldville):
S. SIERAKOWSKI

For the Republic of Korea:
P. S. CHIN
C. W. PAK
J. S. CHOY
H. P. SIM

For Cuba:
Dr. E. CAMEJO-ARGUDIN
J. A. VALLADARES
R. GIL

For Denmark:
G. PEDERSEN
B. NIELSEN
P. V. LARSEN

For the Group of Territories represented by the French Office of Overseas posts and telecommunications:
G. AUNEVEUX

For Spain:
J. M. ANIEL-QUIROGA
J. GARRIDO
J. M^A ARTO

For the United States of America:
Jos. H. MCCONNELL

For Ethiopia:
D. BEYENE

For Finland:
K. AHTI
A. SINKKONEN

For France:
B. DE CHALVRON
Y. PLACE

For Ghana:
J. A. ESHUN

For Greece:
A. MARANGOUDAKIS

For the Hungarian People's Republic:
L. HORVÁTH
A. LÖRINCZY
R. KERPEL

For the Republic of India:
V. V. RAO
M. D. SANT

For the Republic of Indonesia:
PRATOMO
S. ABDULRACHMAN
I. ALISJAHBANA

For Ireland:
T. O. DÁLAIGH
J. MALONE

For Iceland:
S. THORKELSSON

For the State of Israel:
ING. E. RON
G. LEV
Y. YANNAY

For Italy:
F. NICOTERA

For Jamaica:
G. A. GAUNTLETT

For Japan:
S. FUJIKI
S. NAMBA

For the State of Kuwait:
A. A. ALSAADOON
A. Y. KHALIL
A. K. ALGHUNAIM

For Lebanon:
N. KAYATA

For the Republic of Liberia:
S. H. BUTLER

For the Principality of Liechtenstein:
W. KLEIN
R. MONNAT
H. A. KIEFFER

For Luxembourg:
P. BOUCHIER

For Malaysia:
M. SECK WAH

For the Kingdom of Morocco:
L. BOUTAMI
A. DRISSI

For Mexico:
Ad referendum
J. J. HERNÁNDEZ

For Monaco:
C. CH. SOLAMITO

For Norway:
N. J. SOBERG
P. MORTENSEN
K. HAMMERSTROM

For New Zealand:
J. M. POWER
D. C. ROSE

For Uganda:
V. G. BENNETT

For Pakistan:
O. H. MOHAMED
A. B. M. TAHER

For the Kingdom of the Netherlands:
A. D. J. UURBANUS
J. J. VORMER
M. T. M. FONVILLE

For the Republic of the Philippines:
L. CARCIA

For the Polish People's Republic:
K. KOZLOWSKI

For Portugal:
M. AMARO VIEIRA
M. J. F. DA COSTA JARDIM
R. LOPES C. DUARTE
A. RAMALHO

For the Spanish Provinces of Africa:
J. M. PARDO
J. M^A RUIZ DE ASSIN MUSSO

For the United Arab Republic:
A. B. EL SIDDIK EID
A. K. EL HARTY
H. ABDEL BARI

For the Federal Republic of Germany:
H. PRESSLER
A. HEILMANN

For the Federal People's Republic of Yugoslavia:
V. POPOVIC

For the Ukranian Soviet Socialist Republic:
J. OMELJANENKO

For the Rumanian People's Republic:
M. GRIGORE
B. IONITA
A. SPATARU

For the United Kingdom of Great Britain and Northern Ireland:
CHARLES BOOTH
JAMES H. H. MERRIMAN
I. STQ. SEVERIN

For the South African Republic and Territory of South West Africa:
J. Z. VENTER
A. BIRRELL
H. C. VILJOEN

For Sweden:
H. STERKY
E. ESPING
For the Swiss Confederation:
W. KLEIN
R. MONNAT
H. A. KIEFFER
For Tanganyika:
R. F. WILLIAMS
For the Czechoslovak Socialist Republic:
ING. M. ZAHRADNICEK
For the Territories of the United States of America:
Jos. H. MCCONNELL
JAMES T. DEVINE
For the Overseas Territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible:
D. C. MASTERS
For the Union of Soviet Socialist Republics:
A. BADALOV
For Kenya:
V. G. BENNETT

ANNEX 1—REVISION OF ARTICLE 1 OF THE RADIO REGULATIONS

Article 1 of the Radio Regulations shall be amended as follows: For Regulation Nos. 34 and 35, there shall be substituted the following Regulations:

"SECTION II. RADIO SYSTEMS, SERVICES AND STATIONS

"MOD 34—Aeronautical Station: A land station in the aeronautical mobile service. In certain instances an aeronautical station may be placed on board a ship or an earth satellite.

"MOD 35—Aircraft Station: A mobile station in the aeronautical mobile service on board an aircraft or an air-space vehicle."

Regulation Nos. 70, 71, 72 and 73 shall be repealed.

After Regulation No. 75, there shall be inserted the following Regulation:

"ADD 75A—Radio Astronomy Station: A station in the radio astronomy service."

After Regulation No. 84, there shall be inserted the following Regulations:

"ADD 84AA—Terrestrial Service: Any radio service defined in these Regulations, other than a space service or the radio astronomy service.

"ADD 84AB—Terrestrial Station: A station in a terrestrial service.

"ADD title:

"SECTION IIA. SPACE SYSTEMS, SERVICES AND STATIONS

"ADD 84AC—Space Service: A radiocommunication service between earth stations and space stations, or between space stations, or between earth stations when the signals are re-transmitted by space stations, or transmitted by reflection from objects in space, excluding reflection or scattering by the ionsphere or within the earth's atmosphere.

"ADD 84AD—Earth Station: A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

"ADD 84AE—Space Station: A station in the space service located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the earth's atmosphere.

"ADD 84AF—Space System: Any group of co-operating earth and space stations, providing a given space service and which, in certain cases, may use objects in space for the reflection of the radiocommunication signals.

"ADD 84AG — Communication - Satellite Service: A space service between earth stations, when using active or passive satellites for the exchange of communications of the fixed or mobile service, or between an earth station and stations on active satellites for the exchange of communications of the mobile service, with a view to their re-transmission to or from stations in the mobile service.

"ADD 84AH — Communication - Satellite Earth Station: An earth station in the communication-satellite service.

"ADD 84AI — Communication - Satellite Space Station. A space station in the communication-satellite service, on an earth satellite.

"ADD 84AJ—Active Satellite: An earth satellite carrying a station intended to transmit or retransmit rediocommunication signals.

"ADD 84AK—Passive Satellite: An earth satellite intended to transmit radiocommunication signals by reflection.

"ADD 84AL—Satellite System: Any group of co-operating stations providing a given space service and including one or more active or passive satellites.

ADD 84AM—Space Research Service: A space service in which spacecraft or other objects in space are used for scientific or technological research purposes.

"ADD 84AN—Space Research Earth Station: An earth station in the space research service.

"ADD 84AO—Space Research Space Station: A space station in the space research service.

ADD 84AP—Broadcasting-Satellite Service: A space service in which signals transmitted or re-transmitted by space stations, or transmitted by reflection from objects in orbit around the Earth, are intended for direct reception by the general public.

"ADD 84AQ — Radionavigation - Satellite Service: A service using space stations on earth satellites for the purpose of radionavigation, including, in certain cases, transmission or re-transmission of supplementary information necessary for the operation of the radionavigation system.

"ADD 84AR — Radionavigation - Satellite Earth Station: An earth station in the radionavigation-satellite service.

"ADD 84AS — Radionavigation - Satellite Space Station: A space station in the radionavigation-satellite service, on an earth satellite.

"ADD 84AT — Meteorological - Satellite Service: A space service in which the results of meteorological observations, made by instruments on earth satellites, are transmitted to earth stations by space stations on these satellites.

"ADD 84AU—Meterological-Satellite Earth Station: An earth station in the meteorological-satellite service.

"ADD 84AV—Meterological-Satellite Space Station: A space station in the meteorological-satellite service, on an earth satellite.

"ADD 84AW—Space Telemetering: The use of telemetering for the transmission from a space station of results of measurements made in a spacecraft, including those relating to the functioning of the spacecraft.

"ADD 84AX—Maintenance Space Telemetering: Space telemetering relating exclusively to the electrical and mechanical condition of a spacecraft and its equipment together with the condition of the environment of the spacecraft.

"ADD 84AY—Space Telecommand: The use of radiocommunication for the transmission of signals to a space station to initiate, modify or terminate functions of the equipment on a space object, including the space station.

"ADD 84AZ—Space Tracking: Determination of the orbit, velocity or instantaneous position of an object in space by means of radiodetermination, excluding primary radar, for the purpose of following the movement of the object.

"ADD Title:

"SECTION IIB. SPACE ORBITS AND TYPES OF OBJECTS IN SPACE

"ADD 84BA—Deep Space: Space at distances from the Earth equal to or greater than the distance between the Earth and the Moon.

"ADD 84BB—Orbit: The path in space described by the centre of mass of a satellite or other object in space.

"ADD 84BC—Angle of Inclination of an Orbit: The acute angle between the plane containing an orbit and the plane of the earth's equator.

"ADD 84BD—Period of an Object in Space: The time elapsing between two consecutive passages of an object in space through the same point on its closed orbit.

"ADD 84BE—Altitude of the Apogee: Altitude above the surface of the Earth of the point on a closed orbit where a satellite is at its maximum distance from the centre of the Earth.

"ADD 84BF—Altitude of the Perigee: Altitude above the surface of the Earth of the point on a closed orbit where a satellite is at its minimum distance from the centre of the Earth.

"ADD 84BG—Stationary Satellite: A satellite, the circular orbit of which lies in the plane of the earth's equator and which turns about the polar axis of the Earth in the same direction and with the same period as those of the earth's rotation.

"ADD 84BH—Spacecraft: Any type of space vehicle, including an earth satellite or a deep-space probe, whether manned or unmanned."

ANNEX 2—REVISION OF ARTICLE 3 OF THE RADIO REGULATIONS

Article 3 of the Radio Regulations shall be amended as follows:

For Regulation No. 114, there shall be substituted the following:

"MOD 114, § 2: Any new assignment or any change of frequency or other basic characteristic of an existing assignment (see Appendix 1 or Appendix 1A) shall be made in such a way as to avoid causing harmful interference to services rendered by stations using frequencies assigned in accordance with the Table of Frequency Allocations in this Chapter and the other provisions of these Regulations, the characteristics of which assignments are recorded in the Master International Frequency Register."

After Regulation No. 116 there shall be inserted the following new Regulation:

"ADD 116A, § 4A: For the purpose of resolving cases of harmful interference, the radio astronomy service shall be treated as a radiocommunication service. However, protection from services in other bands shall be afforded the radio astronomy service only to the extent that such services are afforded protection from each other."

ANNEX 3—REVISION OF ARTICLE 5 OF THE RADIO REGULATIONS

Article 5 of the Radio Regulations shall be amended as follows:

In the Table of Frequency Allocations for the band 9 995–10 005 kc/s there shall be substituted the following:

"kc/s

Allocation to services		
Region 1	Region 2	Region 3
9 995—10 005 Standard frequency 204 214 215"		

"NOC 204, 214.

"MOD 215: The band 10 003–10 005 kc/s is also allocated, on a secondary basis, to the space research service."

In the Table of Frequency Allocations for the band 15 450–16 460 kc/s there shall be substituted the following:

"kc/s

Allocation to services		
Region 1	Region 2	Region 3
15 450—15 762 Fixed		
15 762—15 768 Fixed Space research 215A		
15 768—16 460 Fixed "		

"ADD 215A: In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the bands 15 762–15 768 kc/s and 18 030–18 036 kc/s."

In the Table of Frequency Allocations for the band 18 030–20 010 kc/s there shall be substituted the following:

"kc/s

Allocation to services		
Region 1	Region 2	Region 3
18 030—18 036 Fixed Space research 215A		
18 036—19 990 Fixed		
19 990—20 010 Standard frequency 204 220 221 221A"		

"NOC 220.

"MOD 221: The band 19 990–20 010 kc/s is also allocated, on a secondary basis, to the space research service.

"ADD 221A: The frequency 20 007 kc/s may also be used, in emergency, in the search for, and rescue of, astronauts and space vehicles. Emissions must be confined in a band of ± 3 kc/s about this frequency."

In the Table of Frequency Allocations for the band 29.7–41 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
29.7—30.005 Fixed 228 229 231 232 Mobile 233		
30.005—30.010 Fixed 228 229 231 Mobile Space research Space (satellite identification) 233		
30.010—37.750 Fixed 228 229 230 231 Mobile 233		
37.75—38.25 Fixed 228 22° 231 Mobile Radio astronomy 233		
38.25—41 Fixed 228 229 230 231 Mobile 233 235 236"		

"NOC 228, 229, 230, 231, 232, 233, 236.

"SUP 234.

"MOD 235: The band 39.986–40.002 Mc/s is also allocated, on a secondary basis, to the space research service."

In the Table of Frequency Allocations for Region 2 and for the band 68–74.6 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
68–74.8	68–73 Fixed Mobile Broadcasting	68–70
	73–74.6 Radio astronomy 253A 253B	70–74.6"

"SUP 253.

"ADD 253A: In Region 2, fixed, mobile and broadcasting service operations previously authorized in the band 73–74.6 Mc/s may continue to operate on a non-interference basis to the radio astronomy service.

"ADD 253B: In Cuba, the band 73–74.6 Mc/s is also allocated to the fixed, mobile and broadcasting services."

In the Table of Frequency Allocations for the band 117.975–144 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
117975—132 Aeronautical mobile (R) 273 273A		
132—136 Aeronautical mobile (r) 273A 274 275	132–136 Fixed Mobile 273A 276 277 278 279	
136—137 Fixed Mobile Space research (telemetering and tracking) 281A	136—137 Space research (telemetering and tracking) 281A 281B	136—137 Fixed Mobile Space research (telemetering and tracking) 281A
137—138 Meteorological-satellite Space research (telemetering and tracking) 281F Space (telemetering and tracking) 275A 279A 281C 281D 281E		
138—143.6 Aeronautical Mobile (or) 275 282 283	138–143.6 Fixed Mobile Radiolocation	138—143.6 Fixed Mobile 278 279A 284"

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
143.6—143.65 Aeronautical mobile (or) Space research (telemetering and tracking) 275 282 283	143.6—143.65 Fixed Mobile Space research (telemetering and tracking) Radiolocation	143.6—143.65 Fixed Mobile Space research (telemetering and tracking) 278 279A 284
143.65—144 Aeronautical mobile (or) 275 282 283	143.65—144 Fixed Mobile Radiolocation	143.65—144 Fixed Mobile 278 279A 284"

"NOC 273.

"ADD 273A: In the band 117–975–132 Mc/s and in the band 132–136 Mc/s where the aeronautical mobile (R) service is authorized, the use and development, for this service, of systems using space communication techniques may be authorized but limited initially to satellite relay stations of the aeronautical mobile (R) service. Such use and development shall be subject to coordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

"NOC 274.

"MOD 275: In Burundi, Ethiopia, Nigeria, Sierra Leone, Gambia, Portuguese Oversea Provinces in Region 1 south of the equator, Rhodesia and Nyasaland, Rwanda and the R. of South Africa and Territory of South West Africa, the bands 132–136 Mc/s and 138–144 Mc/s are allocated to the fixed and mobile services.

"ADD 275A: In Burundi, Nigeria, Sierra Leone, Gambia, Portuguese Oversea Provinces in Region 1 south of the equator, Rhodesia and Nyasaland, and Rwanda, the band 137–138 Mc/s is also allocated to the fixed and mobile services.

"NOC 276, 277.

"MOD 278: In New Zealand, the bands 132–136 Mc/s and 138–144 Mc/s are allocated to the aeronautical mobile (OR) service.

"MOD 279: In Australia, the band 132–136 Mc/s is allocated to the aeronautical mobile service.

"ADD 279A: In Australia, the band 137–144 Mc/s is also allocated to the broadcasting service for television.

"SUP 280.

"SUP 281.

"ADD 218A: For the use of the band 136–137 Mc/s, see Recommendation No. 7A.

"ADD 281B: In Region 2, the band 136–137 Mc/s is also allocated to the fixed and mobile services until 1 January, 1969. Thereafter, in Cuba, the band will continue to be allocated also to the fixed and mobile services.

"ADD 281C: In Algeria, Bulgaria, Hungary, Kuwait, Lebanon, Morocco, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 137–138 Mc/s is also allocated to the aeronautical mobile (OR) service. In the remaining countries of Region 1, the band 137–138 Mc/s is also allocated to the aeronautical mobile (OR) service until 1 January, 1969.

"ADD 281D: In Norway, Switzerland and Turkey, the band 137–138 Mc/s is also allocated to the fixed service and mobile, except aeronautical mobile, service until 1 January, 1969.

"ADD 281E: In Regions 2 and 3, the band 137–138 Mc/s is also allocated to the fixed and mobile services until 1 January, 1969. Thereafter, in Cuba, Malaysia, Pakistan and the Philippines, the band 137–138 Mc/s will continue to be allocated also to the fixed and mobile services.

"ADD 281F: The band 137–138 Mc/s will be used mainly for research concerning the establishment, technical improvement, and maintenance of operational space systems.

"MOD 282: In Austria, the Netherlands and the United Kingdom, the band 138–144 Mc/s will, at some future date, be allocated to the fixed service and mobile, except aeronautical mobile, service.

"MOD 283: In Denmark, Greece, Norway, Portugal, F.R. of Germany, Sweden, Switzerland and Turkey, the band 138–144 Mc/s is also allocated to the fixed service and mobile, except aeronautical mobile (R), service.

"MOD 284: In China, the band 138–144 Mc/s is also allocated to the radiolocation service."

In the Table of Frequency Allocations for the band 144–150.05 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
144—146 Amateur 284A		
146—149.9 Fixed Mobile except aeronautical mobile (R) 274 285 285A	146—148 Amateur 289	
	148—149.9 Fixed Mobile 285A 290	
149.9—150.05 Radionavigation-satellite 285B"		

"ADD 284A: In the band 144–146 Mc/s, artificial satellites may be used by the amateur service.

"MOD 285: In Rhodesia and Nyasaland, and the R. of South Africa and Territory of South West Africa, the bands 146–149.9 Mc/s and 150.05–174 Mc/s are also allocated to the aeronautical mobile service.

"ADD 285A: The frequencies 148.25 Mc/s ±15 kc/s and 154.2 Mc/s ±15 kc/s may be used for space telecommand, subject to agreement among the administrations concerned and those having services operating in accordance with the Table, which may be affected.

"ADD 285B: Stations operating in the fixed and mobile services may continue to use this band until 1 January, 1969. This cessation date shall not apply in Austria, Bulgaria, Cuba, Hungary, Iran, Kuwait, Morocco, Pakistan, the Netherlands, Poland, the United Arab Republic, Yugoslavia and Roumania where the fixed and mobile services will continue to have equal primary status with the radionavigation-satellite service. (See Recommendation No. 8A)

"NOC 289.

"MOD 290: In New Zealand, the bands 148–149.9 Mc/s and 150.05–156 Mc/s are allocated to the aeronautical mobile (OR) service."

In the Table of Frequency Allocations for the bands 150.05–174 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
150.05—151 Fixed Mobile except aeronautical mobile (R) 274 285 286 286A	150.05—174 Fixed Mobile	150.05—170 Fixed Mobile
151—154 Fixed Mobile except aeronautical mobile (R) Meteorological aids 285 286 286A		
154—156 Fixed Mobile except aeronautical mobile (R) 285 285A		285A 287 290
156—174 Fixed Mobile except aeronautical mobile 285 287 288	285A 287	170—174 Fixed Mobile Broadcasting"

"MOD 285.

"MOD 286: In Region 1, the band 150.05–153 Mc/s is also allocated to the radio astronomy service. In making assignments to new stations of other services to which this band is allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference.

"ADD 286A: In the United Kingdom, the band 150.05–151 Mc/s is allocated to the radio astronomy service, and the band 151–153 Mc/s is allocated to the radio astronomy service on a primary basis and to the meteorological aids service on a secondary basis; however, in this band the provisions of No. 274 apply.

"NOC 287.

"NOC 288.

"MOD 290."

In the Table of Frequency Allocations for the band 174–216 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
174–216 Broadcasting 291 292 293 294	174–216 Fixed Mobile Broadcasting 294 295 296"	

"NOC 291, 292, 293, 295, 296.

"MOD 294: The band 183–1–184–1 Mc/s is also allocated, on a secondary basis, to the space research service."

In the Table of Frequency Allocations for the band 235–328–6 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
235–267	Fixed Mobile 305 309	
267–272	Fixed Mobile Space (telemetering)	309A 309B
272–273	Fixed Mobile Space (telemetering)	309A
273–328.6	Fixed Mobile 310".	

"NOC 305, 309, 310.

"ADD 309A: Space stations employing frequencies in the band 267–273 Mc/s for telemetering purposes may also transmit tracking signals in the band.

"ADD 309B: In the band 267–272 Mc/s individual administrations may use space telemetering in their countries on a primary basis, subject to the agreement of the administrations concerned and those having services operating in accordance with the Table, which may be affected."

In the Table of Frequency Allocations for the band 335.4–401 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
335.4—399.9	Fixed Mobile	
399.9—400.05	Radionavigation-satellite 311A	
400.05—401	Meteorological aids Meteorological-satellite (maintenance telemetering) Space research (telemetering and tracking) 312A 313 314"	

"ADD 311A: Stations operating in the fixed and mobile services may continue to use this band until 1 January, 1969. This cessation date shall not apply in Bulgaria, Cuba, Greece, Hungary, Iran, Kuwait, Lebanon, Morocco, the United Arab Republic and Yugoslavia where the fixed and mobile services will continue to have equal status with the radionavigation-satellite service. (See Recommendation No. 8A)

"SUP 312.

"ADD 312A: In Sweden, the band 400.05–401 Mc/s is also allocated to the fixed and mobile services until 1 January, 1966.

"MOD 313: In Albania, Bulgaria, Greece, Hungary, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslavakia and the U.S.S.R., the band 400.05–401 Mc/s, is also allocated to the fixed and mobile services.

"MOD 314: In the United Kingdom, the band 400.05–420 Mc/s is also allocated to the radiolocation service; however, between 400.05 and 410 Mc/s the allocation to the radiolocation service is on a secondary basis."

In the Table of Frequency Allocations for the band 401–406 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
401—402	Meteorological aids Space (telemetering) 315A Fixed Mobile except aeronautical mobile 314 315 315B 316	
402—406	Meteorological aids Fixed Mobile except aeronautical mobile 314 315 316 317"	

"MOD 314.

"NOC 315.

"ADD 315A: Space stations employing frequencies between 401–402 Mc/s for telemetering purposes may also transmit tracking signals in this band.

"ADD 315B: In Australia, the space (telemetering) service in the band 401–402 Mc/s is a secondary service.

"NOC 316.

"MOD 317: The band 404–410 Mc/s in Region 2 and the band 406–410 Mc/s in Regions 1 and 3 are also allocated to the radio

astronomy service. An appropriate continuous band within these limits shall be designated on a national or area basis. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference."

In the table of frequency allocations for the band 420–470 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
420—430 Fixed Mobile except aeronautical mobile Radiolocation 318 319	420—450	
430—440 Amateur Radiolocation 318 319 320 321 322	Radiolocation Amateur	
440—450 Fixed Mobile except aeronautical mobile Radiolocation 318 319 319A	318 319A 323 324	
450—460 Fixed Mobile 318 319A		
460—470 Fixed Mobile Meteorological-satellite 318A"		

"NOC 318, 319, 320, 321, 322, 323, 324.

"ADD 318A: In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the band 460–470 Mc/s may be used, on a primary basis, by the meteorological-satellite service subject to agreement among administrations concerned and those having services, or intending to introduce services, operating in accordance with the Table, which may be affected.

"ADD 319A: The band 449.75–450.25 Mc/s may be used for space telecommand, subject to agreement among the administrations concerned and those having services operating in accordance with the Table, which may be affected."

In the Table of Frequency Allocations for the bands 470–890 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
470—582	470—890 Broadcasting	470—585
582—606		585—610 Radionavigation
606—790 Broadcasting 326 329 330 330A 331 332		336 337 610—890 Fixed Mobile Broadcasting
790—890	332	332 338 339"

"NOC 326, 329.

"MOD 330: In Region 1, except the African Broadcasting Area*, the radionavigation service may continue to operate in the band 606–610 Mc/s until the band is required for the broadcasting service.

"330.1* For the purposes of this Regulation the term 'African Broadcasting Area' means:

"(a) African countries, parts of countries, territories and groups of territories situated between the parallels 40° South and 30° North.

"(b) Islands in the Indian Ocean west of meridian 60° East, situated between the parallel 40° South and the great circle arc joining the points 45° East, 11°30′ North and 60° East, 15° North.

"(c) Islands in the Atlantic Ocean east of Line B defined in No. 131 of these Regulations, situated between the parallels 40° South and 30° North.

"ADD 330A: In the African Broadcasting Area; the band 606–614 Mc/s is allocated to the radio astronomy service.

"NOC 331.

"MOD 332: In Region 1, except the African Broadcasting Area*, the band 606–614 Mc/s, and in Region 3, the band 610–614 Mc/s may be used by the radio astronomy service. Administrations shall avoid using the band concerned for the broadcasting service as long as possible, and thereafter, as far as practicable, shall avoid the use of such effective radiated powers as will cause harmful interference to radio astronomy observations.

"In Region 2, the band 608–614 Mc/s is reserved exclusively for the radio astronomy service until the first Administrative Radio Conference after 1 January, 1974 which is competent to review this provision; however, this provision does not apply to Cuba.

"NOC 336, 337, 338, 339."

In the Table of Frequency Allocations for the band 890–1215 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
890—942 Fixed Broadcasting Radiolocation 329 331 333 339A	890—942 Fixed Radiolocation 339A 340	890—942 Fixed Mobile Broadcasting Radiolocation 339 339A
942—960 Fixed Broadcasting 329 331 333 339A	942—960 Fixed 339A	942—960 Fixed Mobile Broadcasting 338 339 339A
960—1 215 Aeronautical radionavigation 341"		

"NOC 333, 340.

"ADD 339A: Specific portions of the frequency band 900–960 Mc/s may also be used, on a secondary basis, for experimental purposes in connection with space research.

"MOD 341: The band 960–1 215 Mc/s is reserved on a world-wide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based facilities."

In the Table of Frequency Allocations for the band 1 400–1 660 Mc/s there shall be substituted the following, the allocations in the Radio Regulations, Geneva, 1959, being retained for the band 1 429–1 525 Mc/s:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
1400—1427 Radio astronomy		
1427—1429 Fixed Mobile except aeronautical mobile Space (telecommand)		
1429—1525	1429—1435 1435—1525	1429—1525
1525—1535 Fixed 350B Space (telemetering) 350A Mobile except aeronautical mobile 350C	1525—1535 Space (telemetering) 350A Fixed Mobile 350D	1525—1535 Fixed 350B Space (telemetering) 350A Mobile 350E
1535—1540 Space (telemetering) 350A 351 352 352C		
1540—1660 Aeronautical radionavigation 351 352 352A 352B 352D"		

"ADD 350.

"ADD 350A: Space stations employing frequencies in the band 1 525–1 540 Mc/s for telemetering purposes may also transmit tracking signals in the band.

"ADD 350B: As regards the category of the fixed service, see Resolution No. 3A.

"ADD 350C: In Albania, Bulgaria, France, Hungary, Kuwait, Lebanon, Morocco, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 1 525–1 535 Mc/s is also allocated, on a primary basis, to the mobile, except aeronautical mobile, service. As regards the category of this service, see Resolution No. 3A.

"ADD 350D: In Cuba, the band 1 525–1 535 Mc/s is also allocated, on a primary basis, to the mobile service.

"ADD 350E: In Japan, the band 1 525–1 535 Mc/s is also allocated to the mobile service, on a primary basis, until 1 January, 1969.

"MOD 351: In Italy, the band 1 535–1 600 Mc/s is also allocated to the fixed service until 1 January, 1970.

"MOD 352: In Albania, Bulgaria, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the band 1 535–1 660 Mc/s is also allocated to the fixed service. As regards the category of the fixed service in the band 1 535–1 540 Mc/s, see Resolution No. 3A.

"ADD 352A: The bands 1 540–1 660 Mc/s 4 200–4 400 Mc/s, 5 000–5 250 Mc/s and 15.4–15.7 Gc/s are reserved, on a worldwide basis, for the use and development of airborne electronic aids to air navigation and any directly associated ground-based or satellite-borne facilities.

"ADD 352B: The bands 1 540–1 660 Mc/s, 5 000–5 250 Mc/s and 15.4–15.7 Gc/s are also allocated to the aeronautical mobile (R) service for the use and development of systems using space communication techniques. Such use and development is subject to agreement and co-ordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

"ADD 352C: In Morocco and Yugoslavia, the band 1 535–1 540 Mc/s is also allocated to the aeronautical radionavigation service.

"ADD: 352D: In Austria, Indonesia and the F.R. of Germany, the band 1 540–1 660 Mc/s is also allocated to the fixed service."

In the Table of Frequency Allocations for the bands 1 660–1 710 Mc/s there shall be substituted the following, the allocations in the Radio Regulations, Geneva, 1959, being retained for the band 1 670–1 690 Mc/s.

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
1 660—1 664.4	Meteorological aids Meteorological-satellite 324A 353 354 354A 354B	
1 664.4—1 668.4	Meteorological aids Meteorological-satellite 324A Radio astronomy 353 353A 354 354A 354B	
1 668.4—1 670	Meteorological aids Meteorological-satellite 324A 353 354 354A 354B	
1 670—1 690		
1 690—1 700 Meteorological aids Meteorological-satellite 324A Fixed Mobile except aeronautical mobile 353 354A	1 690—1 700 Meteorological aids Meteorological-satellite 324A 354A 354C"	

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
1 700—1 710 Fixed Space research (telemetering and tracking) Mobile	1 700—1 710 Space research (telemetering and tracking) 355A	1 700—1 710 Fixed Mobile Space research (telemetering and tracking)"

"ADD 324A: It is intended that meteorological-satellite space stations operating in this band shall transmit to selected earth stations. The location of such earth stations is subject to agreement among administrations concerned and those having services operating in accordance with the Table, which may be affected.

"NOC 353.

"ADD 353A: In view of the successful detection of two spectral lines in the region of 1 665 Mc/s and 1 667 Mc/s by astronomers, administrations are urged to give all practicable protection in the band 1 664.4–1 668.4 Mc/s for future research in radio astronomy.

"NOC 354.

"ADD 354A: In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the bands 1 660–1 670 Mc/s and 1 690–1 700 Mc/s are also allocated to the fixed service and the mobile, except aeronautical mobile, service.

"ADD 354B: In Australia, Cyprus, Spain, Ethiopia, Indonesia, Israel, New Zealand, Portugal, the Spanish Provinces in Africa, the United Kingdom, Sweden and Switzerland, the band 1 660–1 670 Mc/s is also allocated, on a secondary basis, to the fixed service, and the mobile, except aeronautical mobile, service.

"ADD 354C: In Australia, Indonesia and New Zealand, the band 1 690–1 700 Mc/s is also allocated, on a secondary basis, to the fixed service and the mobile, except aeronautical mobile, service.

"SUP 355.

"ADD 355A: In Cuba, the band 1 700–1 710 Mc/s is also allocated to the fixed and mobile services."

In the Table of Frequency Allocations for the bands 1 710–2 290 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
1 710—1 770 Fixed Mobile 356	1 710—1 770 Fixed Mobile	
1 770—1 790 Fixed Meteorological-satellite 356AA Mobile 356	1 770—1 790 Fixed Mobile Meteorological-satellite 356AA	
1 790—2 290 Fixed Mobile 356 356A	1 790—2 290 Fixed Mobile 356A"	

"NOC 356.

"ADD 356AA: In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the meteorological-satellite service, in the band 1 770–1 790 Mc/s, shall be on a primary basis, subject to co-ordination with the administrations concerned and those having services operating in accordance with the Table, which may be affected by the siting of earth stations.

ADD 356A: The band 2 110–2 120 Mc/s may be used for telecommand in conjunction with spacecraft engaged in deep space research, subject to agreement between the administrations concerned and those having services operating in accordance with the Table, which may be affected."

In the Table of Frequency Allocations for the band 2 290–2 300 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
2 290—2 300 Fixed Space research 356C (telemetering and tracking in deep space) Mobile	2 290—2 300 Space research (telemetering and tracking space) 356B	2 290—2 300 Fixed Mobile Space research (telemetering and tracking in deep space)"

"ADD 356B: In Cuba, the band 2 290–2 300 Mc/s is also allocated to the fixed mobile services.

"ADD 356C: In Austria, the space research service in the band 2 290–2 300 Mc/s is a secondary service."

In the Table of Frequency Allocations for the band 2 550–2 700 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
2 550—2 690	Fixed Mobile 362 363 364	
2 690—2 700	Radio astronomy 363 364A 364B 365"	

"NOC 362.

"MOD 363: In the F.R. of Germany, the band 2 550–2 690 Mc/s is allocated to the fixed service; and the band 2 690–2 700 Mc/s is also allocated to the fixed service.

"MOD 364: In Region 1, tropospheric scatter systems may operate in the band 2 550–2 690 Mc/s under agreements concluded between administrations concerned and those having services operating in accordance with the Table, which may be affected.

"ADD 364A: In Algeria, Bulgaria, Cuba, Hungary, India, Israel, Kuwait, Lebanon, Morocco, Pakistan, the Philippines, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 2 690–2 700 Mc/s is also allocated to the fixed and mobile services.

"ADD 364B: In Algeria, Bulgaria, Hungary, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., tropospheric scatter systems may operate in the band 2 690–2 700 Mc/s under agreements concluded between administrations concerned and those having services operating in accordance with the Table, which may be affected.

"MOD 365: In making assignments to stations in the fixed and mobile services, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference."

In the Table of Frequency Allocations for the bands 3 300–4 200 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
3 300—3 400 Radiolocation 370 371	3 300—3 400 Radiolocation Amateur 376	
3 400—3 600 Fixed Mobile Communication-satellite 374A (satellite-to-earth) Radiolocation 372 373 374 375	3 400—3 500 Radiolocation Communication-satellite 374A (satellite-to-earth) Amateur 376	
	3 500—3 700 Fixed Mobile Radiolocation Communication-satellite 374A (satellite-to-earth)	3 500—3 700 Radiolocation Communication-satellite 374A (satellite-to-earth) Fixed Mobile 377 378
3 600—4 200 Fixed Communication satellite 374A (satellite-to-earth) Mobile 374	3 700—4 200 Fixed Mobile Communication-satellite 374A (satellite-to-earth) 379"	

"NOC 370, 371, 372, 374, 375, 376, 377, 378.

"MOD 373: In Denmark, Norway, Sweden and Switzerland, the fixed, mobile, radiolocation and communication-satellite services operate on a basis of equality in the band 3 400-3 600 Mc/s.

"ADD 374A: This band may also be used for the transmission of tracking and telemetering signals associated with communication-satellite space stations operating in the same band.

"MOD 379: In Australia, the band 3 700-3 770 Mc/s is allocated to the radiolocation and communication-satellite services.

"SUP 380."

In the Table of Frequency Allocations for the bands 4 200-5 000 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
4 200–4 400 Aeronautical radionavigation 352A 381 382 383		
4 400–4 700 Fixed Mobile Communication-satellite 392A (earth-to-satellite)		
4 700–4 900 Fixed Mobile 354 365		
4 990–5 900 Fixed Mobile Radio astronomy 365	4 990–5 000 Radio astronomy 383A	4 990–5 000 Fixed Mobile Radio astronomy 365"

"MOD 365.

"NOC 381.

"NOC 382.

"NOC 383.

"ADD 383A: In Cuba, the band 4990–5000 Mc/s is also allocated to the fixed and mobile services, and the provisions of No. 365 apply.

"ADD 392A: This band may also be used for the transmission of telecommand signals associated with communication-satellite earth stations operating in the same band."

In the Table of Frequency Allocations for the bands 5000–5350 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
5 000—5 250 Aeronautical radionavigation 352A 352B		
5 250—5 255 Radiolocation Space research 384		
5 255—5 350 Radiolocation 384 384A"		

"MOD 384: In Albania, Austria, Bulgaria, Hungary, Poland, Roumania, Switzerland, Czechoslovakia and the U.S.S.R., the band 5 250–5 350 Mc/s is also allocated to the radionavigation service.

"ADD 384A: In Sweden, the band 5 255–5 350 Mc/s is also allocated to the radionavigation service."

In the Table of Frequency Allocations for the bands 5 650–6 425 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
5650—5670 Radiolocation Amateur 388 389		
5670—5725 Radiolocation Amateur Space research (deep space) 388 389 389A		
5725—5850 Radiolocation Communication-satellite 392A (earth-to-satellite) Amateur 354 388 390 391	5725—5850 Radiolocation Amateur 389 391	
5850—5925 Fixed Mobile Communication-satellite 392A (earth-to-satellite) 391	5850—5925 Radiolocation Amateur 391	5850—5925 Fixed Mobile Communication-satellite 392A (earth-to-satellite) Radiolocation 391
5925—6425 Fixed Mobile Communication-satellite 392A (earth-to-satellite)"		

"NOC 354, 388, 389, 391.

"ADD 389A: In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the band 5 670–5 725 Mc/s.

"MOD 390: In Albania, Bulgaria, Hungary, Poland, Roumania, Czechoslavakia and the U.S.S.R., the band 5 800–5 850 Mc/s is allocated to the fixed, mobile and communication-satellite services.

"SUP 392."

In the Table of Frequency Allocations for the band 6 425–7 750 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
6 425—7 250	Fixed Mobile 392F 393 393A	
7 250—7 300	Communication-satellite (Satellite-to-earth) 374A 392C 392D 392G	
7 300—7 750	Fixed Mobile Communication-satellite 374A 392D (satellite-to-earth) 392F."	

"ADD 392C: Stations of the fixed and mobile services, previously authorized in the bands 7 250–7 300 Mc/s and 7 975–8 025 Mc/s, may continue to operate until 1 January, 1969. This provision does not apply to the countries listed in 392G and 392H.

"ADD 392D: As an exception, passive communication-satellite systems also may be accommodated in the band 7 250–7 750 Mc/s, subject to:

"(a) agreement between administrations concerned and those whose services, operating in accordance with the Table, may be affected;

"(b) the co-ordination procedure laid down in Articles 9 and 9A.

"Such systems shall not cause any more interference at active earth station receivers than would be caused by fixed or mobile services. Power-flux density limitations at the earth's surface after reflection from the passive communication-satellites shall not exceed those prescribed in these Regulations for active communication-satellite systems.

"The maximum effective power radiated in any direction in the horizontal plane by earth stations of passive satellite systems shall not exceed +55 dbW, not taking the site shielding factor into account. If the distance between a transmitting station of a passive system and the territory of another administration exceeds 400 km, this limitation may be increased in that direction by 2 db for each 100 km in excess of 400 km up to a maximum of 65 dbW.

"ADD 392F: In the bands 7 200–7 250 Mc/s and 7 300–7 750 Mc/s, the meteorological-satellite service may use a band up to 100 Mc/s in width on a primary basis. These bands may also be used for the transmission of tracking and telemetering signals associated with meteorological-satellite space stations operating in the same band.

"ADD 392G: In Algeria, Austria, Bulgaria, Cyprus, Cuba, Ethiopa, Finland, Hungary, Japan, Kuwait, Lebanon, Liberia, Malaysia, Morocco, the Philippines, Poland, the United Arab Republic, Yugoslavia, Roumania, Sweden, Switzerland, Czechoslovakia and the U.S.S.R., the band 7 250–7 300 Mc/s is also allocated to the fixed and mobile services.

"MOD 393: In Italy, the band 6 450–6 575 Mc/s is also allocated to the radiolocation service.

"ADD 393A: The band 7 120–7 130 Mc/s may be used for telecommand in association with space services, subject to agreement between the administrations concerned and those having services operating in accordance with the Table, which may be affected."

In the Table of Frequency Allocations for the band 7 750–8 500 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
7750—7900	Fixed Mobile	
7900—7975	Fixed Mobile Communication-satellite 392A (earth-to-satellite)	
7975—8025	Communication-satellite (earth-to-satellite) 392A 392C 392H	
8025—8400	Fixed Mobile Communication-satellite 392A (earth-to-satellite) 394 394B	
8400—8500 Fixed Mobile Space research 394A 394D	8400—8500 Space research 394C	8400–8500 Fixed Mobile Space research 394A 394D"

"ADD 392H: In Algeria, Bulgaria, Cuba, Ethiopia, Finland, Hungary, Japan, Kuwait, Lebanon, Morocco, Poland, the United Arab Republic, Yugoslavia, Roumania, Sweden, Switzerland, Czechoslovakia and the U.S.S.R., the band 7 975–8 025 Mc/s is also allocated to the fixed and mobile services.

"MOD 394: In Australia and the United Kingdom, the band 8 250–8 400 Mc/s is allocated to the radiolocation and communication-satellite services.

"ADD 394A: In Australia and the United Kingdom, the band 8 400–8 500 Mc/s is allocated to the radiolocation and space research services.

"ADD 394B: In Israel, the band 8 025–8 400 Mc/s is allocated, on a primary basis, to the fixed and mobile services and, on a secondary basis, to the communication-satellite service.

"ADD 394C: In Cuba, the band 8 400–8 500 Mc/s is also allocated to the fixed and mobile services.

"ADD 394D: In Austria, Belgium, France, Israel, Luxembourg and Malaysia, the allocation to the space research service in the band 8 400–8 500 Mc/s is on a secondary basis."

In the Table of Frequency Allocations for the bands 9 800–10 500 Mc/s there shall be substituted the following:

"Mc/s

Allocation to services		
Region 1	Region 2	Region 3
9 800—10 000	Radiolocation Fixed 400 401 401A	
10 000—10 500	Radiolocation Amateur 401A 402 403"	

"NOC 400, 401, 402, 403.

"ADD 401A: The band 9 975–10 025 Mc/s may be used by weather radar on meteorological satellites."

In the Table of Frequency Allocations for the bands 10.55–10.7 Gc/s there shall be substituted the following:

"Gc/s

Allocation to services		
Region 1	Region 2	Region 3
10.55—10.68	Fixed Mobile Radiolocation	
10.68—10.7	Radio astronomy 405A 405B"	

"SUP 405.

"ADD 405A: In Australia and the United Kingdom, the band 10.68–10.7 Gc/s is also allocated on a secondary basis, to the radiolocation service.

"ADD 405B: In Algeria, Bulgaria, Cuba, Hungary, Japan, Kuwait, Lebanon, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 10.68–10.7 Gc/s is also allocated to the fixed and mobile services."

In the Table of Frequency Allocations for the bands 14–15.7 Gc/s there shall be substituted the following:

"Gc/s

Allocation to services		
Region 1	Region 2	Region 3
14—14.3	Radionavigation 407	
14.3—14.4	Radionavigation-satellite	
14.4—15.25	Fixed Mobile	
15.25—15.35	Space research 409A 409B	
15.35—15.4	Radio astronomy 409C	
15.4—15.7	Aeronautical radionavigation 352A 352B 407"	

"MOD 407: In Albania, Bulgaria, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the bands 13.25–13.5 Gc/s, 14.175–14.3 Gc/s, 15.4–17.7 Gc/s, 21–22 Gc/s, 23–24.25 Gc/s and 33.4–36 Gc/s are also allocated to the fixed and mobile services.

"ADD 409A: In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocca, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 15.25–15.35 Gc/s is also allocated to the fixed and mobile services.

"ADD 409B: In Austria, Belgium, Japan, the Netherlands, Portugal, the F.R. of Germany, the United Kingdom and Switzerland, the band 15.25–15.35 Gc/s is also allocated, on a secondary basis, to the fixed and mobile services.

"ADD 409C: In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocca, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the

U.S.S.R., the band 15.35–15.4 Gc/s is also allocated to the fixed and mobile services."

In the Table of Frequency Allocations for the bands 17.7–21 Gc/s there shall be substituted the following:

"Gc/s

Allocation to services		
Region 1	Region 2	Region 3
17.7—19.3	Fixed Mobile	
19.3—19.4	Radio astronomy 409D	
19.4—21	Fixed Mobile"	

"ADD 409D: In Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Poland, the United Arab Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 19.3–19.4 Gc/s is also allocated to the fixed and mobile services."

In the Table of Frequency Allocations for the bands 25.25–40 Gc/s there shall be substituted the following:

"Gc/s

Allocation to services		
Region 1	Region 2	Region 3
25.25—31	Fixed Mobile	
31—31.3	Fixed Mobile Space research 412H	
31.3—31.5	Radio astronomy 412A	
31.5—31.8 Space research Fixed Mobile	31.5—31.8 Space research 405C	31.5—31.8 Space research Fixed Mobile
31.8—32.3	Radionavigation Space research 412B	
32.3—33	Radionavigation"	

"Gc/s

Allocation to services		
Region 1	Region 2	Region 3
33—33.4 Radio astronomy Radio-navigation	33—33.4 Radionavigation 412F	
33.4—34.2	Radiolocation 407 408 412 412G	
34.2—35.2	Radiolocation Space research 407 408 412 412C 412D	
35.2—36	Radiolocation 407 408 412	
36—40	Fixed Mobile 412E"	

"ADD 405C: In Cuba, the band 31.5–31.8 Gc/s is also allocated, on a secondary basis, to the fixed and mobile services.

"MOD 407.

"NOC 408, 412.

"ADD 412A: In Bulgaria, Cuba, Hungary, Poland, the United Arab Republic, Roumania, Czechoslovakia and the U.S.S.R., the band 31.3–31.5 Gc/s is also allocated to the fixed and mobile services.

"ADD 412B: In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the band 31.8–32.3 Gc/s.

"ADD 412C: In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the band 34.2–35.2 Gc/s.

"ADD 412D: The band 34.4–34.5 Gc/s may be used by weather radar devices on meteorological-satellites for the detection of cloud.

"ADD 412E: In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 36.5–37.5 Gc/s is also allocated to the radio astronomy service.

"ADD 412F: In Cuba and India, the band 33–33.4 Gc/s is also allocated to the radio astronomy service.

"ADD 412G: In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 33.4–34 Gc/s is also allocated to the radio astronomy service.

"ADD 412H: In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the band 31–31.3 Gc/s."

ANNEX 4—REVISION OF ARTICLE 7 OF THE RADIO REGULATIONS

Article 7 of the Radio Regulations shall be amended as follows:

After Section VI, there shall be inserted the following new sections VII, VIII and IX:

"ADD: 'Section VII. Terrestrial Services sharing Frequency Bands with Space Services between 1 Gc/s and 10 Gc/s.

"Choice of sites and frequencies

"ADD 470A—§ 18: Sites and frequencies for terrestrial stations, operating in frequency bands shared with equal rights between terrestrial and space services, shall be selected having regard to the relevant recommendations of the C.C.I.R. with respect to geographical separation from earth stations.

"Power limits

"ADD 470B—§ 19(1): The maximum effective radiated power of the transmitter and associated antenna, of a station in the fixed or mobile service, shall not exceed +55 dbW.

"ADD 470C (2): The power delivered by a transmitter to the antenna of a station in the fixed or mobile service shall not exceed +13 dbW.

"ADD 470D (3): The limits given in 470B and 470C apply in the following frequency bands allocated to reception by space stations in the communication-satellite service, where these are shared with equal rights with the fixed or mobile service: 5800–5850 Mc/s (for the countries mentioned in 390); 5850–5925 Mc/s (Regions 1 and 3); 5925–6425 Mc/s; 7900–8100 Mc/s."

"ADD: 'Section VIII. Space Services sharing Frequency Bands with Terrestrial Services between 1 Gc/s and 10 Gc/s.

"Choice of Sites and Frequencies

"ADD 470E—§ 20: Sites and frequencies for earth stations, operating in frequency bands shared with equal rights between terrestrial and space services, shall be selected having regard to the relevant recommendations of the C.C.I.R. with respect to geographical separation from terrestrial stations.

"Power Limits

"ADD 470F—§ 21 (1): Earth Stations in the Communication-Satellite Service

"ADD 470G (2): The mean effective radiated power transmitted by an earth station in any direction in the horizontal plane[1] shall not exceed +55 dbW in any 4 kc/s band, except that it may be increased subject to the provisions of 470H or 470I. However, in no case shall it exceed a value of +65 dbW in any 4 kc/s band.

"ADD 470H (3): In any direction where the distance from an earth station to the boundary of the territory of another administration exceeds 400 km, the limit of +55 dbW in any 4 kc/s band may be increased in that direction by 2 db for each 100 km in excess of 400 km.

"ADD 470I (4): The limit of +55 dbW in any 4 kc/s band may be exceeded by agreement between the administrations concerned or affected.

"ADD 470J (5): The limits in 470G apply in the following frequency bands allocated to transmissions by earth stations in the communication-satellite service, where these are shared with equal rights with the fixed or mobile service: 4400–4700 Mc/s 5800–5850 Mc/s (for the countries mentioned in 390),

[1] For the purpose of this Regulation, the effective radiated power transmitted in the horizontal plane shall be taken to mean the effective radiated power actually transmitted towards the horizon, reduced by the site-shielding factor that may be applicable. The value of this site-shielding factor shall be determined as indicated in Section 5 of the Annex to Recommendation No. 1A.

5850–5925 Mc/s (Regions 1 and 3), 5925–6425 Mc/s, 7900–8400 Mc/s.

"Minimum angle of elevation

"ADD 470K—§ 22 (1): Earth Stations in the Communications-Satellite Service.

"ADD 470L (2): Earth station antennas shall not be employed for transmission at elevation angles less than 3 degrees, measured from the horizontal plane to the central axis of the main lobe, except when agreed to by the administrations concerned or affected.

"ADD 470M (3): The limit given in 470L applies in the following frequency bands allocated to transmission by earth stations in the communication-satellite service, where these are shared with equal rights with the fixed or mobile service: 4400–4700 Mc/s, 5800–5850 Mc/s (for the countries mentioned in 390), 5850–5925 Mc/s (Regions 1 and 3), 5925–6425 Mc/s, 7250–7750 Mc/s, 7900–8400 Mc/s.

"Power flux density limits

"ADD 470N—§ 23 (1): Communication-Satellite Space Stations.

"ADD 470O (a): The total power flux density at the earth's surface, produced by an emission from a communication-satellite space station, or reflected from a passive communication satellite, where wide-deviation frequency (or phase) modulation is used, shall in no case exceed -130 dbW/m² for all angles of arrival. In addition, such signals shall if necessary be continuously modulated by a suitable waveform, so that the power flux density shall in no case exceed -149 dbW/m² in any 4 kc/s band for all angles of arrival.

"ADD 470P (b): The power flux density at the earth's surface, produced by an emission from a communication-satellite space station, or reflected from a passive communication satellite, where modulation other than wide-deviation frequency (or phase) modulation is used, shall in no case exceed -152 dbW/m² in any 4 kc/s band for all angles of arrival.

"ADD 470Q (c): The limits given in 470O and 470P apply in the following frequency bands allocated to transmission by space stations in the communication-satellite service, where these are shared with equal rights with the fixed or mobile services:

3400–4200 Mc/s

7250–7750 Mc/s

"ADD 470R (2): Meteorological-Satellite Space Stations.[1]

"ADD 470S (a): The power flux density at the earth's surface, produced by an emission from a meteorolgical-satellite space station, where wide-deviation frequency (or phase) modulation is used, shall in no case exceed -130 dbW/m² for all angles of arrival. In addition, such signals shall if necessary be continuously modulated by a suitable waveform, so that the power flux density shall in no case exceed -149 dbW/m² in any 4 kc/s band for all angles of arrival.

"ADD 470T (b): The power flux density at the earth's surface, produced by an emission from a meteorological-satellite space station, where modulation other than wide-deviation frequency (or phase) modulation is used, shall in no case exceed -152 dbW/m² in any 4 kc/s band for all angles of arrival.

"ADD 470U (c): The limits given in 470S and 470T apply in the following frequency bands allocated to transmissions by space stations in the meteorological-satellite service, shared with equal rights with the fixed or mobile service: 1660–1670 Mc/s, 1690–1700 Mc/s, 7200–7250 Mc/s, 7300–7750 Mc/s.

"The limits given in 470S and 470T also apply in the band 1770–1790 Mc/s although the meteorological-satellite service is a secondary service in this band.

"ADD:

"SECTION IX. SPACE SERVICES

"Cessation of Emissions

"ADD 470V—§ 24: Space stations shall be made capable of ceasing radio emissions by the use of appropriate devices [1] that will ensure definite cessation of emissions."

ANNEX 5—REVISION OF ARTICLE 9 OF THE RADIO REGULATIONS

Article 9 of the Radio Regulations shall be amended as follows: The title of the Article, the title of Section 1 and numbers 486, 487, and 491 shall be substituted by the following:

MOD: "Notification and Recording in the Master International Frequency Register of Frequency Assignments to Stations in Terrestrial Services." [0]

MOD: "Section I. Notification of Frequency Assignments and Co-ordination Procedure to be Applied in appropriate Cases."

MOD 486: "§ 1. (1) Any frequency assignment [1,2] to a fixed, land, broadcasting [3], radionavigation land, radiolocation land or standard frequency station, or to a ground-based station in the meteorological aids service, shall be notified to the International Frequency Registration Board,

"(a) if the use of the frequency concerned is capable of causing harmful interference to any service of another administration [4]; or

"(b) if the frequency is to be used for international radio communication; or

"(c) if it is desired to obtain international recognition of the use of the frequency." [4]

MOD 487: "(2) Similar notice shall be given for any frequency to be used for the reception of mobile stations by a particular land station in each case where one or more of the conditions specified in No. 486 are applicable."

MOD 491: "§ 3(1) Whenever practicable each notice should reach the Board before the date on which the assignment is brought into use. It must reach the Board not earlier than ninety days before the date on which it is to be brought into use, but in any case not later than thirty days after the date it is actually brought into use. However, for a frequency assignment to a station in the fixed or mobile service mentioned in No. 492A, the notice must reach the Board not earlier than 2 years before the date on which the assignment is to be brought into use.

After Regulation No. 492, there shall be inserted the following new Regulations:

ADD 492A: "§ 3A(1) Before an administration notifies to the Board, or brings into use any frequency assignment to a station in the fixed or mobile service, whether for transmitting or receiving, in a particular band allocated with equal rights to the space service and the fixed or mobile service in the frequency spectrum between one and ten Gc/s, it shall effect coordination of the assignment with any other administration which has previously effected co-ordination under the provisions of No. 639AD, for the establishment of an earth station, if the proposed station in the fixed or mobile service is to be located within the co-ordination distance [1] of the earth station, and the necessary bandwidths of emission of the station concerned in the space service on the one hand, and of the station concerned in the fixed or mobile service on the other, are separated by less than six Mc/s. For this purpose it shall send to any other such administration a copy of a diagram drawn to an appropriate scale indicating the location of the station in the fixed or mobile service and all other pertinent details of the proposed frequency assignment, and the approximate date on which it is planned to begin operations."

ADD 492B: "(2) An administration with which co-ordination is sought under No. 492A shall acknowledge receipt of the co-ordination data within thirty days and shall promptly examine the matter to establish:

"(a) in the case of a frequency assignment to be used for transmitting by the station in the fixed or mobile service, whether the use would cause harmful interference to the service rendered by its earth stations operating in accordance with the Convention and these Regulations, or to be so operated within the next two years, with the provision that in this latter case co-ordination specified in No. 639AD has been effected or the co-ordination procedure has already begun;

"(b) in the case of a frequency assignment to be used for reception by the station in the fixed or mobile service, whether harmful interference would be caused to reception at the station in the fixed or mobile service by the service rendered by its earth stations operating in accordance with the Convention and these Regulations, or to be so operated within the next two years, with the provision that in this latter case co-ordination specified in No. 639AD has been effected or the co-ordination procedure has already begun;

and shall, within a further period of thirty days either notify the administration requesting co-ordination of its agreement to the proposals or, if this is not possible, indicate the reasons therefore and make such suggestions as it may be able to offer with a view to a satisfactory solution of the problem."

ADD 492C: "(3) No co-ordination under No. 492A is required when an administration proposes:

"(a) to bring into use a station in the fixed or mobile service which is not located, in relation to an earth station, within the co-ordination distance defined in No. 492A.1; or

"(b) to change characteristics of an existing assignment in such a way as not to increase the probability of harmful interference to the earth stations of other administrations."

ADD 492D: "(4) An administration seeking co-ordination may request the Board to

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[1] In view of the absence of any C.C.I.R. Recommendations relative to sharing between the meteorolgical-satellite service and other services, power flux density levels applicable to communication-satellite space stations are extended to meteorological-satellite space stations.

[1] Battery life, timing devices, ground command, etc.

ADD: [0] For the notification and recording in the Master International Frequency Register of frequency assignments to stations in the space and radio astronomy services, see Article 9A.

ADD 486.4: [4] The attention of administrations is specifically drawn to the application of the provisions of Nos. 486(a) and 486(c) in those cases where they make a frequency assignment to a station in the fixed or mobile service, located within co-ordination distance of an earth station (see No. 492A), in a band which these services share with equal rights with the space service, in the frequency spectrum between 1 and 10 Gc/s.

[1] ADD 492A.1: For the purposes of this Article the expression "co-ordination distance" means the distance from an earth station calculated along the lines of the procedures shown in Recommendation No. 1A within which there is a possibility of the use of a given transmitting frequency at this earth station causing harmful interference to stations in the fixed or mobile service in the frequency spectrum between one and ten Gc/s, sharing the same frequency band, or, as the case may be, of the use of a given frequency for reception at this earth station receiving harmful interference caused by such stations in the fixed or mobile service.

endeavour to effect co-ordination, in those cases where:

"(a) an administration with which co-ordination is sought under No. 492A fails to reply within a period of ninety days;

"(b) there is a disagreement between the administration seeking co-ordination and an administration with which co-ordination is sought as to the probability of harmful interference; or

"(c) co-ordination between administrations is not possible for any other reason.

"In so doing, it shall furnish the Board with the necessary information to enable it to effect such co-ordination."

ADD 492E: "(5) Either the administration seeking co-ordination or an administration with which co-ordination is sought, or the Board, may request additional information which they may require to assess the probability of harmful interference to the services concerned."

ADD 492F: "(6) Where the Board receives a request under No. 492D(a), or where the Board receives no reply within 90 days to its request for co-ordination in the case foreseen in No. 492D(c), it shall immediately send a telegram to the administration with which co-ordination is sought. If no reply has been received from that administration within a period of 60 days from the date of despatch of the telegram, it shall be deemed that the administration with which co-ordination was sought shall have undertaken that no complaint will be made in respect of any harmful interference which may be caused by the station in the fixed or mobile service to the services rendered by its earth station.

ADD 492G: "(7) Where necessary, as part of the procedure under No. 492D, the Board shall assess the probability of harmful interference. In any case, the Board shall inform the administrations concerned of the results obtained."

For Regulations Nos. 493 and 494, there shall be substituted the following Regulations:

MOD 493: "§ 3B (1) Whatever the means of communication, including telegraph, by which a notice is transmitted to the Board, it shall be considered complete if it contains at least those appropriate basic characteristics specified in Appendix 1."

MOD 494: "(2) Complete notices shall be considered by the Board in the order of their receipt."

The following new title is added after No. 499:

ADD 499A: "Sub-Section IIA. Procedure to be followed in the case where the provisions of No. 492A are not applicable."

For Regulation No. 535, there shall be substituted the following Regulation:

MOD 535: "§ 17 In applying the provisions of the whole of this Sub-Section, any resubmitted notice which is received by the Board more than one hundred and eighty days after the date of its return by the Board shall be considered as a new notice."

After Regulation No. 570, there shall be inserted the following new Regulations:

ADD 570AA: "Sub-Section IIB. Procedure to be followed in the case where the provisions of No. 492A are applicable."

ADD 570AB: "§ 23A The Board shall examine each notice;

ADD 570AC: "(a) with respect to its conformity with the Convention, the Table of Frequency Allocations and the other provisions of the Radio Regulations (with the exception of those relating to the co-ordination procedure and the probability of harmful interference);"

ADD 570AD: "(b) with respect to its conformity with the provisions of No. 492A relating to the co-ordination of the use of the frequency assignment with the other administrations concerned;"

ADD 570AE: "(c) where appropriate, with respect to the probability of harmful interference to the service rendered by an earth receiving station for which a frequency assignment already recorded in the Master Register is in conformity with the provisions of No. 639AS, and if the corresponding frequency assignment to the space transmitting station has not, in fact, caused harmful interference to any frequency assignment in conformity with No. 501 or 570AC, as appropriate, previously recorded in the Master Register."

ADD 570AF § 23B: "Depending upon the findings of the Board subsequent to the examination prescribed in Nos. 570AC, 570AD and 570AE, further action shall be as follows:"

ADD 570AG: "§ 23C(1) Finding unfavourable with respect to No. 570AC."

ADD 570AH: "(2) Where the notice includes a specific reference to the fact that the station will be operated in accordance with the provisions of No. 115, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 570AI: "(3) Where the notice does not include a specific reference to the fact that the station will be operated in accordance with the provisions of No. 115, it shall be returned immediately by airmail to the notifying administration with the reasons of the Board for this finding and with such suggestions as the Board may be able to offer with a view to the satisfactory solution of the problem."

ADD 570AJ: "(4) If the notifying administration resubmits the notice unchanged, it shall be treated in accordance with the provisions of No. 570AI."

ADD 570AK: "(5) If it is resubmitted with a specific reference to the fact that the station will be operated in accordance with the provisions of No. 115, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the resubmitted notice shall be entered in Column 2d."

ADD 570AL "(6) If the notifying administration resubmits the notice with modifications which, after re-examination, result in a favourable finding by the Board with respect to No. 570AC, the notice shall be treated under the provisions of Nos. 570AM to 570AZ. However, in any subsequent recording of the assignment, the date of receipt by the Board of the resubmitted notice shall be entered in Column 2d."

ADD 570AM: "§ 23D(1) Finding favourable with respect to No. 570AC."

ADD 570AN: "(2) Where the Board finds that the co-ordination procedure mentioned in No. 570AD has been successfully completed with all administrations whose earth stations may be affected, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 570AO: "(3) Where the Board finds that the co-ordination procedure mentioned in No. 570AD has not been applied, and the notifying administration requests the Board to effect the required co-ordination, the Board shall take the appropriate action necessary and shall inform the administrations concerned of the results obtained. If the Board's efforts are successful, the notice shall be treated in accordance with No. 570AN. If the Board's efforts are unsuccessful, the notice shall be examined by the Board with respect to the provisions of No. 570AE."

ADD 570AP: "(4) Where the Board finds that the co-ordination procedure mentioned in No. 570AD has not been applied, and the notifying administration does not request the Board to effect the required co-ordination, the notice shall be returned immediately by airmail to the notifying administration with the reasons of the Board for this action and with such suggestions as the Board may be able to offer with a view to the satisfactory solution of the problem."

ADD 570AQ: "(5) Where the notifying administration resubmits the notice and the Board finds that the co-ordination procedure mentioned in No. 570AD has been successfully completed with all administrations whose earth stations may be affected, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the original notice shall be entered in Column 2d. The date of receipt by the Board of the resubmitted notice shall be entered in the Remarks Column."

ADD 570AR: "(6) Where the notifying administration resubmits the notice with a request that the Board effect the required co-ordination, it shall be treated in accordance with the provisions of No. 570AO. However, in any subsequent recording of the assignment, the date of receipt by the Board of the resubmitted notice shall be entered in the Remarks Column."

ADD 570AS: "(7) Where the notifying administration resubmits the notice and states it has been unsuccessful in effecting the co-ordination, it shall be examined by the Board with respect to the provisions of No. 570AE. However, in any subsequent recording of the assignment, the date of receipt by the Board of the resubmitted notice shall be entered in the Remarks Column."

ADD 570AT: § 23E(1) Finding favourable with respect to Nos. 570AC and 570AE."

ADD 570AU: "(2) The assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 570AV: "§ 23F(1) Finding favourable with respect to No. 570AC but unfavourable with respect to No. 570AE."

ADD 570AW: "(2) The notice shall be returned immediately by airmail to the notifying administration with the reasons of the Board for this finding and with such suggestions as the Board may be able to offer with a view to the satisfactory solution of the problem."

ADD 570AX: "(3) Should the notifying administration resubmit the notice with modifications which result, after re-examination, in a favourable finding by the Board with respect to No. 570AE, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the original notice shall be entered in Column 2d. The date of receipt by the Board of the re-submitted notice shall be indicated in the Remarks Column."

ADD 570AY: "(4) Should the notifying administration re-submit the notice, either unchanged, or with modifications which decrease the probability of harmful interference, but not sufficiently to permit the provisions of No. 570AX to be applied, and should that administration insist upon reconsideration of the notice, but should the Board's finding remain unchanged, the assignment shall be recorded in the Master Register. However, this entry shall be made only if the notifying administration informs the Board that the assignment has been in use for at least one hundred and twenty days without any complaint of harmful interference having been received. The date of receipt by the Board of the original notice shall be entered in Column 2d. The date of receipt by the Board of the advice that no complaint of harmful interference has been received shall be indicated in the Remarks Column."

ADD 570AZ: "(5) The period of one hundred and twenty days mentioned in No. 570AY shall count from the date when the assignment to the station in the fixed or mobile service which received an unfavourable finding is brought into use, if the assignment to the earth station is then in use; otherwise, from the date when the assignment to the earth station is brought into use.

"But if the assignment to the earth station has not been brought into use by the

notified date, the period of one hundred and twenty days shall be counted from this date. Allowance may be made for the additional period mentioned in No. 570BG."

ADD 570BA: "§ 23G(1) Change in the Basic Characteristics of Assignments already recorded in the Master Register."

ADD 570BB: "(2) A notice of a change in the basic characteristics of an assignment already recorded, as specified in Appendix 1 (except those entered in Columns 3 and 4a of the Master Register), shall be examined by the Board according to Nos. 570AC and 570AD and, where appropriate, No. 570AE, and the provisions of Nos. 570AG to 570AZ inclusive applied. Where the change should be recorded, the assignment shall be amended according to the notice."

ADD 570BC: "(3) However, in the case of a change in the basic characteristics of an assignment which is in conformity with No. 570AC, should the Board reach a favourable finding with respect to No. 570AD, and, where its provisions are applicable, with respect to No. 570AE, or find that the change does not increase the probability of harmful interference to assignments already recorded, the amended assignment shall retain the original date in Column 2d. In addition, the date of receipt by the Board of the notice relating to the change shall be entered in the Remarks Column."

ADD 570BD: "§ 23H In applying the provisions of the whole of this Sub-Section, any resubmitted notice which is received by the Board more than two years after the date of its return by the Board, shall be considered as a new notice."

ADD 570BE: "§ 231(1) Recording of Frequency Assignments notified before being brought into use."

ADD 570BF: "(2) If a frequency assignment notified in advance of bringing into use has received a favourable finding by the Board with respect to Nos. 570AC and 570AD and, where appropriate, with respect to No. 570AE, it shall be entered provisionally in the Master Register with a special symbol in the Remarks Column indicating the provisional nature of that entry."

ADD 570BG: "(3) If, within the period of thirty days after the projected date of bringing into use, the Board receives confirmation from the notifying administration of the date of putting into use, the special symbol shall be deleted from the Remarks Column. In the case where the Board, in the light of a request from the notifying administration received before the end of the thirty-day period, finds that exceptional circumstances warrant an extension of this period, the extension shall in no case exceed one hundred and fifty days."

ADD 570BH: "(4) In the circumstances described in No. 570AY, and as long as an assignment which received an unfavorable finding cannot be resubmitted as a consequence of the provisions of No. 570AZ, the notifying administration may ask the Board to enter the assignment provisionally in the Master Register, in which event a special symbol to denote the provisional nature of the entry shall be entered in the Remarks Column. The Board shall delete this symbol when it receives from the notifying administration, at the end of the period specified in No. 570AY, the information relating to the absence of complaint of harmful interference."

ADD 570BI: "(5) If the Board does not receive this confirmation within the period referred to in No. 570BG or at the end of the period referred to in No. 570BH, as appropriate, the entry concerned shall be cancelled."

For Regulation No. 572, there shall be substituted the following Regulation:

MOD 572: "§ 24. The procedure for recording dates in the appropriate part of Column 2 of the Master Register which shall be applied according to the frequency bands and services concerned is described in the following Nos. 573 to 604 for frequency assignments referred to in Sub-Section IIA."

After Regulation No. 611, there shall be inserted the following new Regulation:

ADD 611A: "(6) If harmful interference to the reception of any station whose assignment is in accordance with No. 639AS is actually caused by the use of a frequency assignment which is not in conformity with No. 501 or 570AC, the station using the latter frequency assignment must, upon receipt of advice thereof, immediately eliminate this harmful interference."

For Regulations Nos. 613 and 615, there shall be substituted the following Regulations:

MOD 613: "(2) The Board, in the light of all the data at its disposal, shall review the matter, taking into account No. 501 or 570AC and No. 502, 503, 570AD or 570AE, as appropriate, and shall render an appropriate finding, informing the notifying administration prior either to the promulgation of its finding or to any recording action."

MOD 615: "§ 38 (1) After actual use for a reasonable period of an assignment which has been entered in the Master Register on the insistence of the notifying administration, following an unfavourable finding with respect to No. 502, 503 or 570AE, as appropriate, this administration may request the Board to review the finding. Thereupon the Board shall review the matter, first having consulted the administrations concerned."

ANNEX 6—ADDITION OF A NEW ARTICLE (ARTICLE 9A) TO THE RADIO REGULATIONS

The following new Article 9A shall be added to the Radio Regulations after Article 9:

"ARTICLE 9A—NOTIFICATION AND RECORDING IN THE MASTER INTERNATIONAL FREQUENCY REGISTER OF FREQUENCY ASSIGNMENTS TO STATIONS IN THE SPACE AND RADIO ASTRONOMY SERVICES

"Section I. Notification of frequency assignments and co-ordination procedure to be applied in appropriate cases

ADD 639AA: "§ 1 (1) Any frequency assignment[1] to an earth or space station shall be notified to the International Frequency Registration Board:

"(a) if the use of the frequency concerned is capable of causing harmful interference to any service of another administration; or

"(b) if the frequency is to be used for international radio communication; or

"(c) if it is desired to obtain international recognition of the use of the frequency.

ADD 639AB: "(2) Similar notice shall be given for any frequency to be used for the reception of transmissions from earth or space stations by a particular space or earth station in each case where one or more of the conditions specified in No. 639AA are applicable."

ADD 639AC: "(3) Similiar notice may be given for any frequency or frequency band to be used for reception by a particular radio astronomy station, if it is desired that such data should be included in the Master Register."

ADD 639AD: "§ 2 (1) Before an administration notifies to the Board or brings into use any frequency assignment to an earth station, whether for transmitting or receiving, in a particular band allocated with equal rights to the space service and the fixed or the mobile service in the frequency spectrum between one and ten Gc/s, it shall effect co-ordination of the assignment with any other administration whose territory lies wholly or partly within co-ordination distance,[1] but only in respect of the fixed or the mobile service. For this purpose it shall send to any other administration a copy of a diagram drawn to an appropriate scale indicating the location of the earth station and showing the co-ordination distance from the earth station, for the cases of transmission and reception by the earth station, as a function of azimuth and the data on which it is based, including all pertinent details of the proposed frequency assignment, as listed in Appendix 1A, and an indication of the approximate date on which it is planned to begin operations."

ADD 639AE: "(2) An administration with which co-ordination is sought under No. 639AD shall acknowledge receipt of the co-ordination data within thirty days and shall promptly examine the matter to establish:

"(a) in the case of a frequency assignment to be used for transmitting by the earth station, whether the use would cause harmful interference to the service rendered by its stations in the fixed or the mobile service operating in accordance with the Convention and these Regulations, or to be so operated within the next two years;

"(b) in the case of a frequency assignment to be used for reception by the earth station, whether harmful interference would be caused to reception at the earth station by the service rendered by its stations in the fixed or the mobile service operating in accordance with the Convention and these Regulations, or to be so operated within the next two years;

and shall, within a further period of thirty days, notify the administration requesting co-ordination of its agreement. If the administration with which co-ordination is sought does not agree it shall, within the same period, send to the administration seeking co-ordination a copy of a diagram drawn to an appropriate scale showing the location of its stations in the fixed or the mobile service which are within the co-ordination distance of the earth transmitting or receiving station, as appropriate, together with all other relevant basic characteristics, and make such suggestions as it may be able to offer with a view to a satisfactory solution of the problem. A copy of these data shall be sent to the Board, as notification within the period specified for such a case in No. 491."

ADD 639AF: "(3) No co-ordination under No. 639AD is required when an administration proposes:

"(a) to bring into use an earth station which is located in relation to the territory of an other country, outside the co-ordination distance defined in 639AD.1;

"(b) to change the characteristics of an existing assignment in such a way as not to increase the probability of harmful interference to the stations in the fixed or the mobile service of other administrations;

"(c)" to bring into use an earth station in the band 4 400–4 700 Mc/s or the band 8 100–8 400 Mc/s; or

"(d) to operate an earth station located on board a ship or aircraft; however, in such

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ADD 639 AA.1: [1] "The expression frequency assignment, wherever it appears in this Article, shall be understood to refer either to a new frequency assignment or to a change in an assignment already recorded in the Master International Frequency Register (hereinafter called Master Register)."

ADD 639AD.1: [1] "For the purposes of this Article the expression 'co-ordination distance' means the distance from an earth station calculated along the lines of the procedures shown in Recommendation No. 1A within which there is a possibility of the use of a given transmitting frequency at this earth station causing harmful interference to stations in the fixed or the mobile service in the frequency spectrum between one and ten Gc/s, sharing the same frequency band, or, as the case may be, of the use of a given frequency for reception at this earth station receiving harmful interference caused by such stations in the fixed or the mobile service."

a case the operation of this station in a band referred to in No. 639AD, if the ship or aircraft is within the co-ordination distance with respect to the boundaries of another country, shall be subject to prior agreement between the administrations concerned, in order to avoid harmful interference to the established fixed and mobile services of that country."

ADD 639AG: "(4) An administration seeking co-ordination may request the Board to endeavour to effect co-ordination in those cases where:

"(a) an administration with which co-ordination is sought under No. 639AD fails to reply within a period of ninety days;

"(b) there is a disagreement between the administration seeking co-ordination and an administration with which co-ordination is sought as to the probability of harmful interference; or

"(c) co-ordination between administrations is not possible for any other reason.

"In so doing, it shall furnish the Board with the necessary information to enable it to effect such co-ordination."

ADD 639AH: "(5) Either the administration seeking co-ordination or an administration with which co-ordination is sought, or the Board, may request additional information which they may require to assess the probability of harmful interference to the services concerned."

ADD 639 AI: "(6) Where the Board receives a request under No. 639AG a), or where the Board receives no reply within ninety days to its request for co-ordination in the case foreseen in No. 639AG c), it shall immediately send a telegram to the administration with which co-ordination is sought. If no reply has been received from that administration within a period of sixty days from the date of despatch of the telegram, it shall be deemed that the administration with which co-ordination was sought shall have undertaken that no complaint will be made in respect of any harmful interference which may be caused by the earth station to the services rendered by its stations in the fixed or the mobile service."

ADD 639AJ: "(7) Where necessary, as part of the procedure under No. 639AG, the Board shall assess the probability of harmful interference. In any case, the Board shall inform the administrations concerned of the results obtained."

ADD 639AK: "§ 3 For any notification under No. 639AA, 639AB, or 639AC, an individual notice for each frequency assignment shall be drawn up as prescribed in Appendix 1A, which specifies in Sections B, C, D, E or F the basic characteristics to be furnished, according to the case. It is recommended that the notifying administration should also supply the additional data called for in Section A of that Appendix, together with such further data as it may consider appropriate."

ADD 639AL: "§ 4 (1) For a frequency assignment to an earth or space station, each notice must reach the Board not earlier than two years before the date on which the assignment is to be brought into use. It must reach the Board in any case not later than one hundred and eighty days before this date, except in the case of assignments in the space research service in bands allocated exclusively to this service or in shared bands in which this service is the sole primary service. In the case of such an assignment in the space research service the notice should, whenever practicable, reach the Board before the date on which the assignment is brought into use, but in any case must reach the Board not later than thirty days after the date it is actually brought into use."

ADD 639AM: "(2) Any frequency assignment to an earth or space station, the notice of which reaches the Board after the applicable period specified in No. 639AL, shall, where it is to be recorded, bear a remark in the Master Register to indicate that it is not in conformity with No. 639AL."

"Section II. Procedure for the Examination of Notices and the Recording of Frequency Assignments in the Master Register."

ADD 639AN: "§ 5 Any notice which does not contain at least those characteristics specified in Appendix 1A (Sections B, C, D, E, or F, as appropriate) shall be returned by the Board immediately, by airmail, to the notifying administration with the reasons therefor."

ADD 639AO: "§ 6 Upon receipt of a complete notice, the Board shall include the particulars thereof, with the date of receipt, in the weekly circular referred to in No. 497, which shall contain the particulars of all such notices received since the publication of the previous circular."

ADD 639AP: "§ 7 The circular shall constitute the acknowledgement to the notifying administration of the receipt of a complete notice."

ADD 639AQ: "§ 8 Complete notices shall be considered by the Board in the order of their receipt. The Board shall not postpone the formulation of a finding unless it lacks sufficient data to render a decision in connection therewith; moreover, the Board shall not act upon any notice which has a technical bearing on an earlier notice still under consideration by the Board, until it has reached a finding with respect to such earlier notice."

ADD 639AR: "§ 9 The Board shall examine each notice:"

ADD 639AS: "(a) with respect to its conformity with the Convention, the Table of Frequency Allocations and the other provisions of the Radio Regulations (with the exception of those relating to the co-ordination procedure and the probability of harmful interference);"

ADD 639AT: "(b) where appropriate, with respect to its conformity with the provisions of No. 639AD relating to the co-ordination of the use of the frequency assignment with the other administrations concerned;"

ADD 639AU: "(c) where appropriate, with respect to the probability of harmful interference to the service rendered by a station in the fixed or the mobile service for which a frequency assignment already recorded in the Master Register is in conformity with the provisions of No. 501 or 570AC, as appropriate, if this frequency assignment has not, in fact, caused harmful interference to any frequency assignment in conformity with No. 639AS previously recorded in the Master Register."

ADD 639AV: "§ 10 Depending upon the findings of the Board subsequent to the examination prescribed in Nos. 639AS, 639AT and 639AU further action shall be as follows:"

ADD 639AW: "§ 11(1) Finding favourable with respect to No. 639AS in cases where the provisions of No. 639AT are not applicable."

ADD 639AX: "(2) The assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 639AY: "§ 12(1) Finding unfavourable with respect to No. 639AS."

ADD 639AZ: "(2) Where the notice includes a specific reference to the fact that the station will be operated in accordance with the provisions of No. 115, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 639BA: "(3) Where the notice does not include a specific reference to the fact that the station will be operated in accordance with the provisions of No. 115, it shall be returned immediately by airmail to the notifying administration with the reasons of the Board for this finding and with such suggestions as the Board may be able to offer with a view to the satisfactory solution of the problem."

ADD 639BB: "(4) If the notifying administration resubmits the notice unchanged, it shall be treated in accordance with the provisions of No. 639BA. If it is resubmitted with a specific reference to the fact that the station will be operated in accordance with the provisions of No. 115, or with modifications which, after re-examination, result in a favourable finding by the Board with respect to No. 639AS, and the provisions of No. 639AT are not applicable, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the resubmitted notice shall be entered in Column 2d."

ADD 639BC: "§ 13 (1) Finding favourable with respect to No. 639AS in cases where the provisions of No. 639AT are applicable."

ADD 639BD: "(2) Where the Board finds that the co-ordination procedure mentioned in No. 639AT has been successfully completed with all administrations whose fixed or mobile services may be affected, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 639BE: "(3) Where the Board finds that the co-ordination procedure mentioned in No. 639AT has not been applied, and the notifying administration requests the Board to effect the required co-ordination, the Board shall take the appropriate action necessary and shall inform the administrations concerned of the results obtained. If the Board's efforts are successful, the notice shall be treated in accordance with No. 639BD. If the Board's efforts are unsuccessful, the notice shall be examined by the Board with respect to the provisions of No. 639AU."

ADD 639BF: "(4) Where the Board finds that the co-ordination procedure mentioned in No. 639AT has not been applied, and the notifying administration does not request the Board to effect the required co-ordination, the notice shall be returned immediately by airmail to the notifying administration with the reasons of the Board for this action and with such suggestions as the Board may be able to offer with a view to the satisfactory solution of the problem."

ADD 639BG: "(5) Where the notifying administration resubmits the notice and the Board finds that the co-ordination procedure mentioned in No. 639AT has been successfully completed with all administrations whose fixed or mobile services may be affected, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the original notice shall be entered in Column 2d. The date of receipt by the Board of the resubmitted notice shall be entered in the Remarks Column."

ADD 639BH: "(6) Where the notifying administration resubmits the notice with a request that the Board effect the required co-ordination, it shall be treated in accordance with the provisions of No. 639BE. However, in any subsequent recording of the assignment, the date of receipt by the Board of the resubmitted notice shall be entered in the Remarks Column."

ADD 639BI: "(7) Where the notifying administration resubmits the notice and states it has been unsuccessful in effecting the co-ordination, it shall be examined by the Board with respect to the provisions of No. 639AU. However, in any subsequent recording of the assignment, the date of receipt by the Board of the resubmitted notice shall be entered in the Remarks Column."

ADD 639BJ "§ 14 (1) Finding favourable with respect to Nos. 639AS and 639AU."

ADD 639BK: "(2) The assignment shall be recorded in the Master Register. The date of receipt by the Board of the notice shall be entered in Column 2d."

ADD 639BL "§ 15 (1) Finding favourable with respect to No. 639AS but unfavourable with respect to No. 639AU."

ADD 639BM: "(2) The notice shall be returned immediately by airmail to the notify-

ing administration with the reasons of the Board for this finding and with such suggestions as the Board may be able to offer with a view to the satisfactory solution of the problem."

ADD 639BN: "(3) Should the notifying administration resubmit the notice with modifications which result, after re-examination, in a favourable finding by the Board with respect to No. 639AU, the assignment shall be recorded in the Master Register. The date of receipt by the Board of the original notice shall be entered in Column 2d. The date of receipt by the Board of the resubmitted notice shall be indicated in the Remarks Column."

ADD 639BO: "(4) Should the notifying administration resubmit the notice either unchanged, or with modifications which decrease the probability of harmful interference, but not sufficiently to permit the provisions of No. 639BN to be applied, and should that administration insist upon reconsideration of the notice, but should the Board's finding remain unchanged, the assignment shall be recorded in the Master Register. However, this entry shall be made only if the notifying adminstration informs the Board that the assignment has been in use for at least one hundred and twenty days without any complaint of harmful interference having been received. The date of receipt by the Board of the original notice shall be entered in Column 2d. The date of receipt by the Board of the advice that no complaint of harmful interference has been received shall be indicated in the Remarks Column."

ADD 639BP: "(5) The period of one hundred and twenty days mentioned in No. 639BO shall count from:

"The date when the assignment to the earth station which received an unfavourable finding is brought into use, if the assignment to the station in the fixed or the mobile service is then in use;

"Otherwise, from the date when the assignment to the station in the fixed or the mobile service is brought into use.

"But if the assignment to the station in the fixed or mobile service has not been brought into use by the notified date, the period of one hundred and twenty days shall be counted from this date. Allowance may be made for the additional period mentioned in No. 639BY."

ADD 639BQ: "§ 16(1) Notices relating to radio astronomy stations."

ADD 639BR: "(2) A notice relating to a radio astronomy station shall not be examined by the Board with respect to No. 639AT or 639AU. Whatever the finding, the assignment shall be recorded in the Master Register with a date in Column 2c. The date of receipt by the Board of the notice shall be recorded in the Remarks Column."

ADD 639BS: "§ 17(1) Change in the basic characteristics of assignments already recorded in the Master Register."

ADD 639BT: "(2) A notice of a change in the basic characteristics of an assignment already recorded, as specified in Appendix 1A (except the call sign, the name of the station or the name of the locality in which it is situated) shall be examined by the Board according to No. 639AS, and, where appropriate, No. 639AT or 639AU, and the provisions of No. 639AW to 639BR inclusive applied. Where the change should be recorded, the assignment shall be amended according to the notice."

ADD 639BU: "(3) However, in the case of a change in the characteristics of an assignment which is in conformity with No. 639AS, should the Board reach a favourable finding with respect to No. 639AT or 639AU, where these provisions apply, or find that the change does not increase the probability of harmful interference to assignments already recorded, the amended assignment shall retain the original date in Column 2d. The date of receipt by the Board of the notice relating to the change shall be entered in the Remarks Column."

ADD 639BV: "§ 18 In applying the provisions of the whole of this Section, any resubmitted notice which is received by the Board more than two years after the date of its return by the Board, shall be considered as a new notice."

ADD 639BW: "§ 19(1) Recording of Frequency Assignments notified before being brought into use."

ADD 639BX: "(2) If a frequency assignment notified in advance of bringing into use has received a favourable finding by the Board with respect to No. 639AS and, where appropriate, No. 639AT or 639AU, it shall be entered provisionally in the Master Register with a special symbol in the Remarks Column indicating the provisional nature of that entry."

ADD 639BY: "(3) If, within the period of thirty days after the projected date of bringing into use, the Board receives confirmation from the notifying administration of the date of putting into use, the special symbol shall be deleted from the Remarks Column. In the case where the Board, in the light of a request from the notifying administration received before the end of the thirty-day period, finds that exceptional circumstances warrant an extension of this period, the extension shall in no case exceed one hundred and fifty days."

ADD 639BZ: "(4) In the circumstances described in No. 639BO, and as long as an assignment which received an unfavorable finding cannot be resubmitted as a consequence of the provisions of No. 639BP, the notifying administration may ask the Board to enter the assignment provisionally in the Master Register, in which event a special symbol to denote the provisional nature of the entry shall be entered in the Remarks Column. The Board shall delete this symbol when it receives from the notifying administration, at the end of the period specified in No. 639BO, the information relating to the absence of complaint of harmful interference."

ADD 639CA: "(5) If the Board does not receive this confirmation within the period referred to in No. 639BY or at the end of the period referred to in No. 639BZ, as appropriate, the entry concerned shall be cancelled.

"Section III. Recording of findings in the Master Register"

ADD 639CB: "§ 20 In any case where a frequency assignment is recorded in the Master Register, the finding reached by the Board shall be indicated by a symbol in Column 13a. In addition, a remark indicating the reasons for any finding shall be inserted in the Remarks Column."

"Section IV. Categories of frequency assignments"

ADD 639CC: "§ 21 (1) The date in Column 2c shall be the date of putting into use notified by the administration concerned. It is given for information only."

ADD 639CD: "(2) If harmful interference to the reception of any station whose assignment is in accordance with No. 501, 570AC or 639AS as appropriate, is actually caused by the use of a frequency assignment which is not in conformity with No. 639AS, the station using the latter frequency assignment must, upon receipt of advice thereof, immediately eliminate this harmful interference.

"Section V. Reviews of findings"

ADD 639CE: "§ 22 (1) The review of a finding by the Board may be undertaken:

"At the request of the notifying administration.

"At the request of any other administration interested in the question, but only on the grounds of actual harmful interference.

"On the initiative of the Board itself when it considers this is justified."

ADD 639CF: "(2) The Board, in the light of all the data at its disposal, shall review the matter, taking into account No. 639AS and No. 639AT or 639AU, where these latter provisions apply, and shall render an appropriate finding, informing the notifying administration prior either to the promulgation of its findings or to any recording action."

ADD 639CG: "§ 23 (1) After actual use for a reasonable period of an assignment which has been entered in the Master Register on the insistence of the notifying administration, following an unfavourable finding with respect to No. 639AU, this administration may request the Board to review the finding. Thereupon the Board shall review the matter, having first consulted the administrations concerned."

ADD 639CH: "(2) If the finding of the Board is then favourable, it shall enter in the Master Register the changes that are required so that the entry shall appear in the future as if the original finding had been favourable."

ADD 639CI: "(3) If the finding with regard to the probability of harmful interference remains unfavourable, no change shall be made in the original entry.

"Section VI. Modification, cancellation and review of entries in the Master Register"

ADD 639CJ: "§ 24 In case of permanent discontinuance of the use of any recorded frequency assignment, the notifying administration shall inform the Board within ninety days of such discontinuance, whereupon the entry shall be removed from the Master Register."

ADD 639CK: "§ 25 Whenever it appears to the Board from the information available that a recorded assignment has not been brought into regular operation in accordance with the notified basic characteristics, or is not being used in accordance with those basic characteristics, the Board shall consult the notifying administration and, subject to its agreement, shall either cancel or suitably modify the entry."

ADD 639CL: "§ 26 If, in connection with an enquiry by the Board under No. 639CK, the notifying administration has failed to supply the Board within ninety days with the necessary or pertinent information, the Board shall make suitable entries in the Remarks Column of the Master Register to indicate the situation.

"Section VII. Studies and recommendations"

ADD 639CM: "§ 27 (1) If it is requested by any administration, and if the circumstances appear to warrant, the Board, using such means at its disposal as are appropriate in the circumstances, shall conduct a study of cases of alleged contravention or non-observance of these Regulations, or of harmful interference."

ADD 639CN: "(2) The Board shall thereupon prepare and forward to the administration concerned a report containing its finding and recommendations for the solution of the problem."

ADD 639CO: "§ 28 In a case where, as a result of a study, the Board submits to one or more administrations suggestions or recommendations for the solution of a problem, and where no answer has been received from one or more of these administrations within a period of ninety days, the Board shall consider that the suggestions or recommendations concerned are unacceptable to the administrations which did not answer. If it was the requesting administration which failed to answer within this period, the Board shall close the study.

"Section VIII. Miscellaneous provisions"

ADD 639CP: "§ 29 The technical standards of the Board shall be based upon the relevant provisions of these Regulations and

the Appendices thereto, the decisions of Administrative Conferences of the Union as appropriate, and the Recommendations of the C.C.I.R."

ADD 639CQ: "§ 30 The Board shall promulgate to administrations its findings and reasons therefor, together with all changes made to the Master Register, through the weekly circular referred to in No. 497."

ADD 639CR: "§ 31 In case a Member or Associate Member of the Union avails itself of the provisions of Article 27 of the Convention, the Board shall, upon request, make its records available for such proceedings as are prescribed in the Convention for the settlement of international disputes."

ANNEX 7—REVISION OF ARTICLE 14 OF THE RADIO REGULATIONS

Article 14 of the Radio Regulations shall be amended as follows: For Regulation No. 695 there shall be substituted the following Regulation:

MOD 695: "§ 3. In order to avoid interference:

"locations of transmitting stations and, where the nature of the service permits, locations of receiving stations shall be selected with particular care;

"radiation in and reception from unnecessary directions shall be minimized, where the nature of the service permits, by taking the maximum practical advantage of the properties of directional antennae;

"the choice and use of transmitters and receivers shall be in accordance with the provisions of Article 12;

"space stations shall be fitted with appropriate devices to quickly terminate their radio emissions whenever required to do so under the provisions of these Regulations."

ANNEX 8—REVISION OF ARTICLE 15 OF THE RADIO REGULATIONS

Article 15 of the Radio Regulations shall be amended as follows: After Regulation No. 711, there shall be inserted the following new Regulations:

ADD 711A: "§ 8A. When the service rendered by an earth station suffers interference, the administration having jurisdiction of the receiving station experiencing the interference may also approach directly the administration having jurisdiction over the interfering station."

ADD 711B: "§ 8B. When cases of harmful interference occur as a result of emissions from space stations, the administrations concerned shall, upon request from the administration having jurisdiction over the station experiencing the interference, furnish current ephemeral data necessary to allow calculation of the positions of the space station."

ANNEX 9—REVISION OF ARTICLE 19 OF THE RADIO REGULATIONS

Article 19 of the Radio Regulations shall be amended as follows: For Regulation No. 735.1 there shall be substituted the following Regulation:

MOD 735.1: "1. In the present state of the technique, it is recognized nevertheless that the transmission of identifying signals for certain radio systems (e.g. radio-determination, radio relay systems and space systems) is not always possible."

After Regulation No. 737, there shall be inserted the following new Regulation:

ADD 737A: "§ 2A. In the event that the transmission of identification signals by a space station is not possible, that station shall be identified by specifying the angle of inclination of the orbit, the period of the object in space and the altitudes of apogee and perigee of the space station in kilometres. In the case of a space station on board a stationary satellite, the mean geographical longitude of the projection of the satellite's position on the surface of the Earth shall be specified." (See appendix 1A.)

After Regulation No. 773, there shall be inserted the following new Regulation:

ADD: "Stations in the Space Service."

ADD 773A "§ 21A. When call signs for stations in the space service are employed, it is recommended that they consist of two letters followed by two or three digits (other than digits 0 and 1 in cases where they immediately follow a letter)." (See also No. 737A.)

ANNEX 10—REVISION OF ARTICLE 20 OF THE RADIO REGULATIONS

Article 20 of the Radio Regulations shall be amended as follows: For Regulation No. 808, there shall be substituted the following Regulation:

MOD 808: "(VII) List VII. Alphabetical List of Call Signs Assigned from the International Series to Stations Included in Lists I to VI and VIIIA."

After Regulation No. 811, there shall be inserted the following new Regulation:

ADD 811A: "(VIIIA) List VIIIA. List of Stations in the Space Service and in the Radio Astronomy Service.

"This list shall contain particulars of earth and space stations and of radio astronomy stations. In this list, each class of station shall occupy a special section."

For Regulation No. 815, there be substituted the following Regulation:

MOD 815: "§ 2. (1) The Secretary-General shall publish the amendments to be made in the documents listed in Nos. 790 to 814 inclusive. Once a month administrations shall inform him, in the form shown for the lists themselves in Appendix 9, of the additions, modifications or deletions to be made in Lists IV, V and VI using for this purpose the appropriate symbols shown in Appendix 10. Furthermore, in order to make the necessary additions, modifications and deletions to Lists I, II, III and VIIIA, he shall use the data provided by the International Frequency Registration Board, obtained from the information received in application of the provisions of Articles 9, 9A and 10. He shall make the requisite amendments to List VII by using the data he has received for Lists to VI and VIIIA."

After Regulation No. 829, there shall be inserted the following new Regulation:

ADD 829A: "§ 10A. The List of Stations in the Space Service and in the Radio Astronomy Service (List VIIIA) shall be republished at intervals to be determined by the Secretary-General. Recapitulative supplements shall be published every six months."

For Regulation No. 831, there shall be substituted the following Regulation:

MOD 831: "§ 12. (1) The forms in which the Lists I to VI inclusive, Lists VIII and VIIIA and the Radiocommunication Statistics are to be prepared are given in Appendix 9. Information concerning the use of these documents shall be given in the Prefaces thereto. Each entry shall include the appropriate symbol, as shown in Appendix 10, to designate the category of station concerned. Additional symbols, where necessary, may be selected by the Secretary-General, any such new symbols being notified by the Secretary-General to administrations."

ANNEX 11—REVISION OF APPENDIX 1 OF THE RADIO REGULATIONS

Appendix 1 of the Radio Regulations shall be amended as follows:

NOC: "Section A. Basic Characteristics to be Furnished for Notification under No. 486 of the Regulations."

MOD, Column 5a: Locality(ies) or area(s) with which communication is established.

"This is not a basic characteristic for land, radionavigation land, radiolocation land or standard frequency stations, or for ground-based stations in the meteorological aids service."

MOD, Column 5b: Length of circuit (km):

"This is a basic characteristic only for land, radionavigation land, radiolocation land and standard frequency stations."

MOD: Supplementary information: reference frequency or frequencies, if any, and any co-ordination required by No. 492A.

NOC: Section B. Basic Characteristics to be Furnished for Notification under No. 487 of the Regulations.

MOD, Column 4b: Country in which the receiving land station is located.

MOD, Column 4c: Longitude and latitude of the site of the receiving land station.

MOD, Column 5a: Name of the receiving land station.

MOD, Column 5b: Maximum distance in km between mobile stations and the receiving land station.

MOD, Column 6: Class of mobile stations and nature of service.

MOD, Column 7: Class of emission of mobile stations and necessary bandwidth.

MOD, Column 8: Highest power used by the mobile stations.

MOD, Column 10: Maximum hours of operation of the mobile stations (G.M.T.)

ADD, Supplementary information: any co-ordination required by No. 492A.

Section C. Title not modified.

ADD, Supplementary information: any co-ordination required by No. 492A.

Section E. II. Title not modified.

MOD, Column 4b (reception): The country in which the receiving land station is located.

MOD, Column 4c (reception): The geographical co-ordinates (in degrees and minutes) of the site of the receiving land station.

MOD, Column 5a, para. 3: For land, radionavigation land, radiolocation land and standard frequency stations, and ground-based stations in the meteorological aids service, it is not necessary to indicate any information in this column.

MOD, Column 5a, para. 5: For reception in the circumstances described in No. 487, the name of the locality by which the receiving land station is known or in which it is situated should be indicated.

MOD, Column 5b, para. 2: For reception in the circumstances described in No. 487, the maximum distance between the mobile stations and the receiving land station should be indicated.

MOD, Column 5b, para. 3: This information is not a basic characteristic except in the case of paragraph 2 above, and in the case of land, radionavigation land, radiolocation land and standard frequency stations. In these latter cases, the distances shown shall represent the service ranges.

MOD, Column 6, para. 2: When the frequency assignment is used for reception in the circumstances described in No. 487, the class of station and nature of service applicable to the mobile stations should be indicated.

MOD, Column 7, para. 2: When the frequency assignment is used for reception in the circumstances described in No. 487, the particulars to be indicated are those applicable to the mobile stations.

MOD, Column 8, para. 5: When the frequency assignment is used for reception in the circumstances described in No. 487, the power of the mobile stations should be indicated. If not all of the stations use the some power, the highest power should be indicated.

MOD, Column 10, para. 1: When the frequency assignment is used for reception in the circumstances described in No. 487 the maximum hours of operation are those relating to the mobile stations.

Supplementary information. Title not modified.

MOD, para. 5: Only the information specified in paragraph 3 above is a basic charac-

teristic; it is recommended, however, that the information under paragraphs 1 and 2 above be supplied. However, in the case of stations in the fixed or mobile service referred to in No. 492A, the name of any administration with which co-ordination of the use of the frequency has been sought and the name of any administration which such co-ordination has been effected are basic characteristics.

ANNEX 12—ADDITION OF A NEW APPENDIX TO THE RADIO REGULATIONS

The following new Appendix 1A shall be added to the Radio Regulations following Appendix 1:

APPENDIX 1A—NOTICES RELATING TO STATIONS IN THE SPACE AND RADIO ASTRONOMY SERVICES

(See Article 9 A.)

Section A. General instructions

1. A separate notice in a form convenient to the notifying administration shall be sent to the International Frequency Registration Board for notifying:

each new frequency assignment,

any change in the characteristics of a frequency assignment recorded in the Master International Frequency Register (hereinafter called the Master Register),

any total deletion of a frequency assignment recorded in the Master Register.

2. When submitting notices under No. 639AA for earth and space transmitting assignments and under No. 639AB for space and earth receiving assignments, separate notices shall be submitted to the Board. In the case of a passive satellite system, only earth transmitting and receiving assignments shall be notified.

3. In the case of a satellite system employing multiple space stations with the same general characteristics:

for stationary satellites, a separate notice shall be submitted for each space station; and

for non-stationary satellites, one notice covering all the space stations may be submitted.

4. The following information should be shown on the notice:

(a) the serial number of the notice and the date on which the notice is sent to the Board;

(b) the name of the notifying administration;

(c) sufficient data to identify the particular satellite system in which the earth or space station will operate;

(d) whether the notice reflects (1) the first use of a frequency by a station, (2) the first use of an additional frequency by a station, (3) a change in the characteristics of a frequency assignment recorded in the Master Register (indicate whether the change is a replacement, addition or deletion of existing characteristics), or (4) a deletion of an assignment in all of its notified characteristics;

(e) any other information which the administration considers to be relevant, e.g., any special channelling arrangements or methods of modulation, the degree of terrain shielding throughout all azimuthal angles for the earth stations, an indication that the assignment concerned would be operating in accordance with No. 115, information concerning the use of the notified frequency if such use is restricted, or, in the case of notices pertaining to space stations, if the transmissions of the station are to be permanently switched off after a certain period.

Section B. Basic characteristics to be furnished in notices relating to frequencies used by earth stations for transmitting

Item 1. Assigned frequency: Indicate the assigned frequency as defined in Article 1, in kc/s up to 30 000 kc/s inclusive, and in Mc/s above 30 000 kc/s.

Item 2. Date of putting into use:

(a) In the case of a new assignment, indicate the date (actual or foreseen, as appropriate) of putting the frequency assignment into use.

(b) Whenever the assignment is changed in any of its basic characteristics, as shown in this Section (except in the case of a change in Items 3 or 4a), the date to be given shall be that of the latest change (actual or foreseen, as appropriate).

Item 3. Call sign (Identification): Indicate the call sign or other identification used in accordance with Article 19.

Item 4. Identity and location of the earth station:

(a) Indicate the name by which the station is known or the name of the locality in which it is situated.

(b) Indicate the country in which the station is located. Symbols from the Preface to the International Frequency List should be used.

(c) Indicate the geographical coordinates (in degrees and minutes) of the transmitter site.

Item 5. Station(s) with which communication is to be established:

Identify the associated receiving space station(s) by reference to the notification thereof or in any other appropriate manner, or, in the case of a passive satellite, the identity of the satellite and the location of the receiving earth station(s).

Item 6. Class of station and nature of service: Indicate the class of station and nature of service performed, using the symbols shown in Appendix 10.

Item 7. Class of emission, necessary bandwidth and description of transmission:

(a) Indicate the class of emission, necessary bandwidth and description of transmission, in accordance with Article 2 and Appendix 5.

(b) In any case where there are one or more reference frequencies in a particular emission, indicate such frequencies.

Item 8. Power (kW): The power supplied to the antenna shall be notified as follows, according to the class of emission:

Mean power (Pm) for amplitude modulated emissions using unkeyed full carrier, and for all frequency modulated emissions (see No. 96);

Peak envelope power (Pp) for all classes of emission other than those referred to above. (See No. 95.)

Item 9. Transmitting antenna characteristics:

(a) Indicate in degrees from the horizontal plane the planned minimum operating angle of elevation of the antenna.

(b) Indicate in degrees, clockwise from True North, the planned range of azimuthal angles.

(c) Indicate the beamwidth, in degrees, between the half power points (describe in detail if not symmetrical).

(d) Indicate the isotropic gain (db) of the antenna in the direction of maximum radiation (see No. 100).

(e) Indicate the maximum isotropic gain (db) of the antenna in the horizontal plane with the antenna at any angle of elevation above the minimum angle of elevation (see No. 100).

(f) Indicate the height (metres) of the antenna above mean sea level.

Item 10. Maximum hours of operation: Indicate in G.M.T. the maximum hours of operation on the frequency shown in Item 1.

Item 11. Co-ordination: Indicate the name of any administration with which co-ordination has been effected for the use of this frequency, and, if appropriate, the name of any administration with which co-ordination has been sought but not effected.

Item 12. Operating Administration or Company: Indicate the identity of the operating administration or company and the postal and telegraphic addresses of the administration to which communication should be sent on urgent matters regarding interference, quality of emissions and questions referring to the technical operation of stations (see Article 15).

Section C. Basic characteristics to be furnished in notices relating to frequencies to be received by earth stations

Item 1. Assigned frequency: Indicate the assigned frequency of the emission to be received, as defined in Article 1, in kc/s up to 30 000 kc/s inclusive, and in Mc/s above 30 000 kc/s.

Item 2. Date of putting into use:

(a) In the case of a new assignment indicate the date (actual or foreseen, as appropriate) when reception of the assigned frequency begins.

(b) Whenever the assignment is changed in any of its basic characteristics, as shown in this Section (except in the case of a change in Item 3a), the date to be given shall be that of the latest change (actual or foreseen, as appropriate).

Item 3. Identity and location of the receiving earth station:

(a) Indicate the name by which the receiving earth station is known or the name of the locality in which it is situated.

(b) Indicate the country in which the receiving earth station is located. Symbols from the Preface to the International Frequency List should be used.

(c) Indicate the geographical coordinates (in degree and minutes) of the receiver site.

Item 4. Associated transmitting station(s): Identify the associated transmitting space station(s) by reference to the notification thereof or in any other appropriate manner, or, in the case of a passive satellite, the identity of the satellite(s) and the associated transmitting earth station(s).

Item 5. Class of station and nature of service: Indicate the class of station and nature of service performed using the symbols shown in Appendix 10.

Item 6. Class of emission, necessary bandwidth and description of the transmission to be received:

(a) Indicate the class of emission, necessary bandwidth and description of the transmission to be received, in accordance with Article 2 and Appendix 5. Indicate also the overall receiver bandwidth at which the receiver response is 6 db below maximum.

(b) In any case where there are one or more reference frequencies in a particular received emission, indicate such frequencies.

Item 7. Earth station receiving antenna characteristics:

(a) Indicate in degrees from the horizontal plane the planned minimum operating angle of elevation of the antenna.

(b) Indicate in degrees, clockwise from True North, the planned range of azimuthal angles.

(c) Indicate the beamwidth, in degrees, between the half power points (describe in detail if not symmetrical).

(d) Indicate the isotropic gain (db) of the antenna in the direction of the main lobe (see No. 100).

(e) Indicate the maximum isotropic gain (db) of the antenna in the horizontal plane with the antenna at any angle of elevation above the minimum angle of elevation (see No. 100).

(f) Indicate the height (metres) of the antenna above mean sea level.

Item 8. Maximum hours of reception: Indicate in G.M.T. the maximum hours of reception of the frequency shown in Item 1.

Item 9. Co-ordination: Indicate the name of any administration with which co-ordination has been effected for the use of the frequency, and, if appropriate, the name of any administration with which co-ordination has been sought but not effected.

Item 10. Noise temperature: Indicate the over-all receiving system operating noise temperature (°K) under "quiet sky" conditions at the planned minimum operating angle of elevation of the antenna.

Item 11. Operating Administration or Company: Indicate the identity of the operating administration or company and the postal and telegraphic addresses of the administration to which communication should be sent on urgent matters regarding interference and questions referring to the technical operation of stations (see Article 15).

Section D. Basic characteristics to be furnished in notices relating to frequencies used by space stations for transmitting

Item 1. Assigned frequency: Indicate the assigned frequency as defined in Article 1, in kc/s up to 30 000 kc/s inclusive, and in Mc/s above 30 000 kc/s.

Item 2. Date of putting into use:

(a) In the case of a new assignment, indicate the date (actual or foreseen, as appropriate) of putting the frequency assignment into use.

(b) Whenever the assignment is changed in any of its basic characteristics, as shown in this Section (except in the case of a change in Item 3 or 4), the date to be given shall be that of the latest change (actual or foreseen, as appropriate).

Item 3. Call sign (Identification): Indicate the call sign or other identification used in accordance with Article 19.

Item 4. Identity of the space station(s): Indicate the identity of the space station(s).

Item 5. Area of coverage: Indicate the area of intended coverage or the name of the locality and country in which the associated receiving station(s) is located.

Item 6. Orbital information: Indicate, where applicable, the angle of inclination of the orbit, the period of the object in space and the altitudes of apogee and perigee of the space station(s) in kilometres. In the case of a space station aboard a stationary satellite, indicate the mean geographical longitude of the projection of the satellite's position on the surface of the Earth.

Item 7. Class of station and nature of service: Indicate the class of station and nature of service performed, using the symbols in Appendix 10.

Item 8. Class of emission, necessary bandwidth and description of transmission:

(a) Indicate the class of emission, necessary bandwidth and description of transmission, in accordance with Article 2 and Appendix 5.

(b) In any case where there are one or more reference frequencies in a particular emission, indicate such frequencies.

Item 9. Power (Watts): The power supplied to the antenna shall be notified as follows, according to the class of emission:

Mean power (Pm) for amplitude modulated emissions using unkeyed full carrier, and for all frequency modulated emissions (see No. 96).

Peak envelope power (Pp) for all classes of emission other than those referred to above (see No. 95).

Item 10. Transmitting antenna characteristics:

(a) Indicate the beamwidth, in degrees, between the half power points (describe in detail if not symmetrical).

(b) Indicate the isotropic gain (db) of the antenna in the direction of maximum radiation (see No. 100).

(c) For a stationary satellite employing directional antennas, indicate the point on the Earth's surface towards which the antenna is directed and the accuracy of maintaining this direction.

Item 11. Maximum hours of operation: Indicate in G.M.T. the maximum hours of operation on the frequency shown in Item 1.

Item 12. Number of space stations: In the case of non-stationary satellites, indicate the number of space stations covered by the notice.

Item 13. Operating Administration or Company: Indicate the identity of the operating administration or company and the postal and telegraphic addresses of the administration to which communication should be sent on urgent matters regarding interference, quality of emissions and questions referring to the technical operation of stations (see Article 15).

Section E. Basic characteristics to be furnished in notices relating to frequencies to be received by space stations

Item 1. Assigned frequency: Indicate the assigned frequency of the emission to be received, as defined in Article 1, in kc/s up to 30 000 kc/s inclusive, and in Mc/s above 30 000 kc/s.

Item 2. Date of putting into use:

(a) In the case of a new assignment indicate the date (actual or foreseen, as appropriate) when reception of the assigned frequency begins.

(b) Whenever the assignment is changed in any of its basic characteristics, as shown in this Section (except in the case of a change in Item 3), the date to be given shall be that of the latest change (actual or foreseen, as appropriate).

Item 3. Identity of the receiving space stations(s): Indicate the identity of the receiving space station(s).

Item 4. Orbital information: Indicate, where applicable, the angle of inclination of the orbit, the period of the object in space and the altitudes of apogee and perigee of the space station(s) in kilometres. In the case of a space station on board a stationary satellite indicate the mean geographical longitude of the projection of the satellite's position on the surface of the Earth.

Item 5. Associated transmitting earth station(s): Identify the associated transmitting earth station(s) by reference to the notification thereof or in any other appropriate manner.

Item 6. Class of station and nature of service: Indicate the class of station and nature of service performed, using the symbols shown in Appendix 10.

Item 7. Class of emission, necessary bandwidth and description of the transmission(s) to be received:

(a) Indicate the class of emission, necessary bandwidth and description of the transmission(s) to be received, in accordance with Article 2 and Appendix 5. Indicate also the over-all receiver bandwidth at which the receiver response is 6 db below maximum. In the case of a communication-satellite space station, designed to receive as a composite signal two or more emissions in contiguous channels and transmitted from one or more earth stations, the descriptions should state the number of such emissions, the spacing between their assigned frequencies and the total bandwidth collectively encompassed by them.

(b) In any case where there are one or more reference frequencies in a particular received emission, indicate such frequencies.

Item 8. Space station receiving antenna characteristics:

(a) Indicate the beamwidth in degrees, between the half power points (describe in detail if not symmetrical).

(b) Indicate the isotropic gain (db) of the antenna in the direction of the main lobe (see No. 100).

(c) For a stationary satellite employing directional antennas, indicate the point on the Earth's surface towards which the antenna is directed and the accuracy of maintaining this direction.

Item 9. Maximum hours of reception: Indicate in G.M.T. the maximum hours of reception of the frequency shown in Item 1.

Item 10. Number of space stations: In the case of non-stationary satellites, indicate the number of space stations covered by the notice.

Item 11. Noise temperature: Indicate the over-all receiving system operating noise temperature (°K).

Item 12. Operating Administration or Company: Indicate the identity of the operating administration or company and the postal and telegraphic addresses of the administration to which communication should be sent on urgent matters regarding interference and questions referring to the technical operation of stations (see Article 15).

Section F. Basic characteristics to be furnished in notices relating to frequencies by radio astronomy stations

Item 1. Observed frequency: Indicate the centre of the frequency band observer, in kc/s up to 30 000 kc/s inclusive, and in Mc/s above 30 000 kc/s.

Item 2. Date of putting into use;

(a) Indicate the date (actual or foreseen, as appropriate) when reception of the frequency band begins.

(b) Whenever there is a change in any of the basic characteristics, as shown in this Section (except in the case of a change in Item 3b), the date to be given shall be that of the latest change (actual or foreseen, as appropriate).

Item 3. Name and location of the station:

(a) Indicate the letters "RA".

(b) Indicate the name by which the station is known or the name of the locality in which it is situated or both.

(c) Indicate the country in which the station is located. Symbols from the Preface to the International Frequency List should be used.

(d) Indicate the geographical co-ordinates (in degrees and minutes) of the station site.

Item 4. Bandwidth: Indicate the width of the frequency band observed by the station.

Item 5. Antenna characteristics: Indicate the antenna type and dimensions, effective area and angular coverage in azimuth and elevation.

Item 6. Maximum hours of reception: Indicate in G.M.T. the maximum hours of reception of the frequency band shown in Item 1.

Item 7. Noise temperature: Indicate the over-all receiving system noise temperature (°K).

Item 8. Class of observations: Indicate the class of observations to be taken on the frequency band shown in Item 1. Class A observations are those in which the sensitivity of the equipment is not a primary factor. Class B observations are those of such a nature that they can be made only with advanced low-noise receivers using the best techniques.

Item 9. Operating Administration or Company: Indicate the identity of the operating administration or company and the postal and telegraphic addresses of the administration to which communication should be sent on urgent matters regarding interference and questions referring to the technical operation of stations (see Article 15).

ANNEX 13—REVISION OF APPENDIX 9 TO THE RADIO REGULATIONS

Appendix 9 to the Radio Regulations shall be modified as follows: After List VIII, there shall be inserted the following new List:

"LIST VIII A.—LIST OF STATIONS IN THE SPACE SERVICE AND IN THE RADIO ASTRONOMY SERVICE [1]

"1. Communication-satellite earth stations

"Names of the countries notifying the stations in alphabetical order of country symbols

"Names of stations in alphabetical order

"Name by which the station is known or the name of the locality in which it is situated	Geographical coordinates (in degrees and minutes) of the transmitter site	Call sign (identification)	Transmission						Reception						Identity of the station(s) with which communication is to be established	Operating administration or company	Remarks
			Telecommand where appropriate			Communications			Telemetering		Tracking		Communications				
			Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Power (kw)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Power (kw)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission			1. Special channelling arrangements for: (a) telegraphy (b) telephony (c) other types of communication, as appropriate 2. Special methods of modulation
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5a)	(5b)	(5c)	(6a)	(6b)	(7a)	(7b)	(8a)	(8b)	(9)	(10)	(11)"

[1] For the cases where these data must be supplied, see Nos. 639AA, 639AB, and 639AC.

"2. Communication-satellite space stations

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations by alphabetical and/or numerical order of designation of station

"Identity of the station	Call sign (identification)	Transmission									Reception				Area of coverage or name of the locality and country in which the associated receiving station(s) is located	Operating administration or company	Remarks
		Telemetering			Tracking			Communications			Telecommand where appropriate		Communications				
		Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission			1. Orbital information: (a) Angle of inclination of the orbit. (b) Period of the object in space. (c) Altitude of apogee (km). (d) Altitude of perigee (km). (e) In the case of a stationary satellite, the mean geographical longitude of the projection of the satellite's position on the surface of the Earth. 2. Special channelling arrangements for— (a) Telegraphy. (b) Telephony. (c) Other types of communication, as appropriate. 3. Special methods of modulation.
(1)	(2)	(3a)	(3b)	(3c)	(4a)	(4b)	(4c)	(5a)	(5b)	(5c)	(6a)	(6b)	(7a)	(7b)	(8)	(9)	(10)"

"3. Meteorological-satellite earth stations

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations in alphabetical order

"Name by which the station is known or the name of the locality in which it is situated	Geographical coordinates (in degrees and minutes) of the transmitter site	Call sign (identification)	Transmission			Reception						Identity of the station(s) with which communication is to be established	Operating administration or company	Remarks
			Telecommand where appropriate			Telemetering		Tracking		Reception of meteorological information				
			Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (kw)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission			Special methods of modulation
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5a)	(5b)	(6a)	(6b)	(7a)	(7b)	(8)	(9)	(10)"

"4. Meteorological-satellite space station

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations by alphabetical and/or numerical order of designation of station

		Transmission									Reception				Remarks
		Telemetering			Tracking			Transmission of meteorological information			Telecommand where appropriate				
"Identity of the station	Call sign (identification)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Area of coverage or the name of the locality and country in which the associated receiving station(s) is located	Operating administration or company	1. Orbital information: (a) Angle of inclination of the orbit. (b) Period of the object in space. (c) Altitude of apogee (km). (d) Altitude of perigee (km). (e) In the case of a stationary satellite, the mean geographical longitude of the projection of the satellite's position on the surface of the Earth. 2. Special channeling arrangements for: (a) Telegraphy. (b) Telephony. (c) Other types of communication, as appropriate. 3. Special methods of modulation.
(1)	(2)	(3a)	(3b)	(3c)	(4a)	(4b)	(4c)	(5a)	(5b)	(5c)	(6a)	(6b)	(7)	(8)	(9)"

"5. Radionavigation-satellite earth stations

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations in alphabetical order

			Transmission			Reception								Remarks
			Telecommand where appropriate			Telemetering		Tracking		Supplementary information necessary for the operation of the radionavigational system				
"Name by which the station is known or the name of the locality in which it is situated	Geographical co-ordinates (in degrees and minutes) of the transmitter site	Call site (identification)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (kw.)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Identity of the station(s) with which communication is to be established	Operating administration or company	Special methods of modulation.
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5a)	(5b)	(6a)	(6b)	(7a)	(7b)	(8)	(9)	(10)"

"6. Radionavigation-satellite space stations

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations by alphabetical and/or numerical order of designation of stations

		Transmission									Reception				Remarks
		Telemetering			Tracking			Transmission of navigation information			Telecommand where appropriate				
'Identity of the station	Call sign (identification)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth, and description of transmission	Area of coverage or the name of the locality and country in which the associated receiving station(s) is located	Operating administration or company	1. Orbital information: (a) Angle of inclination of the orbit. (b) Period of the object in space. (c) Altitude of apogee (km). (d) Altitude of perigee (km). (e) In the case of a stationary satellite, the mean geographical longitude of the projection of the satellite's position on the surface of the earth. 2. Special channelling arrangements for: (a) Telegraphy. (b) Telephony. (c) Other types of communication, as appropriate. 3. Special methods of modulation.
(1)	(2)	(3a)	(3b)	(3c)	(4a)	(4b)	(4c)	(5a)	(5b)	(5c)	(6a)	(6b)	(7)	(8)	(9)"

"7. Space research earth stations

"Names of the countries notifying the stations in alphabetical order of country symbols

"Names of stations in alphabetical order

"Name by which the station is known or the name of the locality in which it is situated	Geographical coordinates (in degrees and minutes) of the transmitter site	Call sign (identification)	Transmission			Reception						Identity of the station(s) with which communication is to be established	Operating administration or company	Remarks
			Telecommand where appropriate			Telemetering		Tracking		Reception of research information				
			Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (kw)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission			Any special characteristics of the station and scope of research
(1)	(2)	(3)	(4a)	(4b)	(4c)	(5a)	(5b)	(6a)	(6b)	(7a)	(7b)	(8)	(9)	(10)"

"8. Space research space stations

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations by alphabetical and/or numerical order of designation of station

"Identity of the station	Call sign (identification)	Transmission									Reception—Telecommand where appropriate		Area of coverage or the name of the locality and country in which the associated receiving station(s) is located	Operating administration or company	Remarks
		Telemetering			Tracking			Transmission of information							
		Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission	Power (watts)	Frequency (Mc/s or Gc/s)	Class of emission, necessary bandwidth and description of transmission			1. In the case of an earth satellite, orbital information: (a) Angle of inclination of the orbit. (b) Period of the object in space. (c) Altitude of apogee (km). (d) Altitude of perigee (km). (e) In the case of a stationary satellite, the mean geographical longitude of the projection of the satellite's position on the surface of the earth. 2. In the case of a space probe general indication of its trajectory. 3. Special methods of modulation.
(1)	(2)	(3a)	(3b)	(3c)	(4a)	(4b)	(4c)	(5a)	(5b)	(5c)	(6a)	(6b)	(7)	(8)	(9)"

"9. Radio astronomy stations

"Names of the countries notifying the stations in alphabetical order of country symbols
"Names of stations in alphabetical order

"Name by which the station is known or the name of the locality in which it is situated	Geographical coordinates (in degrees and minutes) of the station	Centre of the frequency band observed (Mc/s or Gc/s)	Width of the frequency band observed	Antenna characteristics	Maximum hours of reception (G.M.T.)	Noise temperature (°K)	Class of observation	Operating administration or company	Remarks
									Any special additional characteristics of the station including: (1) Altitude in metres above sea level. (2) Main particulars of antenna. (3) Scope of observations.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)"

ANNEX 14—REVISION OF APPENDIX 10

In Appendix 10 of the Radio Regulations there shall be inserted in alphabetical order the following additional symbols:

EC: Communication-satellite space station.

ED: Space telecommand space station.

EH: Space research space station.

EK: Space tracking space station.

EM: Meterological-satellite space station.

EN: Radionavigation-satellite space station.

ER: Space telemetering space station.

RA: Radio astronomy station.

TC: Communication-satellite earth station.

TD: Space telecommand earth station.

TH: Space research earth station.

TK: Space tracking earth station.

TM: Meteorological-satellite earth station.

TN: Radionavigation-satellite earth station.

TR: Space telemetering earth station.

ADDITIONAL PROTOCOL

At the time of signing the Acts of the Extraordinary Administrative Radio Conference, Geneva, 1963, the undersigned delegates take note of the fact that the following reservations have been submitted by certain signatories:

ARGENTINE REPUBLIC

The Argentine Delegation states that its country does not recognize any frequency assignments that may be made directly or indirectly on behalf of any other Power or Powers for any type of service, in any portion of the spectrum, for the Malvians Islands, the South Georgian Islands or the South Sandwich Islands, over which territories the Argentine Republic exercises sovereign rights. The non-mention of other

territories must not be taken to imply renunciation of the Argentine Republic's sovereignty over them. In any event, the Argentine Republic reserves the right to use as its own any radio frequencies that may be assigned under the above-mentioned conditions.

CUBA

In signing the Final Acts of the Extraordinary Administrative Conference on Space Radiocommunication, Geneva, 1963, on behalf of the Republic of Cuba, the Delegation of Cuba makes the following statement:

Considering

(a) That a world-wide plan for the space radiocommunications service has not been established;

(b) That principles guaranteeing equitable participation by all countries in the space radiocommunication service have not been adopted;

(c) That some of the clauses contained in the procedure for frequency notification and co-ordination do not satisfy the interests of Cuba;

(d) That changes have been made in the Table of Frequency Allocations which might impair the normal operation of Cuban radiocommunications;

Cuba herewith formally reserves its complete freedom of action and the right to reject those provisions of the Extraordinary Administrative Conference on Space Radiocommunication, Geneva, 1963, which would be prejudicial to the interests of Cuba.

UNITED STATES OF AMERICA AND TERRITORIES OF THE UNITED STATES OF AMERICA

The Delegations of the United States of America and the Territories of the United States of America, in signing the Final Acts of the Extraordinary Administrative Radio Conference, Geneva, 1963, declare that:

1. There has heretofore always existed between all countries of Region 2 very close co-operation and agreement in the application of the Table of Frequency Allocations contained in the Radio Regulations of the Union;

2. This co-operation has in large measure been necessary since most countries in Region 2 are either in close geographical proximity to one another or are separated by relatively short distances over water, such over-water separation affording substantially less protection from harmful interference than does the same separation over land;

3. By virtue of the co-operation referred to in 1. above, it has not in the past been necessary for any country of Region 2 to request the insertion of any footnotes in the Table of Frequency Allocations which constitute an exception, insofar as a particular country is concerned, to the international allocation of a particular frequency band or bands;

4. The Delegation of Cuba to the present Conference has decided to disassociate its country from the decisions of all other delegations from Region 2 with respect to certain provisions of the Table of Frequency Allocations as modified by this Conference;

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The delegation of the United Kingdom of Great Britain and Northern Ireland declares that it does not accept the statement of the Argentine delegation contained in its declaration insofar as this statement disputes the sovereignty of Her Majesty's Government in the United Kingdom over the Falkland Islands and the Falkland Islands dependencies and it wishes formally to reserve the rights of Her Majesty's Government on this question. The Falkland Islands and the Falkland Islands dependencies are and remain an integral part of the territories together making up the member hitherto known as Colonies, Protectorates, Oversea Territories, and Territories under Mandate or Trusteeship of the United Kingdom of Great Britain and Northern Ireland on behalf of which the United Kingdom of Great Britain and Northern Ireland acceded to the International Telecommunication Convention (Buenos Aires, 1952) on November 16, 1953, and which is described in the International Telecommunication Convention (Geneva, 1959) as oversea territories for the international relations of which the Government of the United Kingdom of Great Britain and Northern Ireland are responsible.

The statement of the Argentine delegate that "nonmention of other territories must not be taken to imply renunciation of the Argentine Republic's sovereignty over them" is noted. Insofar as this may be intended to refer to the British Antarctic territory, Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have no doubt as to their sovereignty over the British Antarctic territory, and wish to bring to the attention of the Argentine Government article IV of the Antarctic Treaty to which both the Argentine Government and the United Kingdom Government are parties.

(The signatures which follow the additional protocol are the same as those reproduced on pages 03–24 of this volume.)

In effect, Malaysia is Malaya as it was before September 16, 1963, but with the addition of new territories. This principle was publicly stated in a broadcast by the Malaysian Permanent Secretary of External Affairs on September 16. There is thus complete legal continuity as a single entity between Malaya and Malaysia.

It is clear therefore that Malaya and Malaysia are one and the same state. It may be recalled that recently Malaysia was elected to the U.N. Security Council—to alternate with Czechoslovakia—without the identity of Malaysia being called into question.

MEXICO

While signing the Final Acts of the Extraordinary Administrative Radio Conference, Geneva, 1963, the Delegation of Mexico announces that its Administration intends to comply with the provisions resulting from the revised Radio Regulations. Nevertheless, the Delegation states that the Government of Mexico reserves the right to take any steps it may deem necessary to safeguard its interest in cases where any Member or Associate Member of the Union fails to comply with the provisions of the said Regulations or where a reservation made by another country has a harmful effect on the telecommunication services of Mexico.

PAKISTAN

While the Delegation of Pakistan is fully conscious of the desirability of early implementation of the decisions of the Extraordinary Administrative Radio Conference, Geneva, 1963, with a view to expediting the development and establishment of Space Radiocommunications on a worldwide basis, it cannot overlook the fact that the Space Radiocommunication techniques are still in a state of development and experimentation. The provisions regarding sharing criteria and the interference potentialities between Space Radiocommunications and Terrestrial systems are not based on practical experience between operational Space and Terrestrial systems and these problems are still under the study of the C.C.I.R., whose present Recommendations are provisional. No sharing criteria has been laid down for the sharing of the bands below 1 Gc/s. Pakistan being a new and developing country in two parts, whose internal communications are also dependent on Radio, the ability of Pakistan to follow in these circumstances, the new and amended provisions of the Radio Regulations agreed by this Conference will depend upon the freedom from any interference, which can be caused by the space services.

The Delegation of Pakistan therefore, reserves for its country the right to take, in the last resort, necessary measures for the fulfillment of its telecommunication need. In so doing, Pakistan will however, endeavour to avoid harmful interference to the Radio services of other administrations.

THE DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA, KUWAIT, THE UNITED ARAB REPUBLIC

Considering

That the effective implementation of the United Nations Resolution on the International Co-operation on the peaceful uses of outer space (Resolution No. 1721 (XVI)) must eventually be based on the establishment by Members and Associate Members of the Union, of worldwide plans concerning all categories of space service which will provide for the equitable participation of all countries of the world in such service in the spirit of the above-mentioned Resolution;

Considering

1. That no such worldwide plan reflecting the needs of all countries of the world for space services has yet been established;

2. That, the frequency bands allocated for communication-satellite services, as contained in article 5 of the revised radio regulations, are based on entirely empirical derivations and do not in any way correspond to the actual requirements of all countries;

3. (a) That, the frequency sharing between communication-satellite services, and terrestrial services as allocated in the frequency tables were based on provisional criteria, as provided by the C.C.I.R.;

(b) That, the same provisional sharing criteria for communication-satellite services, were applied to other services, where no sharing criteria were available, thus protection of terrestrial services from harmful interference is doubtful;

(c) That, the procedure of calculation of coordination distances is provisional, and, in no way provides assurance of interference-free operation of satellite communications;

4. That, the technical progress in all the development of the various categories of space services is not sufficiently advanced;

5. That, the economic considerations involved in the establishment and operation of such services, could not, so far, be assessed, thus placing small countries at a great disadvantage;

6. That, the said cost, the legal and other conditions that shall govern the use of such a system are not yet evident for consideration.

The above-mentioned countries reserve the right:

(a) To take all the necessary measures to protect their existing as well as planned services without placing any limitations whatsoever on the equipment in use or to be used in the future in all frequency bands;

(b) To adopt all measures necessary to protect their rights concerning frequency registration priority after the implementation of the revised Radio Regulations.

However, the above-mentioned countries do contribute towards the advance of the new space telecommunication technique that was started by the pioneering countries and accept the frequency bands allocated for the safety of lives, space research and world-wide meteorological services.

DENMARK, NORWAY, SWEDEN, AND SWITZERLAND

In signing the Final Acts of the Extraordinary Administrative Radio Conference, Geneva, 1963, the Delegations of the abovementioned countries declare that, as Radiolocation Service on land, on board ships and in the air has been established, is being introduced or is planned in the frequency bands 3 400–3 600 Mc/s and 5 725–5 850 Mc/s in conformity with the Table of Frequency Allocations of the Radio Regulations, Geneva, 1959, the Administrations of the abovementioned countries find difficulty in afford-

ing general protection to the Communication-Satellite Service in other countries, the Communication-Satellite Service having been authorized in these bands according to the new Radio Regulations, Geneva, 1963. However, the Administrations of the abovementioned countries are willing to take all practicable steps in order to coordinate the two services after agreements with Administrations concerned.

ADDENDUM TO THE ADDITIONAL PROTOCOL

ARGENTINE REPUBLIC

The Argentine delegation declares that its country reserves the right to take all necessary steps to protect its radio services in cases where any member or associate member of the Union fails to comply with the provisions of the radio regulations as revised by the present Conference or where the reservations made by such members have a harmful effect on the telecommunication services of the Argentine Republic:

CANADA

The Canadian delegation wishes to record its concern at the appearance of footnotes in region 2 concerning the use of frequencies for space purposes. The question of such footnotes breaks the long-established pattern to which all countries in this region have adhered, sometimes by sacrifices on their parts as, for example, we have seen to be the case at this Conference.

Canada would view with grave concern any radio operations in region 2 which would detract from the efficient and agreed use of the radio spectrum.

The Republic of Cuba, we note, formally reserves its complete freedom of action to reject those provisions of the final acts of the Extraordinary Administrative Radio Conference which she may feel are prejudicial to the interests of Cuba. Because all countries of region 2 have hitherto displayed a continued desire to cooperate, we hope that this reservation by Cuba does not imply an intention not to cooperate fully with other members of the region in the rational use of the spectrum.

In these circumstances, Canada has no choice but to associate itself with the protocol submitted by the United States of America and territories of the United States of America, insofar as it concerns these footnotes subscribed to by Cuba which may be found now or in the future to be objectionable to Canada. It is understood, of course, that the same reservations apply to the final protocol submitted by the Republic of Cuba.

REPUBLIC OF COLOMBIA

The Republic of Colombia reserves the right to take all necessary steps to safeguard its services operating in conformity with the provisions of the radio regulations in all cases where such services are affected by those of other countries operating in contravention of the said regulations and, in particular, of the table of frequency allocations.

The Republic of Colombia will also take similar steps in cases where the rights recognized by the convention are affected as a result of the application of the radio regulations.

5. In light of the foregoing, the Delegations of the Territories of the United States of America, and the United States of America cannot accept on behalf of the Government of the United States of America any obligation to observe the exceptions claimed by Cuba in those footnotes to the Table of Frequency Allocations which were adopted by the present Conference and which specifically name Cuba.

REPUBLIC OF INDONESIA

In the opinion of the Delegation of the Republic of Indonesia to the Extraordinary Administrative Radio Conference to allocate frequency bands for Space Radiocommunications, a country must first accede to the International Telecommunication Convention before it has the right to participate in the International Telecommunication Union Conference. The Indonesian delegation refers to the representation of Malaysia in which case the Indonesian Delegation could not have any other opinion than that it should be considered as a new country which is assumed to comprise the Member country Malaya (Federation of) and the Associate-Member Singapore-British North Borneo, and to which Article 18 of the Convention applies. As up to the Plenary Session of this Conference on 6 November, 1963, a notification by the Secretary-General concerning the accession of the above-mentioned new country has not been received by the Indonesian Administration, the Delegation of the Republic of Indonesia would like to reserve the right of its Government not to recognize the representation of Malaysia in the Extraordinary Administrative Radio Conference to allocate frequency bands for Space Radiocommunications, as such recognition would be in contradiction with the said Article 18 of the Convention.

MALAYSIA

The Delegation of Malaysia declares that it does not accept the statement of the Indonesian Delegation contained in its declaration regarding Malaysia. The original Constitution of the Federation of Malaya, which made provisions for amendments, was amended by an Act of the Malayan Parliament before Malaysia Day on 16th September, 1963. This Act took account of the incorporation of Singapore, Sarawak and Sabah (N. Borneo) with the former Federation of Malaya and brought about a change of name to Malaysia. This Agreement has been possible following an Agreement between Her Majesty's Government in the United Kingdom and the Government of the Federation of Malaya, and by giving the Royal Assent to the Act, Her Majesty relinquished sovereignty in Singapore, Sarawak and Sabah.

Mr. FULBRIGHT. Mr. President, the Partial Revision of the Radio Regulations and Additional Protocol were signed by delegates of the United States and other countries at the conclusion of the Extraordinary Administrative Radio Conference on Space Communication, which was held in Geneva from October 7 to November 8, 1963.

The purpose of the Partial Revision of the Radio Regulations is to revise certain provisions of the 1959 Geneva Radio Regulations which were approved by the Senate in 1961. It has as its essential objective the allocation of frequency bands for space radiocommunication and radioastronomy. More specifically, it deals with the allocation of frequencies in the radio spectrum for satellite communications, space research, navigational satellites, meteorological satellites, telecommand, telemetry, tracking of space vehicles, and amateur radio operators.

The committee has been assured that interested parties were given adequate opportunity to participate in formulating the U.S. position on the Partial Revision of the Radio Regulations. The Partial Revision has great significance for the United States and the entire world, and I hope the Senate will without delay give its advice and consent to ratification.

I should add that an error occurred in the printing of the Final Acts of the Geneva Radio Conference. The error appears on page 51 of Executive S, the message from the President transmitting the Partial Revision of the Radio Regulations and Additional Protocol. The band "4700–4900" should be corrected to read "4700–4990". Mr. President, I ask unanimous consent that this correction be made.

The PRESIDING OFFICER. Without objection, the correction will be made.

Mr. FULBRIGHT. Mr. President, I understand that, by unanimous consent, the vote will be taken at 2 p.m. today.

The PRESIDING OFFICER. That is correct.

Mr. FULBRIGHT. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECESS UNTIL 1:55 O'CLOCK P.M. TODAY

Mr. LONG of Louisiana. Mr. President, I now move that the Senate stand in recess until 5 minutes of 2.

The motion was agreed to; and (at 1 o'clock and 32 minutes p.m.) the Senate took a recess until 1 o'clock and 55 minutes p.m. the same day.

At 1 o'clock and 55 minutes p.m., the Senate reassembled, and was called to order by the Presiding Officer (Mr. WALTERS in the chair).

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, on the question of agreeing to the resolutions of ratification of the three treaties, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. If there is no objection, the three treaties, Executive S, F, and C, will be considered as having passed through their various parliamentary stages, up to and including the point of submission of the resolutions of ratification, which, without objection, will be printed in the RECORD, without being read.

PREVENTION OF POLLUTION OF THE SEA BY OIL

The resolution of ratification is as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to acceptance of amendments of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, which were adopted by a conference of contracting governments convened at London on April 11, 1962. (Executive C., Eighty-eighth Congress, first session.)

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Michigan [Mr. HART], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] and the Senator from Oregon [Mr. MORSE] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent, and if present and voting, they would each vote "yea."

The yeas and nays resulted—yeas 88, nays 0, as follows:

[No. 40 Ex.]

YEAS—88

Aiken	Gruening	Morton
Allott	Hartke	Mundt
Bartlett	Hayden	Muskie
Bayh	Hickenlooper	Nelson
Beall	Hill	Pastore
Bennett	Holland	Pearson
Bible	Hruska	Pell
Boggs	Humphrey	Prouty
Brewster	Inouye	Proxmire
Burdick	Jackson	Randolph
Byrd, Va.	Javits	Ribicoff
Byrd, W. Va.	Johnston	Robertson
Cannon	Jordan, N.C.	Russell
Carlson	Jordan, Idaho	Scott
Case	Keating	Simpson
Cooper	Kennedy	Smith
Cotton	Lausche	Sparkman
Curtis	Long, Mo.	Stennis
Dirksen	Long, La.	Symington
Dodd	Magnuson	Talmadge
Dominick	Mansfield	Thurmond
Douglas	McCarthy	Tower
Eastland	McClellan	Walters
Edmondson	McGee	Williams, N.J.
Ellender	McGovern	Williams, Del.
Engle	McIntyre	Yarborough
Fong	Mechem	Young, N. Dak.
Fulbright	Metcalf	Young, Ohio
Goldwater	Miller	
Gore	Monroney	

NAYS—0

NOT VOTING—12

Anderson	Hart	Moss
Church	Kuchel	Neuberger
Clark	McNamara	Saltonstall
Ervin	Morse	Smathers

The PRESIDING OFFICER (Mr. MCGOVERN in the chair). Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to.

MAINTENANCE OF CERTAIN LIGHTS IN THE RED SEA

The resolution of ratification is as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to acceptance of the International Agreement Regarding the Maintenance of Certain Lights in the Red Sea, which was open for signature from February 20, 1962, to August 19, 1962, and during that period was signed on behalf of the United States of America and seven other countries. (Executive F., 88th Cong., 1st sess.)

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Michigan [Mr. HART], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] and the Senator from Oregon [Mr. MORSE] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent and, if present and voting, they would each vote "yea."

The yeas and nays resulted—yeas 88, nays 0, as follows:

[No. 41 Ex.]

YEAS—88

Aiken	Gruening	Morton
Allott	Hartke	Mundt
Bartlett	Hayden	Muskie
Bayh	Hickenlooper	Nelson
Beall	Hill	Pastore
Bennett	Holland	Pearson
Bible	Hruska	Pell
Boggs	Humphrey	Prouty
Brewster	Inouye	Proxmire
Burdick	Jackson	Randolph
Byrd, Va.	Javits	Ribicoff
Byrd, W. Va.	Johnston	Robertson
Cannon	Jordan, N.C.	Russell
Carlson	Jordan, Idaho	Scott
Case	Keating	Simpson
Cooper	Kennedy	Smith
Cotton	Lausche	Sparkman
Curtis	Long, Mo.	Stennis
Dirksen	Long, La.	Symington
Dodd	Magnuson	Talmadge
Dominick	Mansfield	Thurmond
Douglas	McCarthy	Tower
Eastland	McClellan	Walters
Edmondson	McGee	Williams, N.J.
Ellender	McGovern	Williams, Del.
Engle	McIntyre	Yarborough
Fong	Mechem	Young, N. Dak.
Fulbright	Metcalf	Young, Ohio
Goldwater	Miller	
Gore	Monroney	

NAYS—0

NOT VOTING—12

Anderson	Hart	Moss
Church	Kuchel	Neuberger
Clark	McNamara	Saltonstall
Ervin	Morse	Smathers

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to.

PARTIAL REVISION OF RADIO REGULATIONS (GENEVA, 1959) AND ADDITIONAL PROTOCOL

The resolution of ratification is as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Partial Revision of the Radio Regulations, Geneva, 1959, with annexes, and the Additional Protocol signed at Geneva on November 8, 1963, by delegates of the United States of America and other countries represented at the Extraordinary Administrative Radio Conference held at Geneva, October 7 through November 8, 1963. (Executive S, 88th Congress, first session.)

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from North Carolina [Mr. ERVIN], the Senator from Michigan [Mr. HART], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Utah [Mr. Moss], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] and the Senator from Oregon [Mr. MORSE] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent and, if present and voting, they would each vote "yea."

The yeas and nays resulted—yeas 88, nays 0, as follows:

[No. 42 Ex.]

YEAS—88

Aiken	Gruening	Morton
Allott	Hartke	Mundt
Bartlett	Hayden	Muskie
Bayh	Hickenlooper	Nelson
Beall	Hill	Pastore
Bennett	Holland	Pearson
Bible	Hruska	Pell
Boggs	Humphrey	Prouty
Brewster	Inouye	Proxmire
Burdick	Jackson	Randolph
Byrd, Va.	Javits	Ribicoff
Byrd, W. Va.	Johnston	Robertson
Cannon	Jordan, N.C.	Russell
Carlson	Jordan, Idaho	Scott
Case	Keating	Simpson
Cooper	Kennedy	Smith
Cotton	Lausche	Sparkman
Curtis	Long, Mo.	Stennis
Dirksen	Long, La.	Symington
Dodd	Magnuson	Talmadge
Dominick	Mansfield	Thurmond
Douglas	McCarthy	Tower
Eastland	McClellan	Walters
Edmondson	McGee	Williams, N.J.
Ellender	McGovern	Williams, Del.
Engle	McIntyre	Yarborough
Fong	Mechem	Young, N. Dak.
Fulbright	Metcalf	Young, Ohio
Goldwater	Miller	
Gore	Monroney	

NAYS—0

NOT VOTING—12

Anderson	Hart	Moss
Church	Kuchel	Neuberger
Clark	McNamara	Saltonstall
Ervin	Morse	Smathers

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Do I correctly understand that each treaty will be recorded separately in the CONGRESSIONAL RECORD with an explanatory note, and that the yea-and-nay vote will be subsequently set out in connection with each of the three treaties?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What will be the next order of business before the Senate? I assume the Senate is still in executive session.

The PRESIDING OFFICER. The next order of business is consideration of the Austrian Treaty.

Mr. DIRKSEN. Mr. President, how much time has been allotted to that subject?

The PRESIDING OFFICER. There will be 45 minutes of debate on the treaty.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to address a question to the majority leader with respect to the remainder of the day and particularly the schedule for tomorrow, so that there will be a clear understanding as to when the Senate will convene. What disposition will be made of the conference report on the tax bill and such other matters as are likely to engage the attention of the Senate?

Mr. MANSFIELD. Mr. President, I will endeavor, to the best of my knowledge, to answer the questions raised by the distinguished minority leader. There will be a 45-minute limitation of debate on the consideration of the Austrian treaty, the time to be divided between the distinguished Senator from New York [Mr. JAVITS] and the chairman of the Committee on Foreign Relations, the distinguished Senator from Arkansas [Mr. FULBRIGHT].

It is anticipated that shortly thereafter the Senate will receive from the House the conference report on the tax bill. When that report comes to the Senate, it will be taken up immediately by the distinguished Senator from Louisiana [Mr. LONG]. It is anticipated that a number of Senators will wish to make their views known, both pro and con, on this most important conference report.

The suggestion has been made that the vote on the conference report be postponed until 12:15 p.m. or 12:30 p.m. tomorrow. I am willing that that arrangement be entered into under the following provisos:

First, that unanimous consent will be given for a yea-and-nay vote—I am sure that is what is desired—on the conference report at 12:15 tomorrow.

Second, that following the vote on the conference report, the second reading of the civil rights bill be in order, and that all rights, privileges, prerogatives, and whatnot, on all sides be protected. It was my original intention to try to see if it would not be possible to reach a vote on the conference report tonight, then to adjourn, and then, without anything else intervening, go into the next legislative day, which would automatically in time bring about a second reading of the civil rights bill. But if the distinguished Senator from Illinois [Mr. DIRKSEN] and the Senate are agreeable, I shall, on the basis of the specifications which I feel obliged to make, ask unanimous consent that at 12:15 p.m. tomorrow, the Senate have a yea-and-nay vote on the conference report on the tax bill, and that immediately following that vote, the Senate move, as in the ordinary procedure, to a second reading of the civil rights bill, with the absolute assurance that the rights of all parties will be preserved, safeguarded, and maintained, and that all proceedings having to do with the second reading be proceeded with until disposed of.

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader a question at that point.

Mr. President, if the distinguished majority leader will yield, is it his proposal that the Senate adjourn tonight?

Mr. MANSFIELD. At the moment, and on the basis of this understanding, yes.

Mr. DIRKSEN. What has the majority leader in mind as to the hour of convening tomorrow?

Mr. MANSFIELD. Twelve o'clock.

Mr. DIRKSEN. I would think, since it would be only a hiatus of 15 minutes, 12:30 rather than 12:15 would be a slightly more suitable hour for the Senate to proceed to vote on the tax bill conference report.

Mr. MANSFIELD. That would be agreeable to me, but as the minority leader knows, I have been subjected to not infrequent attacks with the charge that I have been delaying civil rights legislation. As the minority leader well knows, we are in a position where, once bills have been reported, referred, or otherwise brought to the attention of the Senate, insofar as we can bring those bills before the Senate, in as expeditious a manner and in as reasonable a manner as it is possible to do so, it has been done.

Mr. DIRKSEN. I will put my sheltering arm around the distinguished majority leader. I have been called Fabius, after the distinguished Roman general. So I will give him comfort and consolation.

Mr. President, a further inquiry. My understanding is that there will automatically be a second reading of the civil rights bill now pending at the President's desk. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. With respect to the second reading, that may be a matter of some controversy, because under rule XIV the majority leader is in a position to ask that further proceedings with respect to the civil rights bill be suspended, in which event it would go to the Senate Calendar. Is that correct?

The PRESIDING OFFICER. That is correct, subject to any point of order that might be made.

Mr. RUSSELL. Yes.

Mr. DIRKSEN. A point of order could be made under the provisions of the Legislative Reorganization Act, in which event that point of order probably would have to be submitted to the Senate for its disposition, instead of being decided by the Chair. Is that correct?

The PRESIDING OFFICER. The Chair would have that alternative.

Mr. DIRKSEN. I understand; except it is subject to appeal from the ruling of the Chair.

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. I should say that, in the normal course of things, such an appeal would be made.

The PRESIDING OFFICER. Is the Senator from Montana proposing a unanimous-consent request?

Mr. MANSFIELD. Yes.

Mr. RUSSELL. Mr. President, reserving the right to object, I should like to be advised as to whether there has been any order entered for the Senate, when it concludes its deliberations this afternoon, to stand adjourned until tomorrow.

The PRESIDING OFFICER. There has not been.

Mr. RUSSELL. In that event, I would have to object to the Senator's request, because it would bring up the second reading and proceedings thereon in the middle of a legislative day, whereas the Senate has to adjourn before a matter would ordinarily be handled that way. If the Senator will preface his request with the request that when the Senate concludes its deliberations today it stand adjourned until 12 o'clock tomorrow, I believe a part of that objection will be eliminated. Then I would have no objection to the vote at 12:30 or 12:15. It seems to me it would be a good rule of commonsense to say that immediately after the ascertainment that a quorum is present, the Senate ought to proceed to vote. It would take about 10 or 15 or 20 minutes to develop a "live" quorum. That would give every Senator an opportunity to be present.

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

Mr. RUSSELL. I yield.

Mr. DIRKSEN. My understanding is that when there is an appointed hour, there is a quorum call.

Mr. RUSSELL. My suggestion is that at 12 o'clock there be a quorum call, and that after the ascertainment of a quorum, the Senate will proceed to vote on the conference report on the tax bill.

I would have no objection then to a unanimous-consent request that the misnamed civil rights bill be laid before the Senate by the Chair for the second reading, because after the Senate adjourned that would be done as a matter of course under the rules. It would be laid before the Senate for a second reading and any other proceeding that might be had. That provision should be in the unanimous-consent request.

With those slight modifications—I always try to be practical and agreeable—I would have no objection to the unanimous-consent request.

There are one or two other matters which Senators might consider. I realize that some of our colleagues are thirsting for the blood of those of us who place a different construction on the constitutionality of the so-called civil rights measure, but it might be well to bear in mind that today the Senate Committee on Armed Services reported the

authorization bill for procurement of military hardware to equip men in uniform in all branches of the service, as well as the research and development program.

No appropriation bill can be enacted until that authorization is passed. I have worked diligently on that bill, against the interests of my opposition to the so-called civil rights bill, because of my interest in my country, particularly in the area of national defense. I have tried to bring that bill before the Senate 3 days after it passed the other body.

In my judgment, that bill should be passed by the Senate before it proceeds to consider what is called, by those who are most euphemistic, civil rights legislation.

There is also pending some agricultural legislation that is of vital concern to certain parts of the country. I realize that that measure, too, is controversial. It could be taken up. I have no idea how long consideration of that bill would require. Unless a counterfilibuster of some kind were started, I should not think the military procurement bill would consume more than a couple of hours.

I do not believe there are more than one or two matters in controversy, and they are not of great and overriding importance.

I do not know how far the Senator from Montana intends to go, but having some responsibility for the military bill, and being conscious of the fact that it is against my interest so far as my opposition to the so-called civil rights bill is concerned, I think the Senate should take action on that bill, so as not to handicap the Appropriations Committee in the other body from proceeding with the all-important bill which carries more than one-half of the total expenditures of Government.

Mr. MANSFIELD. Mr. President, I appreciate what the distinguished Senator from Georgia has just said. So far as the word "adjournment" is concerned, I assure the Senator that there was an oversight on my part, because I had contemplated that.

In view of the fact that Senators now have a pretty good understanding of the situation, and with the proviso that the rights of Senators will be maintained and that the regular procedure will be followed, I ask unanimous consent that when the Senate adjourns tonight, it adjourn to meet at 12 o'clock noon tomorrow, and that at 12:30 there be a vote on the conference report on the tax bill, after the quorum call, and that upon the disposition and announcement of that vote, the procedure to be followed which would have been followed had this situation not intervened, and had the Senate adjourned tonight. Do I make myself clear?

Mr. JAVITS. Mr. President, will the Senator from Montana yield for a parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. The Chair was asked about the question of an appeal from a ruling of the Chair on a point of order as to the use of rule XIV, and the possibility that the Chair would leave the question to the Senate.

Will the Chair enlighten the Senate as to the question of debate in each instance? Can Senators debate incidents to leaving the question to the Senate within the control of the Chair, or is it subject to the rules of the Senate?

The PRESIDING OFFICER. There is no limit on debate on a question that is submitted to the Senate by the Chair for its own decision.

Mr. JAVITS. On an appeal from a ruling of the Chair, what is the rule?

The PRESIDING OFFICER. The same procedure would apply on an appeal from a ruling of the Chair.

Mr. JAVITS. In both cases debate would be limited only by the rules of the Senate?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. I thank the Chair.

Mr. RUSSELL. Mr. President, reserving the right to object, I can understand the concern with the anticipated legislative situation on the so-called civil rights bill; but I hope, in this time of great pressure, that Senators will not lose completely their sense of perspective. I hope Senators will look into the parliamentary question that would be involved, as to whether one Member of the Senate, be he leader or be he the most junior Senator, has the right by a single objection to bypass the committees of the Senate and bring a bill to the calendar. That is the issue that will be before the Senate from a parliamentary standpoint tomorrow.

Today I had occasion to review some of the debate that took place in 1957, and I noted with a great deal of interest and pleasure that both the late lamented, then Senator, John Fitzgerald Kennedy, then a Senator from the State of Massachusetts, and the present President of the United States, the then Senator from Texas, Lyndon B. Johnson, voted in the minority, that a single Senator did not have the inherent right to take a bill away from a committee of the Congress.

I was proud to note those who voted that way in a 39-to-45 vote. Among them was the Senator from Oregon [Mr. MORSE], who was advocating the most stringent legislation in this field long before many of the newcomers to the so-called civil rights side had made themselves known. He stated that he could not stultify himself by voting that one Senator could deny the prerogatives of committees, as specifically outlined under rule XXV.

I do not wish to debate the question today, but I hope Senators will look into it, no matter how casual it may be. This is a matter that has to do with the precedents and procedures of the Senate. I do not deny the right of any Senator to an opportunity to vote on this misnamed civil rights bill, but if we vote to bypass the committee system we shall be repeating a dangerous precedent that reversed the precedents to the contrary on a matter that did not arouse emotion and excite political fear in Members of the Senate.

On that issue, the Senate voted 60 to 15 that 1 Senator did not have such a right to bypass the committees of the Senate and bring a bill to the calendar.

The Senator from Arkansas [Mr. FULBRIGHT] will remember that occasion. It had to do with oleomargarine bill in 1948. The same question was involved, and it was only when this so-called civil rights legislation came up that a majority of the Senate voted that one Senator, by demanding that the measure go over, could have a right to upset the committee procedures of the Senate.

I hope Senators will not consider this a dilatory action on my part. It is not a part of a filibuster. I am seeking only to remind the Senate of its responsibilities and of the desirability of not throwing its rules out the window when a certain type of legislation comes along. We should apply the same rule whether we are enthusiastically in favor of a piece of legislation or whether we are against it.

I ask Senators to look into the question, to study it, and to consider the precedents prior to 1957. Any procedure is more desirable than the roughshod, run-over-them-if-you-can, the-end-justifies-the-means ruling, that one Senator, by objecting, can bypass committees.

Mr. LAUSCHE and Mr. MUNDT addressed the Chair.

Mr. RUSSELL. I yield to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. What was the difference between the vote in 1957 and the one in 1960?

Mr. RUSSELL. The identical question was presented to the Senate, in connection with a bill that was called a civil rights bill. It passed the House in 1957 and came over to the Senate; and the Senate made the ruling that one objection bypassed the committees.

In 1960 the so-called civil rights bill was first brought up for debate as an amendment to the famous Stella school bill.

I now yield to the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. I wonder if the Senator would be willing to ask unanimous consent to have printed in the RECORD the two yea-and-nay votes to which he alluded, in 1957 and 1960, so that Senators may have them available to study?

Mr. RUSSELL. I shall be glad to do so. However, the issue was different in 1960. The Senator referred to two yea-and-nay votes. Does he mean in 1948 and 1957?

Mr. MUNDT. The two yea-and-nay votes to which the Senator has referred.

Mr. RUSSELL. One was on the innocuous issue of oleomargarine in 1948.

Mr. FULBRIGHT. It was not an innocuous issue.

Mr. RUSSELL. I mean, a relatively innocuous issue, on oleomargarine.

Mr. MUNDT. It is not an innocuous issue to the dairy industry.

Mr. RUSSEL. The vote was 56 to 15, as I remember, that one Senator could not bypass committees. When the question arose in 1957, and the identical issue came up in connection with the civil rights bill, the Senate reversed itself and by a small margin—I believe it was 45 to 39, because it happened to be a civil

rights bill—held that one Senator, on objection, could knock down and bypass the whole committee system on which all of our legislation depends.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from Senate Procedure which set forth the practices and precedents of the Senate as to this procedure. I also ask unanimous consent that the two yea-and-nay votes referred to, with some explanation on each, be printed in the RECORD.

There being no objection, the two yea-and-nay votes were ordered to be printed in the RECORD, as follows:

Under the present rule and practice, the Presiding Officer makes the reference of bills to committees, both those introduced in the Senate and House bills messaged to the Senate. An appeal may be taken from the decision of the Chair in making the reference, at the time it is made.

A Senate bill upon its introduction or a House bill which has been messaged to the Senate, upon objection to further proceedings on it after the second reading under rule XIV, paragraph 4, may be placed on the calendar instead of being referred.

In 1948, under a decision of the Senate, after a House bill had been messaged to the Senate and objection had been made to its further consideration at that time, a question of reference of the bill was raised, under section 137 of the Legislative Reorganization Act of 1946, which momentarily stayed any action of placing the bill on the calendar. A point of order was then made regarding the priority of rights under rule XIV, paragraph 4, as compared to section 137 of the Legislative Reorganization Act.

Under rule XX, the Chair then submitted the following question to the Senate for decision: "Is the point of order of the Senator * * * well taken?" The point of order was not sustained and the Chair under section 137 of the Legislative Reorganization Act of 1946 made the reference, from which an appeal was in order.

In 1957, under a like situation, an objection, under paragraph 4 of rule XIV, having been made to further proceedings on a House bill which had been read twice without being referred, the Senate reversed its decision of 1948, and decided that rule XXV, which provided, among other things for mandatory references of bills, as amended by the Legislative Reorganization Act of 1946, did not supersede and annul said paragraph 4 of rule XIV.

The President pro tempore thereupon made the following statement:

"The Chair wishes to make a general statement of the parliamentary situation so that all Senators may be fully advised of the procedure which is contemplated. There is an unfortunate conflict in construction between rule XIV of the Senate and section 137 of the Reorganization Act. At the moment it is needless to go into the details of this conflict, but it turns finally, apparently, upon the pure question as to who is first recognized by the Chair to assert his rights under these two conflicting rules.

"The situation has never heretofore arisen. Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself.

"In order to accomplish this result, the following procedure is necessary. The Chair will first recognize the Senator from Nebraska [Mr. Wherry] to raise the question, which he is entitled to raise under section 137 of the Reorganization Act, which requires the Chair, without debate, to make a reference of the pending bill to the committee which in his judgment has appropriate jurisdiction. When that motion has been made by the Senator from Nebraska, and recognized, the Chair will recognize the Senator from Arkansas [Mr. FULBRIGHT] to raise a point of order regarding the priority of his rights under rule XIV of the Senate. When the Senator from Arkansas has made his point of order, the Chair, under rule XX of the Senate, will submit to the Senate itself, for decision, the question whether the Senator from Arkansas is entitled to priority under rule XIV, or whether the Senator from Nebraska is entitled to priority under section 137 of the Reorganization Act. This procedure has been discussed with all concerned, and seems to be the fairest way to resolve an exceedingly difficult and perplexing parliamentary impasse."

Mr. Wherry, under the provisions of section 137 of the Legislative Reorganization Act of 1946, raised a question as to the jurisdiction of the standing committee of the Senate to which the bill should be referred.

Mr. FULBRIGHT raised a question of order; viz, that under paragraph 4 of rule XIV, after the second reading of the bill, if objection is made to further proceedings thereon, the bill should be placed on the calendar.

The PRESIDENT pro tempore, under paragraph 2 of rule XX, submitted to the Senate the question of order raised by Mr. FULBRIGHT.

On the question, Is the point of order made by Mr. FULBRIGHT well taken?

After debate, it was determined in the negative: Yeas, 15; nays, 56.

On motion by Mr. Maybank, the yeas and nays being desired by one-fifth of the Senators present, Senators who voted in the affirmative are: Connally, Fulbright, Green, Hatch, Johnston of South Carolina, Kilgore, Lucas, McClellan, Maybank, Moore, Murray, O'Daniel, O'Mahoney, Thomas of Oklahoma, and Tydings.

Senators who voted in the negative are: Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Cooper, Cordon, Donnell, Downey, Eastland, Ecton, Ferguson, Gurney, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Knowland, Langer, Lodge, McCarthy, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Millikin, Morse, Myers, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Utah, Thye, Tobey, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, and Young.

So the Senate decided that the point of order was not well taken.

The PRESIDENT pro tempore, in the following statement, referred the bill to the Committee on Agriculture and Forestry:

"The Chair confronts the parliamentary duty of referring this bill to the appropriate committee under the rules. There is a strong argument to be made in favor of reference either to the Committee on Finance or to the Committee on Agriculture and Forestry. Under such circumstances, the Chair wishes to afford the Senate an opportunity, so far as possible, to decide the reference for itself. This could have been done, under the old rules, by direct submission. But the Reorganization Act provides that a question of jurisdiction 'shall be decided by the Presiding Officer of the Senate, without debate in favor of that committee which has jurisdiction over the subject matter which predominates in the proposed legislation.' But 'such decision shall be subject to appeal.'

"Confronting this injunction of law, the Chair will proceed to make an initial reference in open session, without presuming, of course, to pass upon the merits of the legislation in any aspect whatever. But the Chair specifically invites an appeal without prejudice if the Senate desires a different parliamentary disposition of the measure.

"The Chair's decision is moved by the following considerations:

"Reference of the bill to the Finance Committee may be strongly urged on the basis of its oversimplified title, 'An act to repeal the tax on oleomargarine,' because the first duty assigned to the Finance Committee under the Reorganization Act is jurisdiction over revenue measures generally. On the other hand, it can, in the opinion of the Chair, be even more persuasively contended that revenue is only incidental in the purposes of this bill; and that 'the subject matter which predominates'—that being the controlling phrase in the Reorganization Act—is the agricultural economy, which clearly lies within the jurisdiction of the Committee on Agriculture and Forestry.

"House hearings on the bill disclose a statement by Under Secretary of the Treasury Wiggins that 'revenue considerations are not involved.' This is particularly significant since the Supreme Court itself has said in *Millard* v. *Roberts* (202 U.S. 429) that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.'

"Again reference of the bill to the Finance Committee may be strongly urged on the basis of the fact that two previous Senate bills, S. 985 and S. 1907, for this same purpose have been referred in the Senate, during the present Congress, to the Finance Committee although no action has even been taken on them in that committee. This was done on the basis of their titles in usual routine at the legislative desk when no occasion arose to examine the full text of the bills to determine the subject matter which predominates.

"On the other hand, it can, in the opinion of the Chair, be even more persuasively contended that the most recent full exploration of this subject matter in the Senate was made in connection with S. 1744 in the 78th Congress which was referred to the Committee on Agriculture and Forestry which held hearings that have been used in these current debates.

"On this point, it is significant to note that when this same legislation originally came to the Senate on June 7, 1886, precisely the same sort of controversy which still reigns today was settled by a Senate vote of 22 to 21 in favor of reference to the Committee on Agriculture.

"It is further significant to note that though the House Ways and Means Committee is particularly tender of its revenue prerogatives, the present bill was handled in the House by the Committee on Agriculture.

"In the Senate there is a mixed record of reference over the years in respect to various types of oleo legislation. As a result, the precedents are far from clear. But it seems clear to the Chair, after a faithful examination of the entire subject, that the pending bill is not a revenue measure in the appropriate sense of that phrase as defined in the Reorganization Act; but that the subject matter which predominates—the controlling phrase in the Reorganization Act—lies preponderantly within the jurisdiction of the Committee on Agriculture and Forestry.

"The Chair rules that the House bill H.R. 2245 is referred to the Committee on Agriculture and Forestry. The Chair invites an appeal, if the Senate disagrees, so that the will of the Senate may control."

[Vote No. 57]

SUBJECT

H.R. 6127, to protect the civil rights of persons within the jurisdiction of the United States. Vote on RUSSELL point of order to Knowland objection to further proceeding after second reading of the bill under Senate rule XIV, paragraph 4.

SYNOPSIS

The Vice President laid before the Senate H.R. 6127 for a second reading. Immediately after the House-passed bill was so read Senator Knowland, who had obtained recognition, objected to any further proceeding thereon, pursuant to that part of paragraph 4, rule XIV, which provides that every bill and joint resolution introduced on leave and every bill and joint resolution of the House which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar. [The Vice President had earlier ruled that Senator Knowland's objection was not a debatable motion, since such reading of the bill did not involve action on it.]

Senator RUSSELL then made the point of order that rule XXV, as amended by the Legislative Reorganization Act of 1946, requires reference of all bills to committee and that rule XXV supersedes and amends the provision of rule XIV on which Senator Knowland relied.

In support of the point of order, it was asserted that prior to the 1946 act rule XXV did not contain language in conflict with rule XIV. But the Legislative Reorganization Act of 1946 provided a new rule XXV, which described by subject matter the jurisdiction of each committee and contained language not in the old rule, as follows: "* * * to which committee shall be referred all proposed legislation, messages, memorials, petitions, etc." Moreover, there was the 1948 precedent concerning a bill to repeal the tax on oleomargarine. In that case when Senator FULBRIGHT raised a point of order that under rule XIV he was entitled to ask after a second reading of the bill that it go to the calendar, the issue was submitted to the Senate and by vote of 56 to 15 the Senate decided adversely to Senator FULBRIGHT. In the case of a bill involving the tidelands controversy, which the Senate had before it immediately prior to the oleo bill, Senator Downey took advantage of rule XIV and succeeded in having the bill go to the calendar. It was claimed this was no precedent since no point of order had been made, whereas in the case of the oleo bill an intervening motion dealing with the Reorganization Act had been made. To give effect to the Knowland objection would be to do violence to the committee system under which the Senate operates and permit bypassing of committees. The procedure, if used regularly, would leave matters in the hands of a single Senator and hamstring the Senate leadership thereby bringing about legislative chaos.

ACTION

The point of order was overruled.

The result was announced—yeas 39, nays 45, as follows:

YEAS—39

Anderson,[1] Bible,[1] Byrd,[1] Eastland,[1] Ellender,[1] Ervin,[1] Frear,[1] Fulbright,[1] Goldwater, Gore,[1] Hayden,[1] Hill,[1] Holland,[1] Johnston, Tex.,[1] Johnston, S.C.,[1] Kefauver,[1] Kennedy,[1] Kerr,[1] Lausche,[1] Long,[1] Magnuson,[1] Malone, Mansfield,[1] McClellan,[1] Morse,[1] Mundt, Murray,[1] O'Mahoney,[1] Robertson,[1] Russell,[1] Scott,[1] Smathers,[1] Sparkman,[1] Stennis,[1] Talmadge,[1] Thurmond,[1] Williams, Yarborough,[1] and Young.

NAYS 45

Aiken, Allott, Barrett, Beall, Bennett, Bricker, Bush, Butler, Carlson, Carroll,[1] Case, N.J., Case, S. Dak., Church,[1] Clark,[1] Cooper, Cotton, Curtis, Dirksen, Douglas,[1] Dworshak, Hennings,[1] Hickenlooper, Hruska, Humphrey,[1] Ives, Jackson,[1] Javits, Jenner, Knowland, Kuchel, Martin, Pa., McNamara,[1] Morton, Neuberger,[1] Pastore,[1] Potter, Purtell, Revercomb, Saltonstall, Schoeppel, Smith, Maine, Symington,[1] Thye, Watkins, and Wiley.

[1] Democrats.

NOT VOTING—11

Bridges, Capehart, Chavez,[1] Flanders, Green,[1] Langer, Martin, Iowa, Monroney,[1] Neely,[1] Payne, and Smith, N.J.

		Republicans (46)	Democrats (49)
Analysis of vote:			
Yeas	39	5	34
Nays	45	34	11
Not voting	11	7	4
Vacancy	1		

Mr. MANSFIELD. Mr. President, may I inquire of the Chair if I may have a ruling on the unanimous-consent request?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. This means, then, that the Senate will convene at noon tomorrow, to vote at 12:30, and at the conclusion of the voting on the conference report on the tax bill, immediately proceed to a second reading, as in the ordinary procedure, following a layover of one legislative day?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. All rights are thus protected; and the regular procedure will be followed.

The PRESIDING OFFICER. The Senator is correct.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That at the conclusion of its business today, the Senate adjourns until 12 o'clock noon tomorrow, Wednesday, February 26; that prior to the hour of 12:30 p.m. on said day there be a quorum call; That at said hour of 12:30 p.m. the Senate proceed to vote on the question of agreeing to the conference report on H.R. 8363, the Revenue Act of 1964; That immediately following such vote, the Presiding Officer lay before the Senate H.R. 7152, the Civil Rights Bill, which shall be read the second time; That any further proceedings which may then arise in connection with or incident to the said bill continue until disposed of and be had in accordance with the rules of the Senate; and that the rights of all Senators with respect thereto be preserved and maintained. (February 25, 1964)

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. Is the Senate still in executive session?

The PRESIDING OFFICER. The Senate is still in executive session.

Mr. DIRKSEN. So the next order of business will be consideration of the Austrian treaty?

The PRESIDING OFFICER. The Senator is correct.

EXECUTIVE SESSION

The Senate resumed the consideration of executive business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nominations on the Executive Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the nominations will be stated.

FOREIGN ASSISTANCE

The legislative clerk read the nomination of Howard E. Haugerud, of Minnesota, to be Deputy Inspector General, Foreign Assistance.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. INFORMATION AGENCY

The legislative clerk read the nomination of Carl T. Rowan, of Minnesota, to be Director of the U.S. Information Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JAVITS. On this nomination I would like to add that the U.S. Information Agency performs one of the most vital jobs in our Government, and it is crucial that it be headed by an outstanding American. From what I know of him Ambassador Carl T. Rowan will be a worthy successor to the distinguished New Yorker, Edward R. Murrow, and I am delighted that Ambassador Rowan's nomination has now been confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Fulton Freeman, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I am delighted that the nomination of Mr. Fulton Freeman, as our new Ambassador to Mexico, was included in this list of nominations.

Mr. Freeman has rendered outstanding service as our Ambassador to Colombia, and he will do as outstanding a job as our Ambassador to the Republic of Mexico. It is the appointment of a good man to a good neighbor. The appointment will be mutually beneficial to both countries.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of William B. Macomber, Jr., to be Assistant Administrator for the Near East and south Asia, Agency for International Development.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JAVITS. Mr. President, I state in connection with this nomination that Mr. Macomber is an admirable public servant, who serves this country with great distinction. I visited him in Jordan when he served there as our Ambassador. He comported himself with extraordinary skill and ability. I wish to

make my endorsement of Mr. Macomber a matter of public record.

Mr. KEATING. Mr. President, I was delighted to appear before the committee on behalf of William Macomber, a long-time personal friend and distinguished Rochesterian. Mr. Macomber has spent more than 10 years in Government service, serving with equal distinction in Republican and Democratic administrations. He has worked closely with our own distinguished colleague, Senator JOHN SHERMAN COOPER, with Under Secretary of State Herbert Hoover, Jr., and with Secretary of State John Foster Dulles. He also served for 4 years as Assistant Secretary of State for congressional relations.

For the past 2½ years, "Butts" Macomber has served most ably as Ambassador to the Kingdom of Jordan. Whether he deserves all the credit or not, I do not know, but it does seem to me that there have been fewer riots, assassination attempts, and other types of subversion and violence in Jordan recently than there had been in the past.

Ambassador Macomber is moving into a new and extremely challenging role. As Assistant Administrator for the Near East and South Asia in the Agency for International Development, Ambassador Macomber will be responsible for the foreign aid program in a large and important part of the world. There have been a number of criticisms of our AID policies in this area. The most significant objection undoubtedly is the recurring charge that American aid to Egypt's President Nasser is indirectly subsidizing Nasser's military aggression in Yemen and his continued arms buildup against Israel. I am confident that Mr. Macomber will face this problem honestly and forcefully, and that he will bring to it the determination, imagination, and ability that have distinguished his Government career to date.

Mr. President, there is undoubtedly need for reevaluation and change in foreign aid policies in a number of areas. I congratulate Ambassador Macomber on his willingness to take up this difficult and thankless responsibility. I strongly commended him to all the members of the committee as an exceptionally able, well-qualified candidate for the position as Assistant Administrator of AID.

Mr. GRUENING. Mr. President, I wish to endorse unqualifiedly the nomination of Mr. Macomber. I have seen him in action as U.S. Ambassador to Jordan, where he performed with great ability, great enlightenment, and great vigor. This is an excellent appointment. My only regret is that Mr. Macomber has not been given an additional position as chief of mission, for which he is fully qualified. I am confident that he will serve admirably in his new post.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of William S. Gaud, of Connecticut, to be Deputy Administrator, Agency for International Development.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the diplomatic and Foreign Service be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they were confirmed.

Mr. President, I ask unanimous consent that the President be immediately notified of the nominations confirmed today; as well as of the ratification of the three treaties.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

AGREEMENT BETWEEN UNITED STATES OF AMERICA AND THE REPUBLIC OF AUSTRIA REGARDING THE RETURN OF AUSTRIAN PROPERTY, RIGHTS, AND INTERESTS (EX. A, 86TH CONG., 2D SESS.)

The Senate, as in the Committee of the Whole, proceeded to consider the agreement (Ex. A, 86th Cong., 2d sess.), an agreement between the United States of America and the Republic of Austria, regarding the return of Austrian property, rights, and interests, signed at Vienna on May 15, 1955, which was read the second time, as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF AUSTRIA REGARDING THE RETURN OF AUSTRIAN PROPERTY, RIGHTS AND INTERESTS

The United States of America and the Republic of Austria, in accordance with the provisions of paragraph 1 of Article 27 (Austrian Property in the Territory of the Allied and Associated Powers) of the State Treaty for the Re-establishment of an Independent and Democratic Austria, which was signed at Vienna on May 15, 1955, have agreed as follows:

ARTICLE I

1. The property listed in the schedule to this agreement constitutes a complete list of property, rights and interests as they now exist in the United States, and of the proceeds arising out of the liquidation, disposal or realization of such property, rights and interests, determined to be Austrian within the meaning of paragraph 1 of Article 27 of the Austrian State Treaty and which have not yet been returned.

2. The United States agrees to return, through such officer or agency as may be designated by the President of the United States, such property, rights, interests and proceeds to the claimants listed in the schedule, or to their successors in interest by inheritance, devise, bequest or operation of law, within six months of the effective date of this agreement, subject to the provisions of Article V hereof and to the requirements regarding fees of agents, attorneys, or representatives contained in Section 20 of the Appendix to Title 50 of the United States Code, as set forth in the Annex hereto.

ARTICLE II

The Government of Austria declares that no claimant to property listed on the attached schedule was convicted of war crimes personally and by name by a court of competent jurisdiction.

ARTICLE III

The Government of Austria agrees that upon the return of the property listed on the attached schedule the United States shall be deemed to have complied in full with the provisions of paragraph 1 of Article 27 of the aforementioned State Treaty, provided, however, that should additional property, rights and interests, or the proceeds thereof, be determined by the Governments of the United States and Austria within 1 year from the effective date of the agreement to be Austrian and not claimed by persons who were convicted of war crimes personally and by name by a court of competent jurisdiction, the Government of the United States will return such property within 6 months of such final determination, subject to the provisions of Article V hereof and to the requirements regarding fees of agents, attorneys, or representatives contained in Section 20 of the Appendix to Title 50 of the United States Code, as set forth in the Annex hereto.

ARTICLE IV

Nothing in this agreement shall be deemed to affect any rights which any person not listed in the attached schedule may have under United States law.

ARTICLE V

The return of property, rights and interests by the United States under this agreement shall be subject to deductions for accrued taxes, expenses of administration, creditor claims and other like charges and shall be made as far as possible subject to the rights, obligations and procedures with respect to returns contained in Section 32(a) (4), (b), (c), (d), (e), and (f), Section 34, and Section 36 of the Appendix to Title 50 of the United States Code, as set forth in the Annex to this agreement.

ARTICLE VI

The Government of Austria agrees to save harmless the Government of the United States from any responsibility and liability for acts performed by or on behalf of the United States in fulfillment of the provisions of this agreement.

ARTICLE VII

This agreement shall be ratified and the instruments of ratification shall be exchanged at Vienna as soon as possible. The agreement shall come into force upon exchange of ratifications.

In witness whereof, the undersigned representatives duly authorized thereto by their respective governments have signed this Agreement.

Done at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this thirtieth day of January, 1959.

For the United States of America:
JOHN FOSTER DULLES.
For the Republic of Austria:
WILFRIED PLATZER.

Mr. FULBRIGHT. I understand that the Senate is now proceeding under a limited time agreement.

The PRESIDING OFFICER. The Senator is correct.

Mr. FULBRIGHT. I yield myself 5 minutes of the 15 minutes that I have under my control.

I shall take only a few minutes to discuss the treaty. Then, if there are any questions, I shall be glad to answer them.

Mr. President, the Austrian Assets Agreement was signed at Washington on January 30, 1959, and submitted to the Senate on January 14, 1960.

The purpose of the agreement is to provide for the return of certain Austrian property located in the United States which was vested during World War II by the Alien Property Custodian under the provisions of the Trading With the Enemy Act. The property, rights, and interests covered by this treaty amount to approximately $450,000 and, according to the provisions of the agreement, would be returned to the Government of Austria for distribution to the individual claimants.

I should like to explain the procedure. As I understand, the checks will be made out to the claimants, but will be sent to the Government of Austria, which will act merely as a conduit in turning the checks over to the claimants. The assets will not be turned over to the Austrian Government as cash. The Austrian Government will act merely as the agent.

With very few exceptions, the bulk of the returns consist of cash assets; the rest involve interests in patents and estates.

The basis for this agreement is contained in the Austrian State Treaty which was approved by the Senate on June 17, 1955. Under the terms of article 27 of that treaty, the United States made a commitment to return Austrian property located in this country and stated that it was "prepared to conclude agreements with the Austrian Government for this purpose." This agreement will enable the United States to fulfill that obligation.

Mr. President, this agreement has the approval of the Department of Justice which had original jurisdiction over the claims involved, and it prohibits the return of any property to war criminals. In addition, it is important to bear in mind that Austria has carried out its obligations under articles 25 and 26 of the 1955 state treaty by restoring the property, rights, and interests of American nationals, as well as by paying the claims of Austrian nationals who were persecuted by the Nazis because of their religion or racial origin. I hope, therefore, that the Senate will give its advice and consent to this agreement.

The report, which I believe is quite adequate, is on the desk of each Senator. If there are any questions about the treaty, I shall be glad to answer them.

Mr. JAVITS. Mr. President, I yield myself 10 minutes.

I oppose the ratification of the treaty as contrary to the interest of the United States within the language of the Trading With the Enemy Act. I believe it is contrary to the interest of the United States by the admission of the Department of Justice itself, whose witness, as shown at page 9 of the testimony on claims given at the hearings, stated:

> And 52 were dismissed on the grounds that the applicants were either Nazi Party members or applicants for party membership.

At that point in the testimony the Justice Department was referring to the 89 claims which are the subject of the proposed treaty.

I should like to read that statement again, so that Senators may understand what is at stake. The Justice Department states that of the 89 claims to be paid under this treaty 52 were dismissed by the Justice Department under existing law on the grounds that the applicants were either Nazi Party members or applicants for party membership.

Mr. President, there is available a complete administrative remedy for the return of any of these funds, including this $450,000, provided by law, section 32 of the Trading With the Enemy Act. Under that act a very large number of claims have been satisfied, and some millions of dollars have been returned, including the two largest Austrian claims, which came to over $5 million. These were the subject of a contested proceeding, as it was charged, in order to prevent that money from being returned—at least the claim was made—that the return would violate the national interest provision of the law, in that the recipients had been members of the Nazi Party. The hearers of the facts decided that there were exculpating circumstances which did not bring the matter within the direct definition of the act, and ordered the claims to be paid. The claims were paid.

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

Mr. JAVITS. I yield.

Mr. FULBRIGHT. The Senator is referring to the two largest cases. They were the principal reason why the committee held up the approval of the treaty when it was first presented, in 1960.

The largest claim was that of Countess Marianne Thun-Hohenstein. We have had evidence that this woman's husband obtained a card for her in the Nazi Party solely to protect her from either murder or torture by the Nazis, since she was half Jewish. This is an example of the complications we encounter in these cases. The Department of State was satisfied that she did not have her heart engaged in being a Nazi, but under the confused and dangerous conditions that existed in Austria at that time, and in the Sudentenland and other areas, people did do this for survival.

While it is true that, according to the record, she was nominally a member of the Nazi Party, she was not really a member; her husband had resorted to this device in order to protect her.

With regard to the other people, those who were members were very minor members. I wanted to make that clear, because the treaty itself prohibits the return of assets to any war criminal or anyone who is convicted of war crimes in any court of competent jurisdiction.

Mr. JAVITS. With all due respect and credit to the Senator from Arkansas [Mr. FULBRIGHT], I do not wish my statement to be confused by the statement just made, for I am not contesting the findings which were made in the two cases involving the largest amount of money. I stated that myself, and I would be perfectly willing to see the other 52 cases—to which I have just referred—handled in precisely the same way, that is, by a consideration of the findings of fact, which might or might not result in the money going back to the claimants.

What I object to is that this treaty avoids exactly that process because it would give back the money to the 52 claimants, even though they had been involved in Nazi Party activities in their own country, either voluntarily or involuntarily and to whatever extent. Notwithstanding, that only if they were charged and convicted of war crimes, would their claims be invalidated. Other than that, they are supposed to get their money back, and that is precisely what I object to. I say there is an adequate administrative remedy by which anyone entitled, in the national interest of the United States, to have his claim paid, can and will be paid.

I strongly object to the idea that we should be undercutting the national interest of the United States, bobtailing its proceedings provided by law, and out of hand paying these claims to such number of these 52 claimants as could not demonstrate their eligibility to the amount of their claims under existing law.

This is not a matter which has gone unchallenged. Actually, there is testimony which is printed as part of the committee's report, specifically on page 11 of the report, speaking of the case of a particular man named Sakrausky. It reads:

> In this case there is a difference of opinion between the Departments of Justice and State.

This concerns whether this particular claimant according to the testimony was or was not a minor member of the Nazi Party. I hope that issue is very clearly placed before the Senate. There is no question that that provision of law would permit a return of his money to any claimant who demonstrated that he was not a member of the Nazi Party or not an applicant for membership in the Nazi Party. Many millions of dollars have been returned pursuant to the law; in fact, a preponderance of the amounts which are involved in this treaty.

What I object to is that the law is being bypassed; it is being undercut; and out of hand, these claims are being paid without a determination of whether or not they ought to be paid to recipients in the interest of the United States.

The provision of law to which I have referred is contained in subsection 5, section 32(a), of title 50, appendix, of the United States Code. It is a provision of the Trading With the Enemy Act. Subsection 5, with respect to returns of this character, provides:

> That such return is in the interest of the United States.

That must be found before there can be such a return administratively. It is very clear—I do not believe there is any argument about it—that no such finding has been made in these cases, except as the United States has made this treaty with the Austrian Government, under which returns will be made out of hand.

Why did the United States do this? The explanation is very clear in the committee report. The United States did it, it is said, because the Austrian Government, which is now friendly to us, has importuned the United States for a dis-

position of these cases and for a return of the money, because, says the report, the basic agreement undertaken with the Austrian Government—the so-called Austrian State Treaty of 1955, which settled the relationships between this country and Austria, notwithstanding the fact that we were at war with Austria in World War II—provides, according to the Department of State, that this return should be made; but, according to the Department of Justice, the provisions of the Trading With the Enemy Act, to which I have referred, with relation to the national interest, have been consistently construed to mean that there shall be no return when we are dealing with one who was a member of the Nazi Party or was an applicant for membership in the Nazi Party. Paragraph 1 of article 27 of the 1955 Austrian State Treaty states:

The Allied and Associated Powers declare their intention to return Austrian property, rights, and interests as they now exist in their territories or the proceeds arising out of the liquidation, disposal, or realization of such property, rights, or interests, subject to accrued taxes, expenses of administration, creditor claims, and other like charges, where such property, rights, or interests have been liquidated, disposed of, or otherwise realized. The Allied and Associated Powers will be prepared to conclude agreements with the Austrian Government for this purpose.

Mr. FULBRIGHT. Mr. President, will the Senator from New York yield?

Mr. JAVITS. Not yet; let me complete my thought.

This section of that 1955 agreement provides specifically that it applies only:

With respect to these rights or interests as they now exist.

It is a fact that at the time that treaty was signed with the Austrian Government in 1955, our statute books already contained the very provisions of the Trading With the Enemy Act to which I have referred, including the provision that no return shall be made unless "such return is in the interest of the United States." The precise provision to which I refer in this act was last amended in 1954. As a matter of fact, the provision was on the books long before then, so the definition of a return of property rights, and interests "as they now exist" in the 1955 treaty, encompasses, in my judgment, as a matter of international law, the provisions of law which had been long applied by the United States. So in rejecting this treaty, we would be violating no responsibility or obligation undertaken to the Government of Austria in the 1955 treaty.

Does the Senator from Arkansas desire me to yield now?

Mr. FULBRIGHT. I think one point ought to be made clear. The Senator from New York stated that we were at war with Austria. I believe it is generally understood that during the war Austria was treated as occupied territory; that we were not in the position of being in a state of war with Austria. We were at war only with Germany, the occupying power.

Mr. JAVITS. I think that is true technically.

Mr. FULBRIGHT. It is true.

Mr. JAVITS. I will come to that point; I intended to argue that question.

I have noticed with much interest that the report, at the bottom of page 4, states:

This agreement is concerned with the return of property rights, and interests of nationals of Austria, a friendly foreign country and a victim of enemy aggression.

The enemy is not defined; but it is a fact that Austria was certainly in no such position as was Poland or Czechoslovakia, or any one of the other countries overrun by the Nazis, and whose governments were eliminated. On the contrary, we all know that the Anschluss was invited by the then-existing government of Austria; that Hitler was hailed, when he entered the streets of Vienna, as the great deliverer who was going to unite the German people, so that they could conquer the earth. Austria's position has been misrepresented, whatever may be our friendship with Austria now. After all, we now have a real friendship with West Germany, too. By the time Hitler declared war on the world, there was no Austria; he had completely chewed it up.

When we were at war with Germany, we were at war with Austria, as well, in terms of its territory and people.

So when the Department of Justice construed the Trading With the Enemy Act as ruling out and disqualifying all members of the Nazi Party or applicants for membership in the Nazi Party, it properly included those who were nationals of Austria.

That is why we are here, and that is why this treaty is before the Senate.

Mr. KEATING. Mr. President, will my colleague yield to me?

Mr. JAVITS. I yield.

Mr. KEATING. Furthermore, the Department of Justice has agreed that it is not in the national interest to return property to former Nazis, and has so stated in an exchange of correspondence which I understand it had with Representative LINDLEY BECKWORTH in November 1945. So am I correct when I say that the only way by which this property could be returned to former Nazis would be not in accordance with the laws of the United States, but by a treaty; and the treaty is an effort to get around the law—interpreted by the Department of Justice—to the effect that it is not in the national interest to return property to former Nazis?

Mr. JAVITS. My colleague is eminently correct, because in the 52 cases to which I have referred, administrative relief would have been accorded just as was done in the two cases of the properties of Oskar Teuber and Marianne Thun-Hohenstein, because of proof that they were not actually Nazis or because of some other extenuating circumstances.

The fact that these other 52 cases are submitted to us by means of a treaty practically amounts to a finding that these persons could not get the money in any other way, because obviously their cases did not come within the provisions of the Trading With the Enemy Act.

Mr. KEATING. I suggest that it might be well to renegotiate this treaty, so that the funds could be used perhaps for Austrian educational exchanges, to prevent nazism in the future, and that that would be a much more constructive use of this relatively small amount of money, rather than to return it to those who formerly were avowed Nazis—with the result that, under those circumstances, such a return would be contrary to the laws of the United States, which can be gotten around only by means of a treaty.

The PRESIDING OFFICER. The time the Senator from New York has yielded to himself has expired.

Mr. JAVITS. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 more minutes.

Mr. JAVITS. Mr. President, I thoroughly agree with my colleague. I also point out that if the money remained in the Treasury, it might ultimately be available for claimants who later became U.S. nationals, but who were only residents of the United States, not citizens of the United States, at the time of the taking of the property in one of those countries. The Department has assured us that if alien property funds are left after payment of contemporaneous U.S. citizen claims, these are the uses to which they would be put.

So, whether the property be used for educational purposes, as my colleague has suggested, or for the purpose of doing a degree of justice to those who became U.S. nationals at a later date than the law now permits for claims, this money would be very well used—and much better used than if it were returned to persons who, as shown by the very fact of the existence of this treaty itself, were found to be members of the Nazi Party or applicants for membership in the Nazi Party.

Mr. JOHNSTON. Mr. President, will the Senator from New York [Mr. JAVITS] yield briefly to me? I should like to ask a question of his colleague [Mr. KEATING].

Mr. JAVITS. Mr. President, if I may do so, I yield 1 minute for the purpose of such colloquy.

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

Mr. JOHNSTON. Has any effort been made to take up this matter with the Senate committee which has jurisdiction of legislation in this field?

Mr. KEATING. Not to my knowledge.

My position is that if action of this sort is to be taken at all, the matter should be handled by means of legislation, not as a treaty—for the treaty method amounts to coming through the back door in an attempt to get around a law now on the statute books; and that law has been construed by the Department of Justice as preventing the turning over of such funds to former Nazis.

Mr. JOHNSTON. Congress has passed laws turning over such property, provided the persons affected were not Nazis; is not that true?

Mr. KEATING. Yes.

Mr. JOHNSTON. The Senator from New York and I are members of that subcommittee, and I have been its chairman for about 12 years.

Mr. KEATING. That is correct.

Mr. JOHNSTON. So I cannot understand why these efforts are made to proceed through the back door.

Mr. KEATING. I agree with the Senator from South Carolina. This is a matter which should be handled through legislation, not by means of a device conceived in the State Department—in other words, by means of a treaty, by which it is proposed to do something that is not allowed by existing laws, and also is not allowed under the interpretation the Department of Justice has made of those laws.

Mr. JOHNSTON. I agree.

Mr. FULBRIGHT. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I wish to point out that this treaty was negotiated under a previous administration, and that it was signed on January 30, 1959. We are not trying to "come in through the back door" or to fool anyone. The treaty was not negotiated under a Democratic administration.

Mr. KEATING. Mr. President, will my colleague yield to me?

Mr. JAVITS. I shall yield in a moment.

Mr. FULBRIGHT. Furthermore, the representative of the Department of Justice clearly proved this in the course of his testimony. The purpose of the treaty is to clear up a small amount of claims; the largest one is $50,000.

Mr. Tyler, a career officer of the State Department, testified as follows:

> I would like to say if I may, just very briefly, that the great majority of these claims are of small amounts and are claimed by people who are elderly, in poor circumstances, and who are really in penury. They are not big claims and——

So we are not trying to come in the back door or trying to fool anyone. If such an effort was made, it should be laid at the door of the last Republican administration. I do not see how that has anything to do with the treaty, or with the nature of its submission to the Senate. This matter was not handled by means of proposed legislation, because the administration did not choose to amend the Trading With the Enemy Act, which affects many other matters, but wanted to enter into an agreement to dispose of this particular group of claims of elderly persons.

Mr. KEATING. Mr. President, will my colleague yield further to me?

Mr. JAVITS. I yield 2 minutes to my colleague.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. KEATING. Mr. President, in reply to the remarks of the Senator from Arkansas, I point out that nothing was said by the Senator from New York about "Democrat" or "Republican"; the Senator from New York did not use either of those words. That comment is something the Senator from Arkansas has injected into this debate. The same things happened under past administrations and under the present administration.

This is not a political attack; but it is an attack upon the approach used by the Department of State. But when there is on the statute books a law which states that this money cannot be turned over, and when the Attorney General tells us that it cannot be turned over, then in some quarters it is decided that the best way to proceed, in order to please someone in a foreign country, is to try to have the Senate ratify a treaty to this effect. That is what I am objecting to. The Senator from Arkansas is the only one who is considering this matter on a political basis.

This has happened time and again. I have discussed this question during previous administrations, and also during the present administration. I resent the action of the Department of State in trying to figure out some way to help nationals of foreign countries contrary to the laws of our country.

This matter should have been referred to the committee headed by the distinguished Senator from South Carolina [Mr. JOHNSTON] in the first instance, if there was a desire to achieve the result now called for. If that were done, and if the committee turned down the proposal, perhaps it could be submitted to the Senate in the form of a treaty.

But under the circumstances, the treaty is premature; and, in my judgment this subject should not now be before the Senate in the form of a treaty.

Mr. JAVITS. Mr. President, how much time remains under my control?

The PRESIDING OFFICER. Eleven minutes.

Mr. JAVITS. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

Mr. JAVITS. Mr. President, I think my credentials are as good as those of any other Senator in respect to not attempting to take or to invoke partisan advantage in connection with foreign policy matters of the United States. It really did not occur to me that the date of the negotiation of this treaty was during the Eisenhower administration.

I would never have referred to that point. But so long as it has been referred to, I should like to state that the treaty was laid aside from 1960 until today, and now it is brought up. I cannot assume for a moment that the State Department in this administration is supporting it in defiance of the wishes of the President.

I point out also that the Department of Justice has always had reservations about this treaty. Indeed, referring to page 9 of the committee report, the chairman, while questioning a witness, said—

> Before you do, my understanding is that the Department of Justice had reservations about the treaty before, and now supports it. Is that correct?
>
> Mr. DOUGLAS. That is correct.
>
> The CHAIRMAN. All right.

Mr. President, I do not think that it is proper for us to enter into a partisan hassle on the question. I do not choose to do so. I will let the question remain where it is at this point. I do not find fault with anyone on partisan grounds. But the Nazi holocaust and terror was one of the most awful events that ever assailed mankind, in the modern world or in the ancient world. It was one of the worst and most bestial occurrences that men have ever known in recorded experience. The treaty is symptomatic of the fact that we forget that tragedy all too soon.

When the measure terminating the state of war with Germany was brought before the House of Representatives, as I recall, the vote was some 376 to 1. The one vote was mine. As I recollect it, I voted "present." I then explained it by saying that I acted as I did at that time because I hoped we would not forget.

Mr. President, I have the deep feeling now that if the Senate should reject this treaty for the reasons which have been argued here today—and certainly the factual reasons are completely unchallenged—it would be saying to the world, "We will not forget."

The standard which would be established by this treaty—that to be denied the return of their money the recipients would have had to be war criminals—is completely exploded by the fact that even now trials of war criminals are still going on in Germany—20 years after the event. There may be other war criminals still undiscovered. I believe one can say with assurance that there still are. That is no standard to maintain.

The United States as a matter of considered policy has provided with respect to the return of funds of this kind that such return must be in the interest of the United States. That has been defined and construed, and the law has been applied to mean that funds will not be returned to Nazi Party members or those who applied for Nazi Party membership.

Nonetheless, in the treaty before the Senate that is precisely what would be done, in the face of that finding of fact.

Mr. President, to me such action seems intolerable. In this case, in which such a deep question of morality and principle is involved, whether the claims are small or large, the claimants should be denied the amount of their claims where the grounds are the prohibitions which are stated in the law.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 2 additional minutes.

Finally, the only argument which could move a person like myself to support such a treaty is the argument that we have made an agreement with another country. True, that country was certainly not our friend in other days, but it is our friend now. We have made an agreement with that country and must keep it. That is why I also argued the matter as a question of international law. I argued the question as to whether the 1955 treaty imposed such a commitment on the United States. Very clearly it did not. It did not because at the time we entered into the Austrian State Treaty in 1955, the very provision which I invoke now was already upon our statute books.

And the agreement with the Austrian State contemplated exactly such a situation, for it provided—and again I refer to the terms of the agreement—only for agreements to "return Austrian prop-

erty, rights, and interests as they now exist."

And those property rights and interests as they then existed, on June 17, 1955, provided precisely against the return of these very moneys to these very claimants, because they fell within the prohibition of American law with respect to such return. Therefore they have no rights at all and no such rights existed on June 17, 1955.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

Thus the only rights that would exist would be conferred now by this particular treaty. That is why I am against it. I shall vote against it. I hope the Senate will reject it. I believe it will be a very salutary lesson on the proposition that we do not forget that, whatever may be our friendships—and they are very great with Austria and with Germany—we shall never forget, and, so long as we can help it, I shall try to see to it that the world never forgets, the crimes that Hitler and the Nazis, to which the German people were unhappily and unfortunately a party, perpetrated upon all mankind.

Mr. FULBRIGHT. Mr. President, in view of the arguments that have been made, I do not know that there is much further to be said. However, I wish to point out that the treaty was submitted to the chairman of the Subcommittee on the Trading With the Enemy Act of the Committee on the Judiciary, which has jurisdiction over questions of the type now before the Senate. I have in my hand a copy of the letter dated April 5, 1960, which I received from the chairman of that subcommittee, Senator OLIN B. JOHNSTON, in which he said:

> I had a technical objection to the transferring of title to property vested in the United States in any manner other than by act of Congress. My objection ran more to the manner of the transfer than to the substance of the vital question involved. Since the title to the assets is in question and remains unsettled, I withdraw any objection I may have had to the ratification of the pending agreement.

We submitted the treaty to that subcommittee for comment, not on the basis that we acknowledge the procedure as proper, but because it deals with a question within the substantive jurisdiction of that subcommittee.

I do not know that there is much more to be said. The Senator from New York is entitled to his views about the role that Austria played in the last war. I felt then, and I feel now, that Austria was a victim of aggression, just as Poland and her other neighbors were. The fact that Austria was not so completely destroyed physically as Warsaw, is not particularly significant in light of the nature of the subjection by force and by fraud—particularly by fraud—on the part of the Nazis over the former Government of Austria.

In any case, Austria is now a friendly country. The agreement that we made with Austria in 1955 to return property to Austria was without any reservations. It did not provide that property would be returned only to those who had been acquitted of any complicity, either actual or by form, with the Nazi movement. The treaty did not mention that subject.

The argument was made that these provisions are coming in the back door, deceiving the American people. To me that argument had some overtones of a political nature. I regret that the Senator from New York has taken offense at my statement, but I thought it was an unnecessarily harsh way to describe the proposed method of dealing with a rather difficult question. The testimony before the committee is quite clear. The lawyers for the Department of Justice, who specifically approved the treaty, feel that the restrictions within the Trading With the Enemy Act are very narrow.

The State Department feels that the proposal is in the national interest. It would carry out in good faith our prior commitment in 1955.

I believe on all counts the proposed treaty is a proper way to settle a troublesome matter that has been bothering our relations with a friendly government now for a number of years.

I pointed out that it was signed in 1959. Here it is, nearly 5 years later, and we have not approved it. I hope the Senate will do so now.

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

Mr. JAVITS. Mr. President, will the Senator yield so that I may ask for the yeas and nays, while enough Senators are present?

Mr. JOHNSTON. I yield.

Mr. JAVITS. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, does the Senator from New York wish to proceed?

Mr. JAVITS. I thought the Senator from South Carolina wished to speak.

Mr. JOHNSTON. Mr. President, if Senators will note——

Mr. JAVITS. Mr. President, I yield 2 minutes to the Senator from South Carolina.

Mr. JOHNSTON. I wish to note that in the letter I wrote I said I thought the matter should be handled in a legislative way. That is my position now. We tried to pass an act that would care for those who were not connected in any way with the Nazis.

We did not not want any bill passed at that time that would benefit any Nazis. I do not want it to happen now. Property was being turned back for several years, but at no time did I, or the committee, or the subcommittee, advocate the turning over to Nazis of any property in the United States that was taken under the Trading With the Enemy Act. That is the whole question involved.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

I am grateful for the support of the Senator from New York and the Senator from South Carolina, who have pointed out other aspects of this question based on their experience in the Judiciary Committee which bears on the desirability that the Senate not approve this treaty.

I have one further point to submit, and that is the question of our relationship to Austria. Laying aside the question of whether Austria can be put in the same category as Poland, Czechoslovakia, or any other country overrun by the Nazis, I submit it is a different situation historically. The people who are to be penalized for losing their homeland are members of the Nazi Party or those who applied for membership—in short, not all Austrians, but those who lent themselves to Hitler's swallowing them up and making of them a tool in his effort to swallow up all mankind. In regard to these persons I think there can be no argument that it would not be against the national interest of the United States. It is a matter of deep moral feeling with me. So, no matter what may be the amount, we should not pay those claims, especially when the law forbids payment of such claims.

I hope, therefore, that the Senate will reject this agreement.

I am prepared to yield back my time.

Mr. FULBRIGHT. I yield back my time.

The PRESIDING OFFICER. Without objection, the agreement will be considered as having passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will now read.

The legislative clerk read as follows:

> *Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of an agreement between the United States of America and the Republic of Austria regarding the return of Austrian property, rights, and interests, signed at Washington on January 30, 1959. (Executive A, 86th Congress, second session.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification of Executive A, 86th Congress, 2d session?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Michigan [Mr. HART], the Senator from North Carolina [Mr. JORDAN], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], and the Senator from Utah [Mr. Moss] are absent on official business.

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

If present and voting, the Senator from California [Mr. KUCHEL] would vote "nay."

The yeas and nays resulted—yeas 66, nays 24, as follows:

[No. 43 Ex.]

YEAS—66

Aiken	Bayh	Bible
Bartlett	Bennett	Boggs

Byrd, W. Va.	Humphrey	Pastore
Cannon	Inouye	Pearson
Carlson	Jackson	Pell
Clark	Kennedy	Prouty
Cooper	Lausche	Proxmire
Cotton	Long, Mo.	Randolph
Curtis	Long, La.	Robertson
Dirksen	Magnuson	Russell
Eastland	Mansfield	Simpson
Edmondson	McCarthy	Smathers
Ellender	McClellan	Smith
Engle	McGee	Sparkman
Ervin	McGovern	Stennis
Fong	McIntyre	Symington
Fulbright	Miller	Thurmond
Hartke	Monroney	Tower
Hayden	Morton	Walters
Hickenlooper	Mundt	Williams, Del.
Hill	Muskie	Yarborough
Holland	Neuberger	Young, N. Dak.

NAYS—24

Allott	Goldwater	Mechem
Beall	Gore	Metcalf
Brewster	Gruening	Nelson
Burdick	Hruska	Ribicoff
Case	Javits	Scott
Dodd	Johnston	Talmadge
Dominick	Jordan, Idaho	Williams, N.J.
Douglas	Keating	Young, Ohio

NOT VOTING—10

Anderson	Jordan, N.C.	Moss
Byrd, Va.	Kuchel	Saltonstall
Church	McNamara	
Hart	Morse	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the resolution of ratification.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. FULBRIGHT. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

A.T. & T. SEEKS MONOPOLY IN INTERNATIONAL COMMUNICATIONS

Mr. LONG of Louisiana. Mr. President, the one feature which has made the American free enterprise system more effective than other systems has been the competitive nature of the system. This Nation, being by far the largest of our capitalistic nations, might well have seen opportunity for emergent competitors snuffed out by the growth of giant monopolies.

The American dream of a system in which every person could rise to the top as a leader of both the political and economic systems has been kept alive by our antitrust laws which prevent a few large concentrations of wealth from destroying the ability of others to compete.

During recent years there has been considerable suggestion in some of our so-called conservative newspapers to the effect that our antitrust laws are out of date and that this Nation should no longer resist the trend toward ever greater concentration of economic power in the hands of an ever smaller number of ever more mighty individuals and corporations. Sometimes this Senator has wondered at the motivation of such editorial writers and such newspaper publishers. He has wondered, for example, to what extent the editorial policies have been influenced by their larger advertising accounts.

Nevertheless, in spite of the poor performances of both Democratic and Republican administrations during the past 10 years in the field of antitrust enforcement, this Nation still pays lipservice to—and I am confident that the great majority of our people subscribe to—both the letter and the spirit of our antitrust laws, commencing with the Sherman Act of 1890.

It is unfortunate that our entire governmental system seems to have a blind spot when it comes to the one powerful commercial enterprise which seems to have grown so great and strong that a fair question arises whether Government is sufficiently powerful to regulate this monopoly at all. I refer, of course, to the system of corporations owned, for the most part, and controlled entirely, by the American Telephone & Telegraph Co. The various subsidiaries of that corporation are as follows:

New England Telephone & Telegraph Co.
New York Telephone Co.
New Jersey Bell Telephone Co.
Bell Telephone Co. of Pennsylvania.
Diamond State Telephone Co.
Chesapeake & Potomac Telephone Co.
Chesapeake & Potomac Telephone Co. of Maryland.
Chesapeake & Potomac Telephone Co. of Virginia.
Chesapeake & Potomac Telephone Co. of West Virginia.
Southern Bell Telephone & Telegraph Co.
Ohio Bell Telephone Co.
Michigan Bell Telephone Co.
Indiana Bell Telephone Co., Inc.
Wisconsin Telephone Co.
Illinois Bell Telephone Co.
Northwestern Bell Telephone Co.
Southwestern Bell Telephone Co.
Mountain States Telephone & Telegraph Co.
Pacific Telephone & Telegraph Co.
Bell Telephone Laboratories.
Western Electric Co., Inc.
195 Broadway Corp.
Southern New England Telephone.
Cincinnati & Suburban Bell Telephone Co.
Bell Telephone Co. of Canada.

This giant corporation has a present book value of approximately $30 billion. Latest figures on net income of this corporation place it at more than $1.5 billion—in 1963. The assets of this corporation are greater than General Motors and Standard Oil of New Jersey combined. The income of this corporation exceeds the combined income of the governments of 30 American States. The income of this corporation is more than half that of the Government of the United Kingdom. The extent to which the influence of this corporation reaches in the business, political, and even social fields, is almost beyond description. Almost every chamber of commerce has a group of executives of this corporation or its subsidiaries among its more active members and at least one or more of them on its board. Practically every civic group has executives of this corporation or its subsidiaries among its more active members. If one were seeking to employ a member of one of the outstanding law firms to represent him in a suit against this corporation, the odds are substantial that whichever firm he approached would be among those retained by A.T. & T.

During the course of the debate over the space satellite bill, I emphasized that, in a number of respects, the Federal Communications Commission has never achieved, and, in some respects, has not even attempted to achieve, those first essentials necessary to the effective rate regulation of the American Telephone & Telegraph Co. in its interstate activities. In its international activities, there appeared to be little indication that the FCC had made so much as a feeble effort at the time of the satellite fight to regulate the oversea rates of A.T. & T. A study of the whole problem fairly raises the question whether government has the power and is itself sufficiently above the influence that can be brought to bear by so powerful a commercial giant to regulate this monopoly in the public interest.

Because the company's power is so tremendous and the influence of the monopoly so great, there seem to be some who prefer to pretend that the problem does not exist. Undoubtedly, this latter approach is easier than the painful task that confronts a conscientious Government servant when he undertakes to do his duty as the antitrust laws would suggest. A number of illustrations could be given to show that it is certainly safer for one in Government to duck or ignore his responsibility along this line.

I would hope that the appointment last year of Mr. E. William Henry as Chairman of the Federal Communications Commission and of Judge Lee Loevinger, who has made a fine record in the field of antitrust enforcement, as a member of that Commission, will represent an improvement in the FCC, a facelifting in the attitude of the FCC toward the monopoly problem. It is my hope that these men will help to lead the way toward the proper regulation and the correction of the monopoly problem that exists in the communications field.

In 1913, before A.T. & T. was nearly so powerful a force or tremendous as it is today, the Department of Justice required the company to divest itself of its Western Union stock. This made way for the separate development of competitive voice and nonvoice communications industries.

In the field left to it—that of voice communications—A.T. & T. became the world's largest protected monopoly. This corporation now has 100-percent monopoly of international voice communications originating in this country and it has 85 percent of all telephone business within the United States. Notwithstanding the 1913 action by the Department of Justice, A.T. & T. has succeeded in taking over much of the profitable part of the record communications field

through the use of leased circuit teleprinters and data transmission service.

Now, Mr. President, the American Telephone & Telegraph Co. has recently filed an application with the Federal Communications Commission seeking permission to transmit both voice and record—written—communications. Since this giant corporation already has a 100-percent monopoly in international voice communications, a near monopoly in domestic voice communications, and a dominant position in domestic record communications, this application raises some serious and fundamental issues.

If this application is granted, the American Telephone & Telegraph Co., with its incredible resources and advantages, will undermine and eventually destroy the viability of the international telegraph companies—International Telegraph & Telephone Co., Radio Corporation of America, and Western Union International. It will create a monopoly in international communications, and it will do irreparable harm to the national interest. Thus, one private company will have a stranglehold on the international as well as the domestic communications of this country. To permit the tremendous A.T. & T. corporation to expand its operation to include international record transmission would be like placing a garfish in a goldfish bowl: In a short while all that remains is one fat garfish.

The issue is not just a problem between A.T. & T., I.T. & T., R.C.A., and a few others. Communications are the very lifeblood of modern society, and there are very few, if any, questions that can arise at this time which are more important than this one.

Let us look for a moment at the present structure of the U.S. international communications industry.

In voice communications A.T. & T. became the world's largest protected monopoly. It has a 100-percent monopoly in international voice communication, and has 85 percent of the telephone business within the United States. Furthermore, in the record communications field, A.T. & T. has taken over much of the profitable part of that business through the use of leased circuit teleprinters and data transmission services. Western Union has been left with the transmission of general telegrams, the least profitable of many possible telegraphic services.

In the field of international record communications, however, competition has developed while the needs of the public are being served efficiently. Companies like International Telegraph & Telephone, Radio Corp. of America, and Western Union International are making important technical contributions in nonvoice transmission.

A.T. & T. SEEKS TO EXTEND MONOPOLY TO NEW FIELD

With the completion of its new transatlantic cable—TAT–3—A.T. & T. now wants to provide both voice and record transmission services for commercial clients. It is important to note that in a few years the most important part of international communications will be data transmission, computer, facsimile and other forms of record communications rather than the voice variety. The attempt to insert itself into this new field constitutes one further step by this huge company, using its complete monopoly over international voice communications and its 85 percent control over domestic voice transmission, to force out the much smaller record communications companies, which compete among themselves. A.T. & T. can do this quite easily by merely failing to make available the channels required by the record carriers and controlled by A.T. & T. or—and this is more important—by the use of the tied-in domestic customer-gathering facilities from their huge domestic telephone service.

Now, Mr. President, this action by A.T. & T. is the culmination of other actions with the same objective in mind. In its application to provide TAT–1 cable facilities in 1953, A.T. & T. sought successfully to use and interconnect with radio. In order to secure permission to do this, A.T. & T. stated in a letter to the FCC dated November 21, 1963:

> The American Telephone & Telegraph Co. has no thought of entering the field of international telegraph communications.

In 1959, however, the FCC authorized A.T. & T. to furnish the Defense Department both voice and nonvoice communications via the transatlantic cable solely on the basis of defense needs. At the same time, the FCC emphasized that the record communications companies should be given the same opportunity, and were authorized to provide the same service. The FCC accepted in good faith an assurance by A.T. & T. that it would not seek entry into the international commerical telegraphic field and that its only desire was to meet a defense need.

Having absorbed that field, the intrusion by A.T. & T. into the commercial field is another attempt by this huge corporation to secure for itself the most profitable parts of the record communications business and leave the remaining bare bones to competitors, who eventually would be squeezed out of the business. I earnestly hope that the Federal Communications Commission will pay more attention to competitive matters than it has in the past and will include competition in its definition of the public interest, convenience, and necessity. If A.T. & T. were permitted to transmit record data, and other nonvoice services by its submarine cable, A.T. & T. would soon eliminate other competitors because of its overwhelming dominance of the telephone system in the United States, and its ability to interconnect its domestic phone system with its oversea customers. The telegraph communication companies do not have this advantage. It is my impression, nevertheless, that the telegraph carriers are ready and able to transmit both voice and nonvoice messages fully as efficiently and cheaply as A.T. & T. proposed to do.

DEPENDENCE OF OTHER CARRIERS ON A.T. & T.

An underlying fact that should never be forgotten is that all the international telegraph companies are dependent on A.T. & T. to lease them channels in its transatlantic cables. These have been leased by A.T. & T. on condition that they should not be used for voice communications.

Here is an example where A.T. & T. has been using its tremendous power to keep other companies out of the international telephone business while at the same time invading the territory of these other companies.

Mr. President, this is clearly unfair, RCA, I.T. & T., Western Union International and any other carrier should be allowed to compete with the giant A.T. & T. in any way whatsoever, and it is hoped that the Federal Communications Commission at the earliest possible opportunity will provide that all international telegraphic companies will be able to send voice messages overseas.

RCA, I.T. & T., Western Union International, and other international record carriers have already indicated that they are willing to buy outright a number of channels in the new TAT–3 cable and are prepared to pay their proportionate part of capital and maintenance costs. Using its great power, A.T. & T. has suspended negotiations on this matter in an attempt to discourage the international record carriers from opposing A.T. & T.'s action in entering their field. See I.T. & T.'s petition to FCC in file II P–C–4714–M–1.

CONSTRUCTION OF CABLE BY OTHER CARRIERS

To avoid being excluded or discriminated against by A.T. & T., the present owner of the transatlantic cables, the competing companies have asked FCC for permission to construct a new transatlantic cable TAT–4. If this is granted, dependence on the arbitrary behavior of A.T. & T. would be reduced.

The fundamental, underlying problem, however, is that posed by the great power of the American Telephone & Telegraph monopoly. We cannot avoid this issue much longer.

Congress faced a similar problem in 1954. As a condition for the merger of Western Union and Postal Telegraph Co., Congress decreed that this combination would be too powerful in record communications and that Western Union must divest itself of its international activities.

The difference is that A.T. & T. is vastly more powerful, more monopolistic, than Western Union ever was or ever hoped to be. According to the implied expression of Congress, all domestic telegraph services would fall within the province of the telegraph company. Western Union fully expected that in fulfilling the congressional mandate, A.T. & T. would sell its TWX and telegraph market to Western Union. This sale, however, was never consummated. Today, as a consequence, A.T. & T. accounts for about 50 percent of public record business.

We have, then, the following situation:

For making Western Union the chosen instrument in domestic record services, it had to spin off its oversea business—yet it never acquired the status of sole supplier of domestic record services.

A.T. & T., on the other hand, is not only dominant in the domestic nonvoice

market, but is the sole supplier of oversea voice communications.

It is patently unfair to have demanded divestiture by Western Union of its international activities and not of the American Telephone & Telegraph Co. This unjust, double standard should now be remedied, and I hope that this problem is now being considered.

CONCLUSIONS AND RECOMMENDATIONS

The heart of the matter lies in the threat to destroy the little competition there is and the creation of a supermonopoly controlling all forms of communications. To prevent this from happening, I make the following recommendations:

First. A.T. & T. should definitely be kept out of oversea record communications.

Second. Competition should be stimulated among the international communications carriers by making voice communications available to all record carriers. RCA, I.T. & T., and Western Union International would thus be able to carry alternate voice and nonvoice communications. It is my understanding that modern technology has obliterated the differences between these two types of communication.

Steps should be taken to require the divestment by A.T. & T. of its international operations. The new international company resulting from this divestiture should then be allowed by the FCC to carry both voice and nonvoice, thus adding a fourth competitor to the other companies in international communications. In time, perhaps, these competitors may wish to challenge the dominant position of A.T. & T. in the domestic field. This development should certainly be encouraged.

Third. In addition to this, the communications satellite corporation could, and, in my opinion, should become a fifth competitor in the international communications field. Of course, I regret to say that the communications satellite bill, which I opposed, actually placed controlling stock in the communications satellite within the grasp of existing carriers. At that time, this Senator opposed the Comsat bill for a somewhat different reason from that of a majority of those that opposed it. It was my feeling that our objective should be to bring about maximum competition among private carriers in accordance with President Kennedy's declaration rather than to move through Government ownership.

If we in Government, both in the Congress and in the executive department, have the courage and the intellectual honesty to recognize this monopoly problem for what it is, we shall pass on to our successors an America greater in wealth, size, and population and also greater in commercial freedom and economic opportunities. The destiny of our system depends upon our capacity to measure up to such challenges as this.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4638) to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The Chair, in behalf of the President pro tempore, announces the following appointments:

To the U.S. Delegation to the 18-Nation Conference of Arms Control and Disarmament Agency, Geneva, Switzerland: Senators CLARK, PELL, HICKENLOOPER, and CARLSON.

To the Board of Visitors to the Merchant Marine Academy: Senator NELSON.

THE CIVIL DEFENSE PROGRAM

Mr. INOUYE. Mr. President, the Washington Post is an old and respected newspaper—a newspaper of great influence in the Nation's Capital and with a correspondingly great responsibility to its readers. I count myself as a longtime reader and admirer of the Washington Post. For that reason I was a little surprised to read its recent editorial, "Civil Offense."

This editorial dealt in a rather casual manner with a very serious and important subject—the protection of the people of the United States from the effects of a nuclear attack.

As you know, I was near Pearl Harbor on December 7, 1941, and I saw the effects of the Japanese attack on that outpost of our country. By today's standards, that attack was very light, but to the people who experienced it, it was a tragedy of great proportion. Today, all of this country is as exposed to attack as was Pearl Harbor that tragic Sunday morning; and the effect of the weapons that could be brought to bear on every section of this country would be infinitely greater and the destruction indescribable. My personal experience has led me to take a strong interest in the means of protecting the citizens, not alone of Hawaii, but of all the 50 States. As a Member of the Senate, I believe that it is my responsibility to do everything in my power to insure that the common defense provides every possible ounce of protection to the people of this country.

The editorial writer of the Washington Post was apparently unaware that Mr. Robert McNamara, our very able Secretary of Defense, has described the fallout shelter program as "an integral and essential part of our overall defense posture" and added that "the very austere civil defense program recommended by the President should be given priority over procurement and deployment of any major additions to the active defense." The writer seems to have missed the statement by Gen. Earle G. Wheeler, Chief of Staff of the U.S. Army, who declared that "civil defense is clearly a major element of total U.S. security effort."

General LeMay, commander in chief of the Strategic Air Command, General Gerhart, commander in chief of the North American Air Defense, and numerous others of our most responsible military men have emphasized that the fallout shelter program is essential to our national defense.

In its editorial, the Post implied that the Department of Defense was guilty of bad faith in proposing the fallout shelter program by saying:

> If the Defense Department actually considered fallout shelters worth their exorbitant cost, it would not have made them a matter of voluntary and therefore arbitrary cooperation on the part of the citizenry.

Now I cannot believe that Mr. McNamara, the Secretary of Defense, Mr. Steuart Pittman, the Assistant Secretary of Defense for Civil Defense, the Joint Chiefs of Staff, and the other military leaders who have participated in the development and who have supported the fallout shelter program are guilty of misleading the President, the Congress and the citizens of this country. Neither do I believe that the House Armed Services Committee, under the able leadership of Chairman VINSON, was misled when, after devoting some 2 months to a hearing on the fallout shelter development program and after listening to over 100 witnesses, it voted overwhelmingly to report the authorization bill favorably. Neither do I believe that the Members of the other House were in error when they voted by a margin of almost 3 to 1 to approve the fallout shelter program.

More recently, the National Academy of Science assembled a group of approximately 60 distinguished scientists and engineers drawn from universities, private industry, and governmental organizations to examine the local effects of enemy attacks on the United States and the problems of civil defense, now and in the future. I will not go into the details of the "Harbor Study" as a summary of the views of the study group can be obtained from the National Academy of Science. It is sufficient to say, however, that it is their conclusion that the present program was based on sound considerations and would provide a necessary base for any increase in effort to improve our defense and our ability to recover from a major attack.

If, as the Washington Post declares, the Defense Department does not believe that fallout shelters are worth their so-called "exorbitant cost," who is responsible for similarly misleading the Government of Soviet Russia and of those two sober and serious-minded countries, Switzerland, and Sweden, to name but a few, that are also providing their citizens with the practical protection of fallout shelters.

To revert for a moment to the editor's phrase, "exorbitant cost," I should like to again refer to Secretary McNamara's testimony before the House Armed Services Committee in January 1964 in which he said:

Fallout shelters could contribute much more, dollar for dollar, to the saving of lives in the event of a nuclear attack upon the United States than any further increases in either the Strategic Retaliatory or Continental Air and Missile Defense Forces.

I would like to add one more remark with reference to this editorial which describes fallout shelters as "costly illusions," and says that they are "much better suited for mushroom growing since they tend to be dark and uninhabitable by human beings." Perhaps the writer of the editorial will accept the testimony of his own eyes. If he will take the time to visit the new Rockinghorse School in nearby Rockville, he will see a fine example of fallout shelters that are neither dark nor uninhabitable. As a matter of fact they are used as classrooms every day by the children of that community, perhaps even by the children of some of the employees of the Washington Post.

Before closing, I ask unanimous consent to include as part of my statement, an excellent interpretative report from the Washington Evening Star of February 6, 1964, by Richard Fryklund, entitled "Lives Versus Defense Cash." That title sets forth the heart of the problem with admirable simplicity—are we willing to spend a relatively small amount of civil defense dollars to save the lives of millions of our fellow citizens?

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

LIVES VERSUS DEFENSE CASH

(By Richard Fryklund)

Around election time President Johnson will face a defense decision which could, remotely, save or lose scores of millions of American lives and that most certainly would, if he says yes, jump his military budget by $3 billion a year.

No one can say today how the hard cash will stack up against the theoretical lives. Pentagon officials say the decision looks like a tossup now.

If the President says yes, the Defense Department will start to buy a group of weapons and protective measures called the continental defense package.

In the package are an antimissile missile, a new interceptor aircraft, fallout shelters, and improvements to the command and control network.

The exact cost of the package is difficult to calculate in advance, but it could run $20 to $30 billion. The improvements would be made gradually, but the cost in the coming 5 years, according to the Pentagon, would average $3 billion annually.

Mr. Johnson and Secretary of Defense McNamara are making a great effort today to keep defense spending from rising—and they are just barely succeeding. The continental defense package would ruin that effort.

THE QUESTION OF LIVES

But the package just might save half the American population.

The number of dead that could result from a nuclear war with Russia cannot be calculated exactly, but every study of every conceivable war situation indicates that millions would die—anywhere from a few million in a small, clean war to 150 million in a wild, city-slaughtering contest.

The United States invests $7 billion a year now in an effort to hold down the casualty lists. About $5 billion is for strategic weapons, which would have the basic assignment of destroying long-range weapons which the enemy could otherwise shoot at Americans.

About $2 billion is spent directly on continental defense—intercepter planes, antibomber missiles, civil defense and warning, communications and control nets.

STEPPED-UP THREAT

All the continental defenses except shelters were designed to save lives during an attack by relatively slow (subsonic) bombers. The Russians now, however, are building ICBM's and may be acquiring a supersonic bomber. The number of lives potentially saved per dollar spent on continental defense is diminishing steadily.

Obviously continental defenses should be revamped so that they can handle the new threats.

This is what the proposed package would do.

The anti-ICBM, called the Nike-X, is designed to intercept and destroy enemy missiles. The new interceptor would handle supersonic bombers. The control network would be designed to survive the missile attack and permit American leaders to direct the defense. The shelters would protect people from fallout.

The package poses some questions, however.

CHANCES OF WAR

First, how likely is the war? No country can afford to buy everything its armies would ever remotely need, so arms are parceled to meet crises and wars that reasonably could happen.

No one in the Pentagon today believes that a general nuclear war is likely. Mr. McNamara says the United States and Russia are entering an era of mutual deterence in which each side scares the other into avoiding nuclear wars at almost all costs.

But at the same time there are no guarantees against accidents, miscalculations, and stup'dities.

Most officials say, then, that a general nuclear war is almost—but not quite—impossible.

WOULD THEY DO THE JOB?

The second question is, Will these new weapons work? Particularly, will the Nike-X do its job?

The Nike-X missiles and their complex radars are being tested now. Officials say Mr. Johnson will know this fall how good they are.

If they add up either to a great success or a failure, his decision on the package will be easier. Tests so far show, however, that Nike-X probably will be useful in some kinds of possible wars but not others.

It certainly will be able to destroy a simple force of attacking missiles, but it probably will be of marginal value only against a sophisticated raid (decoys, jamming, and evasion) or a massive attack.

The proposed new interceptor plane most likely will be effective—provided the Russians really are building a new, fast bomber.

The command and control will probably work.

Shelters, according to all Pentagon calculations, will be the most effective lifesaving device of all. Even without other new weapons, shelters will save many millions of lives at a relatively low cost. But without shelters, Mr. McNamara is convinced, the other continental defense weapons would make little significant difference in lives saved.

COULD IT BE OVERCOME?

A third question is, How easy will it be for the Russians to overcome the new defenses?

The best estimate now is that if American goals are modest—that is, to save only one-half of the American people in time of an all-out attack, it would cost the Russians as much to overcome the defenses as it would for the United States to set them up.

Russia would have to overwhelm the protected cities and also destroy small towns in order to kill half the Americans.

Russia probably cannot afford to buy a force that could do this; therefore they probably would not overcome the defenses; therefore the "modest" American program becomes more attractive.

If the American goal is more ambitious—that is, to save 70 to 80 percent of the population—Russia could probably nullify much of the American effort for one-third of the American investment. Russia could hit only the largest cities with a sophisticated attack and kill more than 20 to 30 percent of the Americans.

Is it worthwhile in the nuclear age to make a great and expensive effort to save lives that the enemy can destroy with a small effort? This is the sort of question that turns Presidents' hair gray.

A VALUABLE BOOK ON POVERTY

Mr. HUMPHREY. Mr. President, I want to call to the attention of the Senate the publication of "The Wasted Americans" by Edgar May. This is a very timely book, coming out at a time when President Johnson has declared an all-out war on poverty.

This book is written by a young newspaperman who won a Pulitzer Prize in 1961 for articles on welfare problems in the city of Buffalo. Mr. May brings to his work a wealth of experience because in gathering material for those articles, he worked as a caseworker and is familiar with the special problems poverty presents in our large cities.

Mr. May makes a very good point that the welfare departments in the United States "have become the funnel of failure, a failure which belongs both to the individuals concerned and to the communities in which they are located."

He wisely points out that unless there is a national attack on poverty coordinating all of the best efforts of Federal, State, and local governments, we can expect little more than rising welfare costs and a greater intensification of the social problems we find in our cities.

Mr. May's book is one that I recommend to all Members of the Senate and I also would like to call to the attention of the Senate a review of Mr. May's book which appeared in the Minneapolis Sunday Tribune. This review was written by a district judge, Luther W. Youngdahl, a former Governor of my home State of Minnesota. Mr. President, I ask unanimous consent that Judge Youngdahl's review be printed at this point in the RECORD.

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

[From the Minneapolis Sunday Tribune, Feb. 9, 1964]

"THE WASTED AMERICANS": POVERTY IN SLUMS CALLED SHOCKING

(Reviewed by Judge Luther W. Youngdahl)

With our national leaders calling for a massive attack on poverty, "The Wasted Americans" is being published at an opportune time.

I feel sure it will be a shocking thing, in this land of abundance, for the average citizen to learn about the extent of poverty in a city slum.

We who reside in the Nation's Capital have just been furnished with statistics which indicate that almost 1 in 10 of the 173,695 families in Washington, D.C., live in abject poverty and must do without the bare necessities of life. Another 32,277 families live on incomes ranging from $2,000 to $3,999 annually.

Although, in certain aspects, Washington presents a special problem of its own, May's book proves that these conditions exist generally in the large cities of our country.

"The welfare departments in the United States," he says, "have become the funnel of failure, a failure which belongs both to the individuals concerned and to the communities in which they are located.

"The names on the relief rolls," he points out, "include the unskilled whose job opportunities are shrinking daily; they include the deskilled whose jobs have been absorbed and those who never have been motivated sufficiently to look for a job where tenure is measured in more than days and weeks.

"They, their children and their women are the flesh and blood behind today's potpourri of domestic problem phases. They are the people behind studies about school dropouts, automation, illegitimacy, race prejudice, illiteracy, and many others."

In a pointed challenge to the numerous welfare agencies he says, "It is high time that the heads of a variety of agencies, including housing, health, unemployment and education, be welded into an effective team under the highest State and city leadership."

Local school officials, he says, must provide teachers and facilities that will permit, welfare departments to organize classes for relief recipients who fail even basic tests of literacy and homemaking. They must become full partners, says the author, in correcting earlier educational deficiencies.

The author, a 1961 Pulitzer Prize winner, maintains that the Nation can expect little more than high relief bills so long as Negro housing and income remain at the low watermark of the statistical chart. The high cost of relief, he says, reflects the high cost of prejudice.

A faulty educational system, inadequate housing and racial bias are just some of the factors that add to the numbers of wasted Americans, May says.

In a readable and dramatic way he pictures a teenager with a minimum of education telling how he feels after months of failure to get a job; a mother faced with the dilemma of bringing an illegitimate child into an already overcrowded family; a lonely old woman filling her empty days with pointless, trivial activity—"anything not to think."

This is a book every American interested in the cause of perpetuating our freedom should read. It is imperative, as this book points out, that we massively attack poverty in our Nation. But, as we do this—and, more importantly, seek to change the whole social environment in which poverty breeds—we must simultaneously concentrate our efforts upon education of the young, manpower retraining, technological change, family life, regional economies, and race relations.

THE REVOLUTION OF 1963

Mr. HUMPHREY. Mr. President, recently John M. Pratt, counsel to the Commission on Race and Religion, National Council of the Churches of Christ in the United States, addressed the Alumni Ministers' Conference at Union Theological Seminary in New York City.

Mr. Pratt discussed the involvement of the commission and the National Council in the revolution of 1963, the revolution for equal rights which is sweeping this land. Mr. Pratt can speak with impressive authority on these matters because he has been personally involved in the most difficult areas of struggle of this revolution. I believe every Senator would find this address to be an impressive, courageous, and moving document of how men and women were willing to fight and die to preserve freedom in America. Therefore, I ask unanimous consent that the address by John M. Pratt, "The Revolution of 1963," be printed at this point in the RECORD.

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

THE REVOLUTION OF 1963

(An address by John M. Pratt, counsel to the Commission on Religion and Race, National Council of Churches, to the 13th Annual Alumni Ministers' Conference, Union Theological Seminary, New York City, January 7, 1964)

It has been called the revolution of 1963. It had been smoldering longer than most of us knew or cared to realize, but it was 1963 that witnessed the full force of the conflagration. When Martin Luther King, Jr., strode from the steps of the 16th Street Baptist Church last April 12 into the waiting arms of "Bull" Conners and the Birmingham Police Department, the Negroes' struggle became at last the Nation's concern. We read first of the fire hoses, then the dogs, then the high-powered rifles, then the dynamite which followed in the wake of that walk. We saw the 60 arrests on that April 12 grow to an estimated 50,000 by year's end. We heard the plea of the few that day become the clarion call of 18 million American Negroes before the year was over—"freedom, freedom, freedom—now."

For many Americans the events of the year broke as a thunderstorm and they asked, "Why 1963?" Why should a people who have been characterized by patience and long suffering for over 200 years suddenly rise from the Negro quarters of the southern cities and the ghettos of the North and take to the streets and the jails in ever-growing numbers?

The roots of the revolution are as old as America itself. The 250 recorded slave revolts in the early years of our Nation's existence witnessed to the Negro's demand to be treated as a person. Frederick Douglass' passionate pleas for Negro citizenship spurred on the abolitionists, and the passage of the 13th, 14th, and 15th amendments brought the Negro a step nearer his goal. There was formal freedom at last, but not freedom in fact. At the turn of the century, in the writings of William E. B. DuBois, who called upon his people to educate their leadership, and Booker T. Washington, who cried out for vocational education for the Negro masses, was an insistence that the Negro claim the rights and privileges due him as an American.

But if these early leaders and events sowed the seeds for the revolution of 1963, it was the Supreme Court of the United States, in the historic decision of *Brown* v. *Board of Education* in 1954, which opened the way for the full flowering of the revolt. For Brown did more than open schools—it removed from the books of constitutional law the inferior status of the American Negro—a status made explicitly unconstitutional by the 13th amendment but nevertheless given constitutional sanction by the "separate but equal" doctrine of *Plessy* v. *Ferguson* in 1896.

Following the Court's decision in *Brown* v. *Board of Education*, the revolt began to take shape. Its nonviolent character was born in 1955 when Rosa Parks quietly but determinedly refused to give up her seat on a bus in Montgomery, and the "Montgomery walk" began. The executive branch of the Federal Government was drawn into the growing struggle when Federal troops were called to Little Rock in 1957. And a new generation of Negroes—the students—made their parents' battle their own and gave it new force and vitality when they began the sit-in movement in Greensboro, N.C., in 1960.

Yet all this was still a prelude to 1963. All that had gone before came to a climax, and much that was new was added. The frustrations of 10 years of futile negotiations trying to implement the *Brown* decision on a voluntary basis, the new militancy of such old organizations as NAACP and CORE, the specter of automation and the prospect of permanent unemployment in America, the sight of the new freedoms won and enjoyed by their African ancestors, the vivid presentation of the Negro's plight by a brilliant new generation of Negro authors, and the impatience of youth, these, perhaps, are some of the old factors which coalesced to make 1963 the year. And the new that was added? First, and perhaps foremost, was the fact that the white press suddenly started giving the story of the Negro the coverage it deserved. And then in midsummer the church, which had spoken so piously and correctly for so long, took to the field. Dr. Eugene Carson Blake's arrest in Baltimore on July 4 was not the first, nor the last, arrest of a prominent clergyman engaged in an act of civil disobedience last year, but it was the most symbolic, for it told the world that some white Christians were ready at last to join the Negro in the streets—and jails—of America. And the 20,000 to 40,000 white Christians who stood with their Negro brethren before the Lincoln Memorial on that historic day last August eloquently reaffirmed his pledge. Lastly, the moral force of the Office of the President of the United States was committed to the battle. Eisenhower had sent troops but remained silent. John F. Kennedy broke that silence—calling for justice for the Negro and demanding legislation which would begin to bring about that justice—until his voice was stilled. The press, the church, the Presidency, these were added to the struggle.

And so, out of it all—the old and the new—came, perhaps the strangest revolution in man's history. Strange because the revolutionaries of 1963 wanted "in" and not "out" of the American society. They were seeking not to haul down the banner of democracy but to raise it in cities and towns and States where it had been struck down and trampled underfoot by steel-helmeted police and publicly condoned mobs. Strange because its advocates preached and to a remarkable degree practiced nonviolence. It was the established order which resorted to mob action and terrorist tactics. And strange because, as it grew in intensity, the revolution attracted the support of most of the bastions of the society it was trying to change: particularly the church and the National Government. But even the business and legal communities showed signs of joining the struggle on the side of the "outs."

Because of the vividness—and the tragic quality—of all that has happened during the past year, it is hard for us to appraise objectively the revolution we are going through; yet it is important that we try to look beyond the bitter headlines and go deeper than the myopic slickness of Time magazine and ask how has the revolution fared?

In terms of the alleviation of the problems which confront the American Negro both in North and South, precious little progress has been made. A few more white schools have been opened—mostly by virtue of a court order and always on a token basis only. Not one Negro today attends a public school with a white person in Mississippi. Not one of Mississippi's 85 Negro high schools is an accredited high school. In nine Deep South States only 5,621 Negroes out of 2,419,000 enrolled Negro students were in desegregated

schools—9 years after *Brown* v. *Board of Education*, which meant that only 1 Negro child in 500 has a chance to receive a decent education. Two-thirds of the 6,197 school districts in the 17 Southern and border States plus the District of Columbia were still segregated as of last August 31.

A few more Negroes were allowed to register and vote in 1963, but not many, and then often only after extensive litigation. The U.S. Civil Rights Commission has examined voting statistics in 100 hard-core southern counties and, in their September 1, 1963, report, indicated the percentage of eligible voting age Negroes who had been allowed to register to vote. The figures speak for themselves: 13 Alabama counties, 12 percent of the Negroes are registered; 5 Florida counties, 3½ percent; 15 Georgia counties, 14 percent: 15 Louisiana counties, 7 percent; 7 North Carolina counties, 15½ percent; 5 South Carolina counties, 7½ percent. But, as might be expected, Mississippi leads the field in these statistics, too. In 38 Mississippi counties 172,866 whites are registered—that's 69 percent of all whites of voting age—while 2,267 or 1.1 percent of potential Negro voters are registered. Six of these 38 Mississippi counties haven't a single Negro voter; 12 others have less than 10. Despite the institution of 55 voting rights suits by the Department of Justice between 1957 and August 1963, today 92 percent of the 668,000 voting age Negroes in these 100 hard-core counties of the South still cannot cast a ballot.

In 1963 a few more Negroes received just treatment in the courts and prisons of America—but not many. In September I stood in a courtroom in Savannah and heard the leader of the Chatham County movement sentenced to jail for contempt of court for daring to say publicly what every white man in the courtroom knew and many were saying privately—that the judge's conduct of his court constituted a mockery of justice. This judge had just made 19 youths who had already spent over a month in jail—not for the conviction of any crime but because they could not post peace bonds—choose between staying in jail indefinitely or going free by signing a statement which he had written in which they were to admit that demonstrations were harmful to the community.

A few weeks earlier I had stood at the gates to the death house of the Mississippi State Prison awaiting the release of 13 young freedom fighters who had spent over 50 days in jail. They had been arrested when they went to a deputy sheriff to ask for protection after the church in which they were holding a voter registration meeting had been tear gassed. They were sent from the county prison farm to the death house of the State penitentiary when they refused to work on the chain gangs because their lives had been threatened by white prisoners. In the death house they were stripped naked; by night they were forced to sleep on steel bunks without mattresses—bunks made icy cold because the guards turned on the blowers—and they were kept in "hot boxes" by day. When they tried to sing or pray or talk aloud in their cells, they were spread-eagled on the bars and forced to hang all day. This is the quality of southern justice and the conditions of southern jails. I might add, parenthetically, that after we had left the prison I recall vividly feeling myself breathe easier when we reached the main highway, and then marveled at the courage of these youngsters. Because the first word that any of them said was, "Man—now we can sing again." And they did. They sang "Oh, Freedom," "We Shall Overcome," and other freedom songs most of the way home.

In 1963 a few more Negroes were given jobs in industries previously closed to Negroes or in positions never before filled by Negroes, but not many. A few more Negroes found homes in previously all-white apartments or previously all-white neighborhoods or communities, but again not many.

And so I say let us not be Pollyannish in viewing this revolution. In terms of its concrete results, it has accomplished little.

Yet few would say that the revolution has failed or been in vain. For if little was changed, much was revealed, and it is the revelations of 1963 which will find their place in our history.

For the events of 1963 revealed to our country—and, often to our shame, to the whole world—not only the desperation of the Negro's plight, not only the bigotry of whites both North and South, not only the deep-rooted capacity for violence inherent in the American character, though all these we saw in ourselves as we had never seen them before. But what was essentially revealed to us as a people, I think, was the fragile nature of our democracy. We take our democracy for granted—we think of it as an accomplished fact. Particularly in recent years, as we have scurried about the world trying to save nations and continents from what we firmly believe to be an obnoxious form of government, have we come to assume, not only the permanence but also, perhaps, the perfectness of our political system.

But, democracy as a political institution in this country is neither perfect nor perfected. This we learned last year. The year 1963 shook the foundations of our political existence. It reminded us that democracy in America is still a historic experiment which has yet to prove its true worth. It showed that the ultimate issue facing America is not whether the Negro can vote here or eat there or go to school where he wants; the real issue is whether democracy can survive in a society where one-tenth of the citizenry are estranged—by reason of color alone—from the remainder of the populace. Writing before the Civil War, Alexis de Tocqueville warned America that the greatest danger she faced was the destruction of individual liberty through the tyranny of the majority. Last year showed us the almost total tyrannization of the Negro by the southern white. But it showed more than that: In the North, up until recently, our cultural pluralism has enabled us to avoid this danger by preventing the creation of a single majority. We learned in the past 12 months, however, that for all our pluralism we, too, were participating in a white majority that was ghettoizing, brutalizing, and depersonalizing the Negro. Lincoln saw our democracy threatened because a nation was trying to exist half slave and half free. In our day democracy is threatened because, while we are all free, nine-tenths of us are more equal than the last tenth. The trouble with—and the glory of—democracy is that ultimately it is an all-or-nothing proposition. And as Dr. Robert W. Spike said recently in Mexico City, "You cannot keep one-tenth of a people segregated in a mass society which depends for its existence upon consensus and mobility without destroying the society."

It is not, then, the rights of the Negro or the future of the South, it is democracy which hangs in the balance. If the Negro is not given his full rights of citizenship in fact as well as in form, America will go on, but democracy here will cease to exist. And its demise will come in our lifetime, indeed, in this generation.

Along with the threat to democracy there was a second revelation during the past 12 months that ought to concern this assemblage almost as much.

In 1963, gentlemen, there was revealed to us in tones of brilliant clarity, the inability of the Christian church to implant its message in the hearts of its members. The message we all know: "Ye have heard it said * * * but I say unto you. If any man would come after me * * *. Do unto others * * *. Love thy neighbor. If ye have done it to the least of these * * *."

On October 17 I stood across the street from the Capitol Street Methodist Church in Jackson, Miss. Inside, the minister was reciting these words as his call to worship: "Ask, and it will be given you; seek and you will find; knock and it will be opened to you. Come unto me, all you who travail and are heavy laden, and I will give you rest." As he spoke these words to his congregation, outside, on the steps of that church, the ushers were beckoning for the Jackson police to arrest and cart away two Christian ministers, one white and one Negro, who had come to that church to pray. Each today faces the possibility of a $1,000 fine and a year in jail. But the failure to give life to the Gospel knows no geographical bounds in this country of ours. The mob of 1,500 neighbors who welcomed Mr. and Mrs. Horace Baker to their new home in Foxcroft, Pa., last summer with rocks, insults and epithets could not possibly have been composed entirely of atheists. The good people of Omaha, Nebr., who refused to sell or rent a home to a Negro Air Force captain, Michael King, attached to Strategic Air Command, and forced him to live in the Negro quarter well beyond the 30-minute alert radius which SAC requires of its officers, must go to some church. Further illustrations abound, but the point needs no laboring.

I say to you that the civil rights struggle is a crucible for the church of Christ in this land. Like the children of Israel brought out of the desert, the American people have dwelt in a land of milk and honey. Indeed I think it not unfair to say that we white Christians may be the heirs of Israel—the chosen ones of a new Israel. So much so are we, perhaps, that we ought to start rereading the words of the prophets, Amos, Isaiah, and Jeremiah. You will recall that the Lord ordered Jeremiah to bury a waistcloth on the banks of the Euphrates. Later he dug it up and found it in tatters. And then the word of the Lord came to him: "Thus says the Lord: Even so will I spoil the pride of Judah and the great pride of Jerusalem. This evil people, who refuse to hear my words, who stubbornly follow their own heart and have gone after other gods to serve them and worship them, shall be like this waistcloth, which is good for nothing. For as the waistcloth clings to the loins of a man, so I made the whole house of Israel and the whole house of Judah cling to me, says the Lord, that they might be for me a people, a name, a praise, and a glory, but they would not listen."

There is no question in my mind but that the future of the Christian church in the United States is dependent upon its ability to meet and solve the racial crisis in our land. If prejudice is the eighth deadly sin, as some have suggested, original and inherent in man, then this fact must be proclaimed in every church whatever the cost until its practice becomes an object for discussion in the confessional alone and not the source of witty jokes at cocktail parties as is all too often the case now. If prejudice is a product of environment, and true tolerance teachable, as others suggest, then the church must develop new textbooks, new curriculums, new se mons, new organizations, and whatever else is needed to bring home the message of brotherhood. The cost to the church, I'm told, will be great but, after all, not half so great as the fulfillment of Jeremiah's prophecy. If the church fails, we white Christians may learn someday that as the new Israelites we inherited more from our forefathers than we bargained for. And, in one of history's better ironies, we may also discover that our Negro brethren turned out to be the true remnant. If the church fails,

it will continue as the church, but it will cease to be Christian.

The revolution of 1963, born out of the desperation of our Negro citizens whose dream of equality has been too long beyond their grasp, has revealed to us a serious threat to democracy and an equally serious threat to Christianity. The American Negro is the revolutionary, yet he has entered the revolution, in large measure, to save the very institutions that are threatened, to save them by giving them their intended character. The outcome of the battle he began, I suggest, is no longer in his hands. It is our struggle now, as it should have been from the beginning.

In the time remaining I want to examine briefly some of the implications which the civil rights battle of the past 12 months has had on the churches and to suggest two or three questions for your discussions during the next 3 days.

First, it appears to me that the racial struggle has revealed glowing weaknesses in the structure of the American Protestant Church. While I am no expert in this field, I have discovered during my work with the National Council of Churches that some of our denominations are virtually impotent in the face of the problem. Most found it incredibly difficult to raise and release funds for use in meeting the emergency. In most denominations the work of the church is so compartmentalized that it will take them years to respond fully and effectively to the events of the past year. Trying to get a Christian education department, a home missions department, a publicity department, and a radio and TV department to launch an immediate unified attack on prejudice is, for example, the surest way I know to commit yourself to a lifetime's work. Some denominations, of course, face greater difficulties than others in this field. One of the largest Protestant denominations has a built-in segregated system that will have to be altered before its moral suasion can be felt or taken seriously. Other denominations which cherish the independence of the individual congregation have discovered all too often that their ministers are the slaves of their congregations' prejudices and as such have lost their power to preach the full gospel. Before the moral force of the church's voice can be heard, it may have to restructure its anatomy. The church's preachers must be fr.er, her institutions more flexible, and her finances more readily available to meet the ever changing nature of the struggle she faces.

Secondly, I would suggest the need for a reexamination of the traditional doctrine of the separation of church and state. In their statement found on the cover of your program, the Catholic bishops have pointed out that, "social justice has become merely a political matter." Because it is obviously also a moral matter, the churches have an absolute right to be heard on the question. Unfortunately, however, the Protestant churches' reluctance to exercise political power has meant that the church utters pronouncements but does little more. Yet the past 12 months have made it perfectly clear that the church can no longer abdicate its responsibility toward the democratic processes. More than its voice must be heard in Congress—its power must be felt. A new view of stewardship—both on the part of the church itself and of its laymen—seems called for, and the wall between church and state needs restructuring in the light of modern political realities.

Thirdly, I would suggest that you give some thought to the need for an ecumenical movement between the black and the white Protestant denominations in America. It may be that I just haven't been listening, but all the merger talks I hear about are between such denominations as the Protestant Episcopalians and the Polish National Catholics or the Presbyterians and the Reformed Church of America. It seems to me that if we are taking our own statements on race seriously, at least one of the white denominations ought to be talking to the A.M.E. Zions or the C.M.E. Church.

Finally, I raise for your consideration the largest Pandora's box of them all—the need for a serious reappraisal of our theology and our ethics. If I was correct earlier in suggesting that we as Christians had failed to put across the essential message of the Gospel, then we have got to ask why. Was it only the inefficiencies of our structure? Was it only our reticence to enter the political arena? Or have our theology and our ethics failed us? Have we failed to take into account something in the nature of man that we ought to have accounted for? Have we played down in our theology a part of Christ's message that we ought to have made more central? Has our revulsion from the excesses of liberal theology led us to lose part of the activist character of Christ's teachings? Is it the message of our ethics or the methods of conveying them that betrayed us?

I raise those questions—and admit the lack of answers to any of them—in hopes that one or two of them might serve as aids or jumping off points to what could be—and I hope will be—an eventful—perhaps even historic—ministers' conference.

HARRISON A. WILLIAMS, JR., EXPERIENCED GENERAL IN THE WAR AGAINST POVERTY

Mr. HUMPHREY. Mr. President, the junior Senator from New Jersey [Mr. WILLIAMS] has been a frontline general in the war against poverty for most of his career in the Senate. His war began when he became chairman of the Subcommittee on Migratory Labor. Since that time Senator WILLIAMS has fought hard and successfully to alleviate the poverty and deprivation that exists among a major segment of our Nation's poverty-stricken citizens—the 2 million or more migratory farm citizens.

Senator WILLIAMS, through his work with the migrants, has gained unmatched experience in meeting some of the basic problems of poverty, such as inadequate health, education, housing, and employment opportunities. The legislative program that he has developed is designed not only to improve the present living and working conditions of migrants, but also to achieve a long run solution to their predicament. I am confident, moreover, that when the President's poverty program comes before Congress, Senator WILLIAMS' experience in working for our impoverished citizens will be invaluable.

The Migrant Health Act—Public Law 87-692—operates today in 21 States, and is bringing badly needed medical services to our migratory farm families. As principal sponsor of the program, Senator WILLIAMS can be proud of the fact that it is the first legislative program developed to assist our migrants since the raw thirties which Steinbeck described so dramatically in the "Grapes of Wrath."

Early last session, Senator WILLIAMS brought six other migratory labor bills successfully through the Senate: S. 521, education; S. 522, day care; S. 523, child labor; S 524, crew leader registration; S. 525, National Advisory Council; and S. 526, sanitation facilities. Today, these six bills await action in the House of Representatives. Their enactment would constitute an initial victory in President Johnson's war against poverty.

As principal sponsor of the National Service Corps (S. 1321), which passed the Senate last session and awaits House action, as well as his work on the Committee on Aging to protect our senior citizens from exploitation, Senator WILLIAMS has been directly concerned with other groups of people living in poverty, such as Indians, the aging, our youth, and the mentally and physically handicapped.

In short, the efforts of Senator WILLIAMS in behalf of America's impoverished citizens is impressive and I commend him for his achievements.

A few weeks ago, Mr. President, the junior Senator from New Jersey gave a major address at the Biennial Convention of the National Young Democrats in Nevada. This address brings into sharp focus the landmarks in the history of the Democratic Party's efforts to eliminate the economic waste and the hardships and injustices of poverty.

This is a vigorous and incisive speech, Mr. President, and I ask unanimous consent that it be included in the RECORD at this point.

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

ADDRESS BY SENATOR HARRISON A. WILLIAMS, JR., DEMOCRAT, OF NEW JERSEY, TO THE BIENNIAL CONVENTION OF THE NATIONAL YOUNG DEMOCRATS, FRIDAY, JANUARY 31, 1964

At every turning point the people have chosen the Democratic Party.

In the great crises of our time it is the Democratic Party that has come forward in word and deed.

After the shattering of nations that was World War I, Wilson gave us the League of Nations and declared: "Sometimes people call me an idealist. Well, that is the way I know I am an American."

With Wilson dead, the Nation faltered under Harding, Coolidge, and Hoover. Coolidge's famous remark that, "The business of America is business," best summed up the complacency, the indifference, and the isolationism that led the Nation into depression and war.

And in the gray decade of the depression, it was Franklin Delano Roosevelt who riveted hope back into the Nation's soul. "I pledge you, I pledge myself, to a New Deal for the American people," he told us in 1932—and we believed him.

Five years later, when he saw one-third of the Nation still in want, he said: "The test of our progress is not whether we add more to the abundance of those who have much. It is whether we provide enough for those who have too little."

Although he delivered us into the postwar world, F.D.R. did not live to see this theme become part of our international policy.

But Harry Truman echoed it when he announced our famed point 4 program. Very simply, he said: "More than half of the people of the world are living in conditions approaching misery."

With the 1950's came an interlude. In those days which seem so far away GOP may well have stood for grand old paralysis. Three times the Nation slipped back into the old boom-bust cycle.

Then the Democratic Party produced John Fitzgerald Kennedy.

"These are entirely new times, and they require new solutions," he said in his campaign.

Now all of us have our memories, for in his numbered days he produced many solutions, and America moved ahead again.

Today, another great Democrat, who began his career under Roosevelt carries on the great tradition. President Johnson has shown his determination to complete the unfinished business of the New Deal by declaring all-out war on poverty.

In America today there are 30 million refugees from the American way of life. There are 30 million American poor living at the bottom of our society without opportunity or hope. For them life and liberty is a hollow mockery, the pursuit of happiness an empty promise.

In Appalachia, their pride is destroyed as they live on surplus handouts.

In our fields, they harvest the food they can't afford to buy.

On Indian reservations, the first Americans live their barren lives on Government run slums.

In our proud cities, they fill the rat-infested ghettoes of tenements. Across the Nation, they look for work and can't get it; they seek education and are denied it; they look for a decent place to live and can't pay the rent. The American dream for them is a mirage in the wasteland of poverty.

The cost of merely keeping these citizens alive is staggering. We spend $4 billion a year on outright relief payments—as much as we spend for our space program.

In our biggest, richest, and most enlightened city—New York—its welfare commissioner says 1 million of its 8 million citizens are well acquainted with rats, roaches, and relief.

These people have been called the "invisible poor." Actually they are very visible to anybody who bothers to look, but until the 20th century we have never had the means to solve the problem. Our poor have been treated like industrial waste, spewed out and forgotten. But now we have the resources to invite them back into American society through the front door.

Having prospered in unparalleled fashion since World War II, we are now able to complete the social edifice that got started when Franklin Delano Roosevelt broke ground for the New Deal.

The Nation has never faced a crisis like the thirties. Banks failed, life savings were wiped out overnight, millions went hungry, and even the lowest paid job was more than many could hope for.

Then we took strong and positive action. Under the leadership of Franklin Roosevelt the people pulled themselves up from the wreckage of economic destruction to stage an economic and social revolution unmatched anywhere in the world. The New Deal brought strong labor unions. The New Deal brought strength to the workingman through minimum wage, labor relation laws, social security; its fiscal policy saved the Nation's banking system from oblivion; it put American industry on its feet and on the way to recovery.

Yet too many were left stranded on the jagged rocks of poverty.

Today we have the resources, many times over, to obliterate tenements and tuberculosis, hunger and hardship, slums and soupkitchens. Migrant workers need not roam the Nation like immigrants in a foreign land. Tenement-spawned children need not drop out of school in the 10th grade to shine shoes and become the unemployables of this technological era.

President Kennedy made splendid use of our resources. His right hand used to chop the air vigorously as he convinced the Congress to move on vocational rehabilitation, area redevelopment, urban renewal, and an assault on unemployment.

These policies continue today under the leadership of President Johnson. He has succeeded in dramatizing the situation as never before by his declaration of war against poverty.

The roots of this declaration go deep. They tap one of the basic moral tenets on which this Nation is built. It is deeply ingrained in us to care—and to share.

But there are also practical considerations behind an all-out battle against want.

When one starts computing on the slide rule of misfortune, one discovers that the interest society is paying on its debt to the forgotten is astronomical. The 32 billion Federal dollars spent on welfare in the last decade would have put a man on the moon.

But beyond the direct cost of welfare—some 4 percent of the Federal budget—there are other costs to be considered. There are the local and State taxes to support welfare programs, there are falling property values, decaying towns, and crowded hospitals; there are restless young men and women, angry young men and women who feel that society has cheated them. And many assume that the only way to make it is to cheat right back again.

They are the tragic human beings behind the newspaper headlines which feature words like "delinquency," "dope," and "crime wave."

And while it is often assumed that poverty is a problem of the big cities, in fact the 30 million poor are divided almost equally between the city and the country. It strikes most cruelly at the young and old. One-third of the present poor are children. One-third of all poor families are headed by persons over 65.

Yes, I think we must say it. In our new found affluence we have been just a little too concerned about the trimmings—the patios, the extra car, the ski trips—and not concerned enough about the basic fixin's.

As chairman of the Subcommittee on Migratory Labor, I have seen firsthand the life of the migrant farmworker, a large segment of America's poor.

I have seen families crowded into filthy one-room shacks, men and women working 12-hour days in the fields in hundred degree temperatures to earn $6. This is the bitter and barren life of the migrant whose youngsters have only a battered old car for a playground. A new generation of the poor is growing along with the crops.

For the migrant child, education is the key which will unlock the door to his modern debtor's prison. But education will be useless unless it can be given in a decent environment. What good is a schoolbook to a child if he must return home to a dirty, overcrowded and badly lit shack; if his parents earn so little money, that he is forced to quit and go to work?

To help the migrant become a fullfledged American citizen we have had to develop a package of legislation which deals with almost every aspect of life. Our legislation brings them within the Federal minimum wage law, the labor relations act, and provides further protection against harmful child labor. Education, day-care facilities, and better housing are covered, also.

The legislation we have developed for migrants demonstrates that practical programs can be developed to eradicate poverty.

We can pass laws and we will pass laws. And the "yes" votes on the floor of the Congress will enhance America.

And they will do more. Every step forward here will brighten our image overseas.

Let's remember that the U.S. image abroad was probably at it's height during our depression, when F.D.R. won the respect and love of the world for his fight against economic injustice in his own backyard.

I doubt if any of you can remember those days. But the continual knock on the kitchen door of our home in Plainfield, N.J., beat an indelible tattoo on my mind. "Ma'am, could you spare a sandwich?"—the jobless, desperate visitors used to ask.

Today our wealth should make such an inquiry unthinkable. In fact, it dictates that any American President must show his concern, not only by trying to help those at home—but the unfortunate everywhere.

A once-and-for-all job in the United States might actually convince the world that it can be done, and actually stimulate countries in far worse circumstances than us, to greater self-help efforts.

There are other international pluses that will flow from our war on poverty. We may find ourselves in a far more advantageous position at the disarmaments negotiations in Geneva.

An across-the-board attack on need—accompanied as it has been by cutbacks in our defense spending—is proof positive of our desire for peaceful solutions and amicable relations.

And from our point of view, I doubt whether the present reduction in East-West tension would have developed unless we had seen—and been convinced—that the Soviet Government was seriously shifting some of its resources to remedy economic defects in its own system.

Now coming back to our own country, there is one other all-important area that will benefit from the effort to stitch shut our pockets of poverty.

It can help mend the civil rights tear in the fabric of our Nation.

In fact, civil rights and the drive for economic progress can hardly be separated.

Unless our Nation can offer equal opportunity to all—and wipe out barriers to good jobs and a decent education—our commitments on civil rights will come to naught.

Clearly then, the war on poverty is far larger than a do-gooder crusade. I hope I won't be upsetting anybody in NASA when I say the challenge of the sixties is not space—but subsistence: an adequate level of subsistence for every American.

What does this challenge mean to the young Democrats?

My own feeling is that it offers you an immense opportunity for leadership.

The Peace Corps and the response to the yet-to-be-born National Service Corps have demonstrated that there is a huge reservoir of energy, idealism, and creative capacity in our young people.

We need more and more young leaders to help tap this vital force.

Your leadership can be the link with the great silent, but anxious-to-serve body of American youth. At this moment, the press of the Nation is focused on you. In the commitments you make in our war against poverty—you can assume a vanguard role.

Your program will be broadcast across the land to inspire others.

I have no doubt that in this room there are many of you already engaged in all kinds of community projects. I have seen your counterparts in my own State, in college, church, and civic groups, going to the "other side" of town—wrestling with one tiny portion of the poverty problem and helping to solve it.

You people and these people refute the image some critics have tried to tack on our young people—the image of twisting hipsters.

Providing better educational opportunities is the goal of many youth groups—like the fellows at Princeton who go into Trenton and tutor the underprivileged high school students from "the wrong side of the tracks," or the young men and women at the State teachers colleges, who try to revive the school interest of dropouts. There are also church

youths who visit mental institutions to try and give comfort to those whose minds have been broken by the strain.

We even have a CCC-type program going in New Jersey, just initiated by Governor Hughes, to open new vistas for the underprivilege of Newark.

There is an important point to be made about these programs.

None of them require Federal support. They are grassroots inspired and grassroots supported. And I think this is a point we cannot stress too much in talking to the public about the Nation's welfare needs.

All of this sugests one thought to me:

Why shouldn't every Young Democrats Club have a poverty committee. Its goal would be first to survey the community in which it functions and then to decide when and where it will plunge into the campaign against deprivation.

You might even invite the Young Republicans to join you in a friendly competition—there's plenty of work for everybody. Let's see who can get out into the community first and begin.

I think maybe the young Republicans are just a little bit disenchanted with standard bearers who've inherited department stores and who go about chastising the needy and telling them they're to blame for their own misery.

What I am really asking you to do, is to turn loose the energy and zeal which brought you here, let it blaze a new path of hope for the hopeless in your towns and cities.

Taking such action here and now—making such plans—manning poverty committees—would be a demonstration in action of what America is all about—a demonstration that would reverberate throughout our land, and bring countless new recruits into our war against poverty.

Let us ask every American to join the march. Let us dedicate ourselves to excellence. Let us make the American dream a reality for all.

REVENUE ACT OF 1964—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LONG of Louisiana. Mr. President, it was on last January 30, less than a month ago when the Senate first began consideration of the bill which we bring back from conference today for what I hope will be its final consideration by this body.

Legislation of this type is necessarily technical and complex. I believe that its consideration by the Senate; then action on it by the conferees—ironing out the differences between the House and the Senate—and finally action on the conference report by both Houses of Congress, all in less than 1 month is an accomplishment and one which should not pass unnoted.

It has been possible to complete this action on the Revenue Act of 1964 with such dispatch because of the careful consideration this bill has been given, both by the other body and by the Senate Finance Committee before it came to the floor of the Senate. I would like to note especially the constructive attitude taken with respect to this bill by our chairman, the distinguished senior Senator from Virginia. Although he has indicated quite clearly that he is not in sympathy with this legislation, he has nevertheless handled the legislation, both in the hearings on it before the Finance Committee and in the committee's executive sessions on the bill, in a most constructive manner. At all times he has taken the attitude that the different points of view should have a full opportunity for expression, but at the same time he has always pressed for action on the bill even after these views were expressed. I have only true admiration for the constructive manner in which he has handled this bill.

I have already said to the press, and would like to say again, here, that in my opinion this has been a most satisfactory conference. I believe that the bill that we bring to the Senate from conference is better than either the House or Senate versions of the bill. I believe that conferees had selected the best from each and rejected the bad of each. I do not mean by this that in all respects the conference agreement is as I personally would have it. I have seldom seen the time when that would be true of a conference agreement, especially in a bill as large and as complex as this one. Nevertheless, I feel that the action of the conferees was constructive, and that we bring to you even a better bill than the one we took to conference.

This legislation is, I believe, a historic landmark. It not only provides the largest tax reduction in our history, but it has been generally recognized in the debate on this bill that this is a tax reduction which in the long run—both through increasing consumer purchasing power and through stimulating investment—can be expected to raise the level of economic growth in this country, thereby increasing the Government's revenues above the level they would otherwise achieve.

Probably more important, however, this bill, although it certainly will not eliminate unemployment, can nevertheless be expected to aid substantially in reducing unemployment and also increase the likelihood of other more specific measures becoming effective.

This improvement in employment brought about by this bill arises from its double effect—both making funds available for increased consumer expenditures and also through improving the likelihood of a more profitable return on investment. These factors are necessary if we are to achieve a higher rate of growth for our economy as a whole.

Perhaps the most unique aspect of the bill is that it reinforces our private enterprise system. By reducing the level of individual and corporate taxation, we are giving the free enterprise segment of our society an opportunity to take up the slack which many of us believe has arisen in our economy because our tax system has in large part up to this time still been geared for a wartime, rather than a peacetime, economy. By this action we are giving the private enterprise sector of our economy the opportunity to provide the growth we need in the years ahead to improve our competitive situation abroad, to offset at least in part the increasing unemployment that we face, and to provide for a better and more prosperous America for all of us.

I do not, of course, believe that this bill will accomplish this result alone but I do believe that it is an important step in this direction.

Much has been said as to tax reforms which are not in this bill; tax reforms which were proposed by the administration or tax reforms which individual Members of this body have urged upon all of us. This bill does not accomplish all of the tax reform that is needed in our revenue system.

However, I think it is easy to underemphasize the importance of the tax reform which is included in this bill. I believe that in terms of substantive reform of our tax laws, the changes made in the Revenue Act of 1962 and in this Revenue Act of 1964, taken together, clearly represent the most substantial reform of our tax laws at least since 1942, if not for a much longer period of time. Undoubtedly there is much yet to do and we will certainly be faced with tax reform issues for many years to come. Nevertheless, this bill will also go down as a landmark in the reform in our tax laws and its importance in this respect has been greatly misunderstood.

I would like to review now the revenue implications of the actions taken by your conferees. The calendar year 1965 liability—which, for the most part, represents the full year liability—would under the bill as passed by the Senate have resulted in an $11.9 billion reduction as contrasted to a reduction of $11.2 billion under the House version of the bill. The bill that we bring back from conference is expected to result in a revenue loss in the calendar year 1965 of slightly less than $11.5 billion, or more specifically, $11.48 billion. Thus, the action taken by the conferees reduces the revenue loss in the calendar year 1965 by $375 million. In the long run, this saving is expected to be $405 million.

In terms of fiscal year receipts this bill, before any stimulative effect, is expected to result in a revenue reduction in the fiscal year 1964 of $1.6 billion, which is the same as the version which passed the Senate. However, in the fiscal year 1965 the conference agreement is expected to result in a revenue reduc-

tion from present law of $8.5 billion, or $425 million less than the version which passed the Senate. This is without regard to the stimulative effect which the Treasury Department assures us this bill will have and which they have estimated in the fiscal year 1964 to be $200 million and in fiscal year 1965 to be about $4 billion. In other words, the Treasury Department anticipates that this bill in these 2 fiscal years will have an impact on the budget of only $1.4 billion in the fiscal year 1964 and $4.5 billion in the fiscal year 1965.

Mr. GORE. Mr. President, the Senate is not in order. There are at least a half dozen attachés of the Senate talking in front of the desk. One Senator is trying to speak against six attachés.

The PRESIDING OFFICER. The Senate will be in order.

Mr. GORE. When the Chair does not enforce the rules of the Senate, it is a losing game.

The PRESIDING OFFICER. The Senate will be in order.

Mr. LONG of Louisiana. I thank the Senator.

Let me turn now to the specific conference action on the amendments as agreed to by the Senate. The great bulk of the Senate amendments were agreed to by the conferees. Of course, many of these were in the nature of technical, perfecting amendments, but in addition I think it is clear that even in terms of substantive amendments the bulk of those made by the Senate were approved by the conference action. For the most part, I will not refer to these amendments which have been approved by the conference action but rather to the amendments where either some compromise was reached or the Senate amendments were deleted.

Probably the most important Senate amendment, and one on which I am happy to report we were able to retain the essential feature of the Senate action is that dealing with capital gains and losses. This is the amendment on which the Finance Committee action was specifically confirmed by a vote on the Senate floor of 56 to 25.

The House conferees agreed to the Senate action which deleted from the House bill the special 40-percent inclusion factor for capital gains where the asset has been held 2 years or more and the special alternative rate of 21 percent for these gains. As a result, capital gains, where the assets have been held 6 months or more, will all continue to be subject to the 50-percent inclusion factor required by present law and will continue to be subject to the alternative tax rate of 25 percent. It will be recalled that in the debate on this subject, both I and several other Senators pointed out that the present capital gains rates accounted for the fact that the effective rates applicable to many persons with very large incomes are close to 25 percent. It will also be recalled that I presented the Senate with information showing that the tax benefits from the capital gains tax reductions would go largely to those with the very highest incomes and would have the effect of bringing down the effective rates of tax on many of these persons below 20 percent. We presented this same material to the House conferees and they recognized the merit of our position and agreed to the deletion of the provision.

The Senate conferees did, however, agree to retain one feature of the House bill relating to capital gains and losses; namely, the unlimited carryover of capital losses. This is a matter which was not given much attention in the Senate at the time the basic capital gains provision was discussed. Under present law a capital loss is first offset against capital gains, and then to the extent of any remaining loss, it may be offset against ordinary income up to $1,000. Any loss still remaining may be carried forward and that same procedure repeated in each of the next 5 years. The House provision, which the conferees have accepted, provides for the indefinite extension of this capital loss carryover rather than limiting it to the 5-year period.

The House provision retains, however, the limitation of $1,000 as the maximum amount which may be offset against ordinary income in any 1 year. This provision has been urged by the House on the grounds that it encourages risk taking and in that manner will encourage the growth of new industries.

Another Senate floor amendment which was considered at length in the conference is that relating to the exclusion for income earned abroad. The House conferees felt that this had not been a subject matter of the hearings on the House side, or before the Senate Finance Committee, and for that reason they were most reluctant to make any modifications in this provision. Moreover, the House conferees pointed out that this matter had been specifically dealt with in the 1962 legislation and that it was as a result of that legislation that the present maximum amounts were placed on the exclusion applicable in the case of bona fide residents of foreign countries. For these reasons we found it difficult to obtain any compromise in this area from the House conferees.

We have been able, however, to bring back to the Senate some reduction in the exclusion for income earned abroad in the case of bona fide residents of foreign countries who are there for more than 3 years. Under present law these persons receive an exclusion of $35,000. Under the conference action this has been reduced to $25,000 effective for the calendar year 1965. There was a strong feeling on the part of the House conferees that if we wish to stimulate exports and sales of American products abroad it was important to have Americans in key business positions abroad and that the exclusion provided in the existing law was an important factor in this regard.

I am glad to report that we were successful in prevailing upon the House conferees to accept the Ribicoff retirement income credit provision which provides a supplementary credit where the wife either is not eligible for a retirement credit under existing law or is eligible for only a reduced credit. Although some modification was made by the conferees in this regard, the agreement worked out accomplishes all that I believe the Senator from Connecticut desired. The modifications, in fact, meet some problems I think we would have had if we had kept the original provision.

Let me now turn to the group term life insurance provision. Senators will recall that under the Senate version this insurance would have been taxed in the case of protection provided by, or through, an employer in excess of $70,000. The House version on the other hand would have taxed insurance protection above $30,000. This was compromised by the House and your conferees at $50,000.

In providing for the inclusion of group term insurance to the extent specified in the taxpayer's income, the conferees wanted to make it clear that this insurance does not include death benefits in so-called travel insurance or accident and health policies where such policies do not provide general death benefits. In addition, the conferees are instructing the Treasury Department to study the table of premiums at attained ages contained in the House and Senate committee reports on the bill to see whether this table should not be replaced by a table which reflects the most recent mortality experience and which may possibly make some allowance for expense factors.

In the case of the sick pay exclusion, or wage continuation payment, your conferees retained most of the McCarthy amendment which was adopted here on the Senate floor. Under the House bill the exclusion for sick pay was limited to those cases where the individual was absent from work for 30 days or more and was available only with respect to up to $100 received after the 30-day absence from work. The McCarthy amendment would also make the sick pay exclusion available in certain cases during the first 30 days. Under the amendment the sick pay exclusion would be available in this period where the wage continuation payment is not more than 75 percent of regular average weekly pay of the individual. The conferees accepted this provision but modified it to provide that within the first 30 days the sick pay exclusion will be available for only the first $75 of income. In addition, it was made clear that it would be available only after a 7-day waiting period unless the individual is hospitalized, not only in the case of illnesses but in the case of accidents as well.

Another amendment on which a compromise was reached between the different House and Senate versions is that dealing with the deductibility of State and local taxes. The House bill would have provided that State taxes are to be deductible only in the case of income, property, and general sales taxes. The Senate, in addition, would have allowed deductions for gasoline taxes and auto tag and driver's license taxes. I believe the senior Senator from Virginia, the chairman of our committee, felt especially strongly on the issue of the deductibility of gasoline taxes. This matter was compromised by continuing the deduction of gasoline taxes but denying the deduction for auto tag and driver's license

taxes. This preserves, therefore, $220 million of deductions for individuals in the case of these taxes, which under the House version would not have been available.

Another important provision represents an amendment made by the Senator from Tennessee [Mr. GORE] in the Senate Finance Committee to the unlimited charitable contribution deduction. Under this deduction an unlimited charitable contribution deduction is available for those who in 8 of the last 10 years have given 90 percent of their income to charity or paid it in Federal income taxes. The Gore amendment would have denied the unlimited charitable contribution deduction with respect to gifts to private foundations. The Finance Committee felt that in the case of these private foundations the donors frequently were not actually parting with the funds, and frequently that the funds were not, for an extended period of time at least, finding their way into actual charitable uses. Because of this we made the unlimited charitable contribution unavailable unless the organization was one of several specified organizations such as churches, schools or hospitals or alternatively under your committee's action unless the organization was one "which normally receives a substantial part of its support * * * from a governmental unit or from direct or indirect contributions from the general public."

Since the adoption of this provision by the Senate, cases have been called to the attention of many members of the Senate and House where contributions to private foundations which arise from unlimited charitable contributions do find their way, in a relatively short period of time, into actual charitable uses. The Senate version did not take into account, for example, the fact that some private foundations are themselves directly carrying on charitable functions, as distinct from making gifts to other charitable organizations carrying on these charitable functions. In addition, our version of the bill did not take into account the fact that in the case of many of the private foundations the organization either, through activities it carried on itself or through donations it makes to other organizations, is making the contributions available for actual charitable use in a short period of time.

Because of the factors I have referred to, the conferees, although accepting the Senate amendment, modified it to provide for the continued availability of the unlimited charitable contributions deduction in the case of contributions to churches, schools, hospitals and other public-type organizations; and also in the case of two specific types of private foundations. The first of these private foundations which under the conference agreement will still qualify for contributions by someone claiming the unlimited charitable contribution deduction has been referred to as an operating charity. The type of organization I am referring to here is one which devotes substantially more than half of its assets directly to the active conduct of the exempt charitable activities. It also is one which must devote substantially all of its income to such a purpose. By active conduct, we mean that the organization must itself carry on the activity and not merely be a conduit for transferring the contributions to another organization.

In developing this provision it was recognized organizations such as the Williamsburg development actually still retain a title to the property which they purchased but nevertheless use these assets for the purpose for which the organization was exempt. Moreover, this provision was not intended as a year-by-year test but rather looks to a period of time to determine whether an organization is devoting its assets and income in the manner indicated. Somewhat more leeway is allowed in the case of assets than in the case of income to make allowance for the fact that some of these organizations must necessarily accumulate some of their contributions to build up an endowment fund to enable them to carry on their exempt activities from the income of this fund.

The second exception for the private foundations relates to one which during a 3-year period beginning after the contribution is received expends or uses half of the contributions received from those claiming an unlimited charitable contribution deduction for one of the following four purposes:

First. The active conduce of activities representing its exempt functional purpose—that is, direct operations rather than making grants to other charitable organizations.

Second. Assets directly devoted to such purpose.

Third. Contributions to organizations for which a 30-percent charitable contribution deduction may be claimed under present law or to the type of operating private foundations I have just described.

Fourth. Any combination of these uses.

In determining whether an organization has used 50 percent or more of its contributions for this purpose it is not intended that there be any tracing of the specific contributions. Instead it is assumed that the first amount to be spent, for the activities to which I have referred, is the income of the organization for the year in which the contribution is received and in each of the years up to the end of the year in which the contribution is considered to have been used for this specific purpose. The next amount considered as being spent for this purpose are the contributions from those claiming the unlimited charitable contribution deduction.

It is, of course, recognized that in some cases it may be desirable for the organization to retain all of these contributions, and perhaps the income of the organization as well, for a period of more than 3 years. This may arise, for example, where another organization, such as a school, is being asked to match a grant provided by one of these foundations, or perhaps where a survey is required before it is possible to determine the best way in which the funds should be expended. The conferees gave recognition to these needs for retaining the contributions and income beyond the 3-year period by granting to the Secretary of the Treasury permission to allow the retention of the contributions and income for longer periods of time where the organization shows good cause for such a retention. It is not intended that the mere accumulation of the funds to earn income, and in that manner to increase the size of the corpus, would represent a good cause. Where this grant of authority for accumulation beyond the end of the 3-year period is given, the income of the subsequent years must also be expended or used for one of the four purposes I have previously outlined, as well as the income of the year of the contribution and three succeeding years.

It is intended that the donor of the contribution—the individual who is claiming the unlimited charitable contribution—claim the deduction on what might be considered a probationary basis before the organization satisfies all of these conditions. He may claim the deduction tentatively on his return, and then if the organization complies with the law subsequently, the deduction becomes validated by this action. Should the organization not comply with these requirements, the individual's return would have to be revised to disallow the specified amount with respect to the unlimited charitable contribution deduction.

The conferees agreed to the Senate amendment providing a 10-year carryforward in the case of expropriation losses, but desired to make it clear in this case that the amount of any loss taken into account in determining a foreign expropriation loss is no higher than the taxpayer's adjusted basis for the property in question since the foreign expropriation loss must arise from a loss described in section 165 of the code or a bad debt described in section 166; in both of these cases the deduction allowed is limited to the adjusted basis of the property in question for purposes of the sale or other disposition of the property.

The House conferees resisted the Neuberger amendment, which would expand the area of application of the child care deduction in present law. The Senate conferees were able, however, to obtain an important concession from the House conferees in this respect, although not attaining the full Senate amendment. The Senate amendment would have made this child care deduction available in the case of working wives, and husbands with incapacitated wives, where the joint income of the two amounts to $7,000 or less, as contrasted to the income level of $4,500 or less under existing law. Under the conference agreement the income level will be raised from the $4,500 of present law to $6,000. In addition, under the conference agreement the maximum child care deduction where there are two or more dependents involved is to be $900. Under the Senate version the maximum deduction would have been $1,000 where three or more dependents are involved.

The Senate bill would have provided a deduction of up to $50 a year in the case of single persons, or up to $100 a year in the case of married couples, filing joint returns for political contributions to a candidate or a political com-

mittee. The House conferees were unwilling to accept this amendment largely because it was felt that this was a departure from prior practice in this respect, and that a change of this major significance should not be made without a full opportunity for hearings in both the House and the Senate.

For the remaining Senate amendments which were either modified substantially or deleted from the conference bill I would like to summarize the action taken by the conferees:

First. The Senate bill provided that a "face amount certificate company" was not to be disallowed a deduction on interest paid with respect to face amount certificates under section 265(2) of the code to the extent that the tax exempt obligations acquired do not represent more than 25 percent of the average of the company's total assets. The conferees reduced this percentage to 15 percent. In providing this treatment, it is not intended that interest on the face amounts certificates be denied because of investments in excess of the specified 15-percent level, if the taxpayer establishes that indebtedness was not "incurred or continued to purchase or carry" these excess obligations. Nor is it intended that any inference with respect to years before the effective date of this provision be drawn from the enactment of this provision.

Second. The Senate conferees accepted the House effective date of August 6, 1963, for the bank loan provision which denies an interest deduction in certain cases in the case of indebtedness incurred to buy life insurance under a plan contemplating the systematic borrowing of part or all of the cash value of the policy. The effective date under the Senate version of the bill was December 31, 1963.

Third. The Senate bill repealed the rule, adopted in 1962, which disallowed a portion of travel expenses for certain business trips which are combined with a vacation. The conferees agreed to this amendment insofar as domestic travel is concerned, but retained present law with respect to the foreign portion of business-vacation trips abroad.

Fourth. The House conferees, with slight modification, agreed to the Senate amendments relating to the stock option provision. However, exception was taken to a statement in the report on this bill of the Senate Committee on Finance to the effect that the use of a general term such as "key employees" is not a sufficient description of those eligible to receive options. The conferees, after having considered the matter, have concluded that the use of the term "key employees" should be considered a sufficient description of the class of employees among whom a board of directors, or other executive committee, of a corporation may select those to whom stock options may be granted. In addition, the bill provides that a qualified stock option plan must be approved by stockholders within a 12-month period before or after its adoption and must provide the aggregate number of shares which may be issued under options and the employees—or class of employees—eligible to receive these options. It is intended that the remaining requirements relating to the terms of options granted under the new provisions may be met in such options. Inconsistencies between the plan and the option should, of course, be removed, but a modification by the board of directors—or other executive committee of the corporation—under a power—express or implied—of the board, or committee, to modify the plan to conform to the requirements of law, will be sufficient. Granting period for the qualified stock options under these circumstances will not be affected by such modifications.

Fifth. The Senate bill contained an amendment which extended installment sales treatment—under which income is reported as the installments are received—to all revolving credit sales of personal property and to time payment charges associated with revolving credit sales. The conferees agreed to a modification of this provision which provides that installment sales are to include revolving credit type plans—and this term is defined—except that the term for this purpose is not to include any accounts which are used by the purchaser primarily as ordinary charge accounts. Regulations issued by the Treasury Department on this subject provide to some extent that revolving credit type plans are to be treated as installment sales. However, these regulations deny installment treatment to the portion of such sales coming under what is known as the "small sale" rule. This provides that if the aggregate sales charged during a billing month to an account under a revolving credit plan do not exceed the required monthly payment, then none of the sales during this billing month are considered to be sales on the installment plan. This amendment eliminates this rule. Instead, if the purchaser uses his account primarily as an ordinary charge account, such an account will not quality for treatment under the installment method of accounting. One method of determining whether a purchaser is using his account primarily as an ordinary charge account which the Service ought to consider for this purpose to see if it is appropriate would be to determine whether the customer's aggregate revolving credit purchases during the year of the retailer, for all billing periods in which the account is completely liquidated by the first payment in a subsequent billing period, are more than one-half of his total revolving credit purchases for that year. In such a case, the customer would be considered to have used his account primarily as an ordinary charge account. This determination could, of course, be made by the taxpayer on the basis of a sample of accounts, rather than on the basis of a complete audit of all accounts.

Sixth. The House accepted the Senate amendment which provides that the year a taxpayer contests a tax or other liability he is, nevertheless, to be permitted a deduction for the item in the year for which he makes a payment, if this is earlier than the year in which the contest is settled. It is the understanding of the conferees that the new provisions relating to the timing of deductions, in certain cases where asserted liabilities are contested, do not affect the taxable year in which the taxpayer may deduct items of a nature which are properly accruable in a year before the year of payment.

Seventh. The House version of the bill contained a provision making an interest deduction available for carrying charges separately stated which represent purchases of services. The interest deduction in this case, as in the case of tangible personal property purchases under present law, may not exceed the carrying charge or, if lower, interest computed at 6 percent on the declining balance. The Senate had deleted this provision. The conferees, instead of extending this provision to carrying charges arising from purchases of services generally, extended it to installment payments for educational services, such as those for tuition, fees, and lodging.

Eighth. The House conferees agreed to a series of relatively minor amendments made by the Senate in the personal holding company provision. One modification in the provision, however, was not agreed to by the House conferees, and on this point the Senate conferees accepted the House provision. Senators will recall that certain favorable liquidation treatment is made available under the bill to a corporation which, had the new rules been applied "would have been" a personal holding company in one of 2 prior years. Under the Senate version of the bill, these 2 prior years had to be years ending before December 31, 1963. Therefore, for a calendar year corporation they had to be the years 1961 or 1962. The House version of the bill provides that these 2 years are to be the 2 most recent years ending before the date of enactment of this bill. Since this bill cannot be signed until the end of February or early in March, this means that in the case of a calendar year corporation the 2 years which would be taken into account in the House version of the bill are 1962 and 1963. In addition, the House version of the bill would also include a fiscal year ending on January 31, 1964. The Senate conferees accepted the House version of this date.

Ninth. The House bill provided for an increase in basis where an individual died holding stock of a foreign personal holding company. The increase in the basis of the stock in this case is the estate tax paid which is attributable to unrealized appreciation in the value of this stock. This aspect of the House bill, although deleted by the Senate, has been restored by the conferees. However, further provisions relating to liquidations of these foreign personal holding companies, together with the provision for an increase in basis where a decedent has held property distributed in such a liquidation, have been deleted.

Tenth. The Senate bill would have provided that any excess foreign tax credit which arises from mineral extraction, because of the percentage depletion allowance under U.S. law, may not be used to offset U.S. tax on income not related to mineral extraction or processing transportation or marketing of primary mineral products. The House

conferees refused to accept this provision.

Eleventh. The Senate bill adds a provision which provides special treatment for old employees who are reimbursed for selling expenses and also for reductions in sales price attributable to the fact that they had to sell in a hurry. Under the amendment where these employees sell their old home because their employer moves them to a new location, these selling costs and reductions in sales price, to the extent reimbursed, are treated as proceeds from the sale of the house rather than ordinary income.

As a result, they would not be treated as ordinary income but would, to the extent subject to tax, result in a capital gain. The House conferees refused to accept this provision. They told us that the allowance of the deduction for moving expenses, for transportation of household goods, and so forth, already provided under the House bill for new employees, and employees who were not reimbursed, was adopted in order to place such individuals on the same basis as those who are reimbursed under present law. It was contended that now to permit these amounts relating to the sale of houses to be treated as sales proceeds, rather than compensation, would be giving another benefit to old employees who are reimbursed for which there would be no comparable benefit for others who are less fortunate in that they are not reimbursed, or are new employees. In view of these views, the conferees agreed to delete this provision from the bill.

Twelfth. Although the Senate made no change in the House amendment to section 1551 of the code, I should like to make a statement with respect to the amendment of this section relating to the disallowance of surtax exemptions. Under existing law, if a corporation transfers property other than money directly to a corporation which it controls and the transferee corporation was created for the purpose of acquiring this property, or was not actively engaged in business at the time of this acquisition, the Secretary of the Treasury or his delegate may disallow the $25,000 surtax exemption or the $100,000 accumulative earnings credit, unless the transferee corporation establishes by the clear preponderance of the evidence that the securing of the exemption or credit was not a major purpose for the transfer.

Thus, present law applies only to direct transfers of property other than money. The bill amends the section to include indirect transfers of property other than money. Cases have been presented to the conferees where a newly organized subsidiary—created by expanding, rather than merely changing the location of the business—in the ordinary course of its business purchases merchandise from a centralized warehouse maintained by the parent corporation. In such a case it is not intended that any surtax exemption or accumulated earnings credit be disallowed under the amendment where a major purpose of the separate incorporation was not the securing of an additional surtax exemption.

Thirteenth. Present law, in certain cases, provides head-of-household treatment; namely, a tax rate which is approximately halfway between that applicable to single people and the split-income rates applicable to married couples. This treatment is available where a taxpayer maintains in his houshold his children, or other relatives, who are his dependents or maintains a household—which may be apart from his—for his parents if they are his dependents. The Senate amendment would have modified this to provide head-of-household treatment not only for fathers and mothers who live outside the taxpayer's own home but also children and other relatives who are dependents. The head-of-household treatment is available so long as the taxpayer maintains a home for any of these persons whether or not it is his own home. The conferees decided to delete this modification of head-of-household status, in order to have the opportunity to study various possible modifications more carefully than would be possible in this bill.

Fourteenth. The House conferees accepted the Senate amendment which permits a deduction for losses occasioned by the seizure by Cuba of personal residences and other personal property. The Senate amendment treats these losses as losses arising from a casualty. This amendment was clearly intended to apply in the years 1959 and 1960 when most, if not all, of these expropriations in Cuba took place. However, through inadvertence when this amendment was offered, no provision was made for an effective date for the amendment, and as a result the amendment has only prospective application. To overcome this effective date problem it is expected that subsequently legislation will be presented to the Congress to make this provision effective for the taxable years ending after December 31, 1958. At that time, it will also be possible to consider more precisely the scope such a provision should have.

Mr. GORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. In the case of a taxpayer who owned a large home in Cuba, how, under present circumstances, would the fair market value of such property be determined?

Mr. LONG of Louisiana. Ordinarily, the taxpayer under this provision would get a deduction for what he paid for the house.

Mr. GORE. He may have purchased the house 10 or 30 years ago.

Mr. LONG of Louisiana. That means he would be limited to the price he paid 30 years ago. That is the rule on expropriated property, it is limited to what he actually invested at the time unless this is less than its fair market value.

Mr. GORE. But the property might be worth only a fractional sum of what he paid originally—or what it was imagined to be worth 30 years ago and what may be a fair price now.

Mr. LONG of Louisiana. The Senator may be correct, but he is asking me what the law is. My understanding of what the law will be in this case is that a person whose personal property has been expropriated gets whatever figure is lower—what he paid for it or what the fair market value is.

The lower of the two figures is the one which the person is able to claim.

Mr. GORE. What I am asking the Senator, really, is with respect to the workability of the provision. Obviously, there is no point in the Senator's and my arguing the advisability of this special provision. There is a real question, however, as to how a fair market value can now be determined in Cuba.

Mr. LONG of Louisiana. The burden is on the taxpayer to establish it. The problem is not an entirely new problem. We had to deal with it in foreign claims legislation in years gone by. Thus far, there has been very little contention made that we have not been able to arrive at a fair market value of the property taken, even though in some respects, I am sure, the responsible agency of Government, whether it was the tax collector in one case, or the Foreign Claims Commission, in the other, had to do the best it could with the information available to it.

Mr. GORE. Would the Senator have any estimate of the number of private residences involved in the amendment, and their approximate tax consequence?

Mr. LONG of Louisiana. The amendment in question is prospective. That was not the intention. However, that is how it stands at the moment. So far as I know, there are none now, because the Castro government has seized everything in Cuba, and that was done in previous years. Therefore, we shall have to have a second look at the subject when legislation is passed to implement what we thought we had done.

As the Senator knows, the amendment was originally offered by the Senator from Delaware. Of course he had in mind including those who lost their homes in 1959 and 1960. By inadvertence, he failed to place an effective date in the amendment, with the result that the legislation will have to be amended to give relief to a person whose home has been taken.

I do not know how much would be involved or how many homes would be involved. The person who made the claim would have to be a resident of the country or a U.S. citizen.

Mr. GORE. He does not have to be a resident of the country. If he is a citizen of this country, even though he be a bona fide resident abroad, he would still be entitled to the benefit.

Mr. LONG of Louisiana. I believe I said that. I believe I said he would have to be a resident of this country or a U.S. citizen.

Fifteenth. The Senate took to conference an amendment which would have provided that insurance proceeds received as a result of the destruction or damage to crops may be reported for income tax purposes in the year following the year of destruction or damage if the taxpayer satisfied the Secretary of the Treasury that the income from the crop would not under normal circumstances have been reported until the later year. This amendment was not agreed to by the conferees. The House conferees felt since this bill already contains a general averaging provision that if this resulted in real hardship the gen-

eral averaging provision would be likely to give relief in cases of this type. It was also suggested that it would be particularly unfortunate to, on the one hand, adopt the general averaging provision in order to do away with special averaging devices, and then in the very same legislation add a new special averaging device.

Sixteenth. The Senate took to conference two amendments offered by the Senator from Alabama [Mr. SPARKMAN] relating to disabled persons. The first amendment provides a deduction of up to $600 for transportation expenses of going to and from work for a taxpayer who is disabled to such an extent that he cannot use public transportation facilities. The second amendment provides an extra $600 exemption for a disabled taxpayer or a disabled spouse. For this purpose a disabled individual is one who is under a permanent physical or mental disability which can be expected to render the individual involved unable to engage in any substantial beneficial activity. These amendments were not acceptable to the House conferees. It was pointed out that we had held no hearings on these amendments and that if aid for disabled individuals were to be provided it was not clear that these would represent the most desirable forms of aid to provide. It was pointed out, for example, that the extra $600 exemption for disabled taxpayers would be unlikely to do them much good unless they had investment income, since the disability must be sufficient to render them unable to engage in any substantial activity. In view of these considerations, your conferees were unable to retain these amendments in the bill as agreed to by the conferees.

Seventeenth. The Senate took to conference an amendment which would permit the Secretary of the Treasury to grant a claim for refund of taxes paid for gasoline used on farms where the claim is filed after the period specified by law—namely, June 30 to September 30—if the claimant can establish to the satisfaction of the Secretary good cause for failure to file a timely claim. The House conferees were unwilling to take this amendment in this bill since this deals with an excise tax question and they believed that excise tax issues should await later consideration. This, of course, also is generally the policy we followed here on the Senate floor, although we did not adhere to that policy in this case since this did not involve a rate reduction.

Eighteenth. The Senate took to conference a provision allowing a double investment credit for facilities or equipment purchased or acquired to control water or air pollution. This double investment credit means that such equipment or facilities would receive a 14-percent investment credit, instead of the usual 7-percent credit. The House conferees would not agree to this amendment. They questioned whether there had been adequate consideration of this provision and also expressed doubt as to the desirability of providing tax benefits for the acquisition of specific types of equipment or facilities regardless of how desirable the facilities or equipment might be.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Louisiana yield to the Senator from Kansas?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. As has well been stated by the Senator from Louisiana, who handled the bill in the Senate, in the committee there was no disposition to be opposed to the amendment in regard to the expenses of transportation of the disabled, as such; but in the committee we felt—and the Treasury felt the same way—that we should look into this matter; I do not think I am betraying a confidence when I make this statement. So I hope that some day Congress will legislate in this field.

Mr. LONG of Louisiana. I thank the Senator very much.

Mr. SPARKMAN. Mr. President, will the Senator yield at this point?

Mr. LONG of Louisiana. I yield to the Senator from Alabama.

Mr. SPARKMAN. I would like to ask a question on the amendment that is brought forth in the report an page 55, amendment No. 201. That is the amendment that would have allowed additional personal exemptions for disabled persons who incurred expense because of the necessity of having to afford unusual transportation.

This amendment was taken to conference. I realized at that time, and I so stated frankly on the Senate floor, that I did not have the Treasury's estimate as to what the cost would be. However, I was aware, when the figure was submitted to the conferees, that it appeared to be too large for absorption, particularly in view of the fact that neither the House committee nor the Senate committee had made a study of this provision. That was the reason why it was dropped; was it not?

I know the custom of the Treasury as well as I know the custom of any other Government agency in regard to making estimates. The estimates are made usually on the assumption that every disabled person who was working and who came under this category would claim the exemption up to the full amount of $600, which of course greatly inflates the cost.

I cannot quarrel with the conferees, since they had not had an opportunity to go into this study carefully, but I ask of the Senator from Louisiana, representing the Finance Committee, that it continue to give consideration to this subject. I believe it is a good provision. We already have special provisions for certain classes. I believe that this class is highly deserving; and I hope that the subject will be studied and that a careful estimate will be made as to what the loss of revenue would be. I hope the Senator is in a position to assure us that this provision will not be dropped, but that it will receive attention from the Finance Committee.

Mr. SPARKMAN and Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I am sure the Senator from South Carolina has the same interest in this matter, and I would like to yield to him before I yield to the Senator from Alabama, because the Senator from South Carolina was a coauthor.

Mr. JOHNSTON. I was a coauthor of the amendment. In this particular instance, I was interested in the feature with respect to the taxpayer who is totally and permanently disabled. Instead of having an exemption of $600, he should have an exemption of twice that amount, or $1,200. That is the main part of the amendment in which I was interested. As the Senator from Louisiana knows, a taxpayer who is blind or a taxpayer who is 65 years of age or over receives an extra exemption of $600. I could not understand why this proposal was stricken out. We voted twice—first on the amendment which the Senator from Alabama was discussing, and then on the amendment I am discussing.

I hope that something will be done in the near future for the taxpayer who is totally and permanently disabled. I think it will be found that most of them have little income, and a large majority have no income and pay very little income tax.

Mr. LONG of Louisiana. I thank the Senator. As the Senator from Alabama and the Senator from South Carolina know, I have much sympathy with what they are seeking to accomplish. The House conferees made much of the fact that the Senate had had no opportunity to study the proposal and conduct hearings on it. The chairman of the House conferees made the point that his committee proposes, when possible, to conduct hearings in the general field of disability and undertake to provide relief for the more meritorious cases. Whether the totally and permanently disabled persons would constitute the most meritorious type of case, the House conferees are not willing to commit themselves.

I am in sympathy with the amendment. I hope that at the appropriate time, in the not too distant future, hearings may be held on this subject, and that the general field of disability will be considered, to learn what additional relief might be accorded. The House conferees made no commitment as to when the House committee would consider this subject; but I am satisfied, from my understanding of the disposition of Members of the House, that there is a firm determination to consider this problem eventually. When that will be, I do not know.

The Senator from Alabama and the Senator from South Carolina have many times initiated action on important measures dealing with small business, veterans, low-cost housing, and other activities of that sort, both in the general legislative field and in the tax area. I welcome their efforts in this field, because I am sure they will be productive, eventually, of relief along the lines they are suggesting.

Mr. SPARKMAN. I appreciate the manner in which the Senator from Louisiana has handled the matter. I believe that the Committee on Finance

will, at the first opportunity, give most serious consideration to this provision.

Mr. LONG of Louisiana. I thank the Senator from Alabama. I appreciate the support which he gave to the bill. I am sorry we were not able to bring his amendment, or at least some portion of it, back from conference. I am satisfied that if he will persevere in this area, as I am sure he will, his efforts will not be in vain.

Mr. BEALL. Mr. President, will the Senator from Louisiana yield briefly, in connection with an amendment which is not included in the report?

Mr. LONG of Louisiana. I yield.

Mr. BEALL. Mr. President, before we take final action on the Conference Report, I should like to bring to the attention of the Senate and of the Floor Manager a matter relating to the administration of our tax laws. Over a period of years, I have received numerous complaints from taxpayers regarding inconsistency in the handling of income tax returns. Many of my constituents have written that returns which have been audited and accepted over a period of years are subsequently rejected, although no substantial change has occurred.

Recently, my attention was directed to a case involving depreciation rates. Let me illustrate by citing the experience of one Maryland corporation. The corporation's returns for the years 1952–53 and 1954 were examined; and in the report, dated January 20, 1956, no change was made in rates of depreciation. Thus, the rates applied by the corporation were accepted. Subsequently, the returns of the same company for the years 1960 and 1961 were examined; and in the examiner's report, dated May 24, 1963, the rates of depreciation were changed on the apartment buildings from 4 percent to 2 percent, or from 25 years to 50 years; and the rates on equipment were changed from 6⅔ percent to 4 percent, or from 15 years to 25 years. This was in spite of the fact that the original rate had been approved for all years prior to 1960.

This depreciation case, it seems to me, reflects procedures contrary to our intention in the enactment of the tax laws. Mr. President, I believe that a taxpayer should have some assurance that the rulings of the Internal Revenue Service will be binding and applicable to future returns.

The enforcement of our tax laws is expensive to both the Government and individual taxpayers. I hope the Internal Revenue Service will look into this matter and will adopt procedures by which taxpayers can be sure of some finality in decisions rendered affecting individual tax returns.

Does the Senator from Louisiana wish to comment on that point?

Mr. LONG of Louisiana. Mr. President, I do not believe this matter was in conference.

I have great sympathy with the statement of the Senator from Maryland in connection with this matter, and I hope very much that perhaps at a future time we may find some way by means of which we can legislatively require more definiteness and more consistency in the rulings of the Internal Revenue Service. I have not been able to find a way in which to correct that situation, but I invite the help of the Senator from Maryland in that field. Businessmen are entitled to know where they stand.

Mr. BEALL. I feel that the rulings and decisions should be consistent.

Mr. LONG of Louisiana. I agree with the Senator. I hope he will give us his best advice as to ways in which we can meet that situation in the future. I, myself, have received similar complaints.

Mr. BEALL. I thank the Senator from Louisiana.

Mr. LONG of Louisiana. I thank the Senator from Maryland.

Mr. RANDOLPH. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. The Senate conferees receded on an amendment which was adopted by the Senate and had to do with water pollution or air pollution, in the sense that facilities or equipment to control water or air pollution would have qualified for a credit against income tax twice the amount determined under the section of the code relating to investment in certain depreciable property.

The Senator from Louisiana will recall that a yea-and-nay vote was not taken on this Senate amendment; but the acceptance of the amendment by the Senate, together with the fact that it was sponsored by approximately 25 Senators, indicated that the matter was considered to be of very great importance.

Frankly, I feel that the conference report should have included the provisions set forth in amendment No. 203, as adopted by the Senate.

Let me ask: What was the discussion on this amendment in the conference committee, and what was the reasoning of the committee concerning this amendment?

Mr. LONG of Louisiana. Mr. President, the position of the House conferees was that this is a very large subject, and undoubtedly will be dealt with in the field of legislation, both in connection with authorization bills and appropriation bills, and perhaps tax bills. But the view of the conferees was that this matter had not been studied by either the Senate committee or the House committee; and the House conferees felt that the matter should be studied in greater detail and in connection with other measures which undoubtedly will be enacted by Congress in order to seek to provide some correction of the pollution situation which exists in the country.

I agree with the Senator from West Virginia that Congress should act in this field.

Mr. RANDOLPH. Then I understand that I can be assured—as other Senators who also are interested in this subject would wish to be assured—that the conferees do consider this to be an important problem.

Our Special Subcomittee on Air and Water Pollution of the Committee on Public Works has been finding the existence of conditions which, in some instances, are tragic.

Last week we investigated a situation in which we found that in one county in one State there were 30,000 less head of livestock than there had been just 6 or 7 years ago; and it was said this condition is due to certain industrial acids polluting the air.

We do not allege or imply that the industries concerned are not trying to correct this situation. In fact, many of them are spending millions and millions of dollars to do so. However, the problem and its implications are very complex and very important. I understand that the conferees feel that this whole pollution problem is a matter of concern for the Congress to approach again in the very near future. Is that correct?

Mr. LONG of Louisiana. So far as I know, this is the first time this matter was presented to those who serve on the House Ways and Means Committee. So far as I know, they were not satisfied that this is the best approach to the matter. But the Senator from West Virginia himself is well aware of the fact that even those who initiate a proposal sometimes see it eventually become law with the name of some other sponsor placed on the law as the chief sponsor, and perhaps with a Member of the House as the sponsor, because revenue measures must originate in the House.

As I have said, although the House conferees did accept the great majority of the Senate's proposals, yet in view of the fact that our committee had not had an opportunity to conduct hearings on this subject and the House committee had not conducted hearings on it, the House conferees were not willing to accept this amendment.

But I have no doubt that we shall make headway in this field, and that this approach will be considered again, and that sooner or later the House will either send us a measure dealing directly with this field or will accept a tax approach in line with the one the Senator from West Virginia has joined in sponsoring.

Mr. RANDOLPH. I thank the Senator from Louisiana for the explanation he has given.

It is gratifying that this matter was discussed in the conference. This problem must be met. Ample tax credit should be accorded industries which are attempting to accomplish pollution abatement by making huge capital investments in facilities and equipment which do not add value to goods produced, and the costs of which must be absorbed in production expenses.

Mr. LONG of Louisiana. I thank the Senator from West Virginia; and I join in his expression of hope that this effort will lead to constructive action on a private-enterprise basis. So far as I know, this is the first time an amendment dealing with pollution control has been before the Finance Committee.

Mr. CARLSON. Mr. President, I do not wish to detain the Senate. However, in view of the unanimous-consent agreement that was reached earlier today, this is the only opportunity a Sena-

tor has to express his views on the conference report on the tax bill, inasmuch as a vote will be taken almost immediately after the session convenes tomorrow.

As a member of the conference committee I signed the conference report. We are all indebted to the distinguished Senator from Louisiana [Mr. LONG] for the fine way in which he handled the bill on the floor of the Senate and also in the way in which he assisted in writing the report of the committee.

I shall vote for the conference report because I believe taxes, both personal and corporate, are too high.

I question very seriously whether the bill as it now stands will make a lasting and strong impact on unemployment. To cut taxes at a time of heavy budgetary deficits and an increasing rate of spending may temporarily produce favorable results in the economy, but it seems to me in the long run it will prove self-defeating.

I fully realize there is a difference of opinion as to whether an effective tax reduction should aim to strengthen consumer purchasing power or whether our tax laws should be so written as to provide additional incentive for investment in industrial plant expansion.

When we look at what has happened since 1956—when the rise in unemployment started and which is still plaguing us—we find that the lag was not in personal consumption—it was not in personal income and it was not in labor income, which has continued to increase. During that period corporate profits actually declined, as did expenditures for new plant and equipment if converted into constant dollars.

I am fearful that the substantial tax reduction we are giving consumers—which I favor—will not greatly expand our industrial growth.

The second reason why I believe we may not receive beneficial results from this tax reduction is the ever-increasing rise in the Consumer Price Index. Last year the Consumer Price Index rose 1.7 percent. The increase was somewhat greater than in 1961 and 1962, though about equal to the advances registered in the 2 preceding years.

Some economists have stated that a 2 percent rise in price spread throughout the economy would wipe out all the increased demand that the tax cut is designed to create. We cannot ignore the threat of inflation. If inflation worked out evenly, there would be a proportionate income tax and capital levy on rich and poor alike. It never works out evenly, but falls on those least able to protect themselves.

I do not want to appear as a prophet, but neither do I want to vote for this conference report without stating that in my opinion, it will not greatly reduce unemployment. It will bring about increased costs to the consumer and thereby greatly reduce the benefits of the proposed cut.

If this tax cut fails to greatly reduce our unemployment, next year we will be confronted with demands for expenditures of billions of dollars for public works, which will result in further fiscal irresponsibility.

As I stated in the beginning, I am voting for this conference report because I believe both personal and corporate taxes are too high, but I have no illusions of the effect on our Nation's economy.

Mr. McCLELLAN. Mr. President, during the debate on the tax reduction bill, I offered an amendment which would have related a tax cut to a limit on Federal spending. Although the amendment failed of passage, I remain convinced that the problem of Federal expenditures and budget deficits is one of the most serious domestic problems confronting the United States today. In the February 18 issue of the Wall Street Journal, the lead editorial discussed this problem and suggested that Congress set a dollars and cents limit on what can actually be spent in a fiscal year. The editorial also pointed out the necessity for relating spending legislation to taxing legislation. I ask unanimous consent that this editorial be inserted in the RECORD at this point.

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

HAVING IT BOTH WAYS

Federal budget projections are by nature highly conjectural: No one can claim to know whether President Johnson will succeed in holding spending to the slightly less than $98 billion he estimates for the next fiscal year. But even with grim determination on his part, congressional procedures are so sloppy that anything can happen to the fiscal guesswork.

Congress is much criticized these days for alleged lethargy; actually, the speed with which it is now acting on taxes and civil rights shows the charges are largely misdirected. In the way it handles the people's books, however, criticism is justified; Congress is woefully delinquent.

As a new study by the Tax Foundation, called "Controlling Federal Expenditures," observes, the present system permits the lawmaker to have it both ways. He can be in favor of economy in theory and still vote for particular spending authorizations "without having to face, in a clear-cut fashion, the overall fiscal consequences of the total of all of these actions."

Now if the men on Capitol Hill are determined to spend like crazy no matter what, then it is fairly idle to talk about improving the procedures. In fact, the situation isn't all that bad. Even in the chaotic circumstances that prevail Congress carved a respectable sum out of the appropriations requested for the current fiscal period. Setting up a better system could certainly be expected to aid that effort.

Unfortunately, as it is now, reducing requested appropriations is not the equivalent of controling expenditures. In part the trouble is that many appropriations cover not only the fiscal year in question but run into later years as well. This is more or less unavoidable, because some items—a weapons system, for example—take more than a year to develop.

That necessity should not leave Congress powerless to control spending. A simple and perfectly feasible corrective would be for Congress to set a dollars-and-cents limit on what can actually be spent in a fiscal year. Such a change, in turn, would require Congress to review the budget as a whole; to determine, among other questions, what is the cost impact of defense in relation to welfare spending.

What other changes could be made for better money handling?

The legislators could and should put an end to so-called backdoor financing, the procedure which lets Government agencies spend public funds without benefit of the appropriations committees. You might suppose this improvement would appeal to the members of Congress, who are ordinarily jealous of their prerogatives.

And despite that understandable attitude, Congress should finally consider giving the President the privilege of item veto. Through that device he could strike out particular parts of an appropriations bill, instead of having to veto the whole measure if he objects to any portion of it. The item veto could make an important contribution to the so far unsuccessful war against the pork barrel.

Not least, Congress should relate its spending legislation to its taxing legislation. The relationship seems so elementary that it is little short of incredible to find the lawmakers exercising each function as though it were in a vacuum.

These are by no means all the possibilities that have been suggested, but they indicate how much more Congress needs to do to inaugurate a rational accounting system. Like much else in Government, the present system, or lack of one, just grew haphazardly through the years, without anyone really trying to pull the whole thing together.

When the Federal Establishment was spending only a few millions a year—except for one Civil War year, 1917 saw the first budget over a billion—the fiscal sloppiness did not matter so much. In an era of $100 billion budgets, it matters a great deal.

The lawmakers may enjoy being in favor of economy in theory and extravagance in practice. But it is grossly unfair to the citizens who have to foot the bill for wasteful bookkeeping.

Mr. McCLELLAN. Mr. President, while I have been gratified at the President's efforts to achieve economy in Government, I have serious reservations about the fiscal year 1965 budget which was submitted recently. Mr. Lloyd Morey, former State auditor of Illinois and professor of accounting at the University of Illinois, analyzed the 1965 Federal budget in the February 16 issue of the Chicago Tribune. I share some of many of Mr. Morey's apprehensions, and I feel that the Members of this body would profit from a reading of Mr. Morey's analysis of the budget. I ask unanimous consent that his article be inserted in the RECORD at this point.

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

THE 1965 FEDERAL BUDGET

POMPANO BEACH, FLA., February 11.—The American people have just been presented with a financial program for their Federal Government for the fiscal year 1965, beginning next July 1. The words "frugality," "austerity," "economy," and "realistic" have been used frequently in describing it. It is said to represent a heavy cut in spending. Do the facts justify these claims?

Appropriations are requested for expenditures totaling $97 9 billion. This is commended as being $900 million less than requested for fiscal 1964. But to date Congress has appropriated only $92.4 billion for this year. Hence, the new budget is $5.5 billion greater than current spending authority. The President says he estimates the expenditures for this year to be $98.4 billion. But if this is the case, the added sum must come from balances carried over from previous years, unless Congress makes additions.

Actual expenditures in fiscal 1963 were only $92.6 billion. The requested budget is $5.3

billion more than it took to run the Government the last completed full year. True, there are several areas where reductions are indicated. But in several of those, including defense, the request is for more than was actually required in 1963 or appropriated to date for 1964. These reductions are largely offset by increases elsewhere; for example, space operations, public works, education, welfare, and, of course, interest, because debt will increase.

Actually, the drastic cutting of the budget is mainly in the requests of agencies, and not in current costs. The total is only a little less than the current scale of spending, and more than currently appropriated. The public is asked to believe that a substantial reduction has been made because the final budget is less than the earlier forecast of $100 billion.

Revenue is estimated at $93 billion. This is $6.6 billion more than in the last completed fiscal year 1963 and $4.6 billion more than now estimated for 1964. It faces a $11 billion tax cut for calendar 1964. The original budget for 1963 estimated revenue at $93 billion, although actual revenue was only $86.4 billion. To expect $93 billion in 1965 seems highly optimistic.

Again there is an expected deficit in the midst of unprecedented national income, consumer spending, savings, and general prosperity. A balanced budget is not accomplished. Its chances are decreased by a tax cut when people generally are able to pay and when the Government needs the money, all in the uncertain hope of increased prosperity.

The deficit is praised because it is less—$1.4 billion under 1963 and $5.1 billion under what the President says he expects to spend in fiscal 1964. But it is only $900 million less than the deficit in the 1964 budget as it now stands. If the current estimates or revenues are no better than those in 1963, the 1965 deficit may be much greater than the present, or as now anticipated for 1965.

The budget is, indeed, a small step in the right direction. If it works out. But the revenue estimate is extremely shaky, and expenditures are rarely as low as estimated. Hence, we are likely to wind up worse off than we are now. In any event, there is another big deficit, more debt, and the likely prospect of more inflation and higher living costs. The most desirable goals—a balanced budget and debt reduction—are again postponed to the distant future.

There is little here to justify the claims of economy and fiscal progress. There is a great deal to provoke disappointment and anxiety. There is every reason to call for continued effort by individual taxpayers and citizens' organizations to insist to Members of Congress on further curtailment of Government costs, and to cease protesting when cuts are proposed which affect their communities and activities.

LLOYD MOREY.

Mr. McCLELLAN. Mr. President, the February 17 issue of the Arkansas Democrat contained an editorial dealing with the issue of taxes and spending. The editorial raises some timely questions. I ask unanimous consent that it be inserted in the RECORD, at this point.

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

WILL LASTING ECOOMY JUSTIFY TAX CUT?

Near now to the tax-blistered citizen is the ointment of a $11 billion cut in Federal income taxes on individuals and corporations. The bill, OK'd by both Houses, has gone to a conference committee for ironing out differences in the two measures.

When that's done, the two Houses must pass the committee's work. This should cause no great delay—unless the conference bill should foul up in a Senate wrangle in the civil rights bill, which the House has passed. A Senate filibuster against the rights bill, perhaps for weeks, seems virtually sure.

However, parliamentary tactics may hold up the rights bill in the Senate—which is 90 percent a wrongs bill—till the tax-cut measure is passed.

President Johnson gave the tax cut its winning stride in the Senate with his economy budget and his promise of further savings. It will take some lively doing on his part to make economy stick.

He'll have to watch the Federal bureaucracy like a Scotch terrier studying a rathole. And he has a throng of foreign and domestic problems to distract his attention.

Add to that his own grist of proposals for larger spending. Add also the demands of pressure groups and the bias for spending of many Congressmen. It all stamps a tall question mark on continued economy, which must go with a tax cut if it isn't to be more fuel for inflation.

Mr. McCLELLAN. Finally, Mr. President, in the February 21 issue of the Arkansas Democrat is an article by Karr Shannon entitled "Tax Cut, Deficit Spending Will Down Dollar's Value." I ask that excerpts from that article be inserted in the RECORD at this point as a part of my remarks.

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

TAX CUT, DEFICIT SPENDING WILL DOWN DOLLAR'S VALUE

(By Karr Shannon)

Congress has passed the Kennedy-Johnson tax cut proposal, while permitting deficit spending to continue. This means the buying power of the dollar will continue downward. James Daniel predicts in the Reader's Digest, February issue, that the dollar value will dwindle at the rate of 1½ percent per year from here on out. He says the inc ease in cost of living will wipe out the tax cut savings of many people.

P esident Johnson's * * * budget provides for spending $97.9 billion in the fiscal year beginning next July 1, but the same budget indicates that the President will ask for an additional $4.2 billion in supplemental appropriations. Deficit spending will run to $5 billion or more.

His budget message to Congress was as full of optimism as a seed catalog. He discoursed at length on "economy and progress" and his "war on poverty." He glorified his vast welfare programs along with rosy predictions of an economy braced with an $11 billion tax cut. But in this avalanche of figures and outpouring of contradictions, he gave no estimate as to when he expects to balance the budget.

He offered no plan for reducing the national debt by 1 red copper, but estimated that the debt would increase to $317 billion in the next fiscal year. This means that, despite the tax cut, deficit spending and borrowing will go on and on, speeding our destination down the road to ruin.

It is reliably reported from Washington that interest on the national debt next year will reach the staggering figure of $11.1 billion. That is, we'll be paying an average of $1,267,080 per day for interest—nothing on the principal. This runs to $21,119 per minute. It's ho rifying.

* * * * *

Mr. McCLELLAN. Mr. President, I voted against the tax bill, not because I do not think taxes are too high. I do. But I think spending is higher than taxes, and we ought to start to reduce spending, first. Let us reduce expenditures to the level of taxes, and then cut both.

Mr. GORE. Mr. President, the Senate approaches the final procedure of enactment of an unfair, an unsound, and an unwise tax bill. If it could be successfully argued that such a bill would solve so much as one of the pressing problems of our society, then perhaps one could in good conscience consider supporting it. The bill will not solve one single pressing problem of the American people. True, it will provide tax reduction for many, but only a very small reduction for the very many, and a very large reduction for the very few.

Much has been said in the last 2 days about how take-home pay will be increased soon by the enactment of the bill. Let those who dwell upon this contemplate that for the average working man or woman, the increase in take-home pay will be only 4, 5, or 6 percent—a small percentage increase, of small amounts. But for those with high taxable income, the increase in take-home pay will run to as high as 100 percent—indeed, to as high as 134 percent, a high percentage increase of large amounts. It appears to me that this is most unfair.

Mr. President, I wish to advert to the pressing problems of our society. What are those problems? Is it for greater productive capacity for automobiles, or for better education? Is it for more skyscrapers, or for more hospitals? Is it for increasing after-tax income, doubling after-tax income for those in the high income brackets, or the provision of jobs for those who are without jobs and without income?

The bill makes no contribution to education, no contribution to hospitalization. It makes only a doubtful contribution, if any at all, to the alleviation of unemployment. It makes no contribution to slum clearance, to the elimination of stream pollution, to mass transportation, to the completion of our highway system.

What will the bill do? It will increase the deficit. Its enactment will require the Government to sell bonds, thus increasing the public debt in order to give tax reductions, and this, Mr. President, at a time when this country is enjoying the highest prosperity in its history. Statistics have just been released for the last quarter of 1963. They show that the gross national product leaped upward by more than $11 billion. Yet we proceed to enact a bill to insure against recession in 1964.

There are times when it may be advisable to have deficit financing. There have been times when I have urged it. I am not one who thinks we should balance the budget on every and all occasions. Conversely, however, I am not one of those who thinks we should never have a balanced budget.

What will the bill do? Instead of solving any of our pressing social problems, this measure provides for a permanent reduction in governmental revenue, a permanent reduction in the percentage of the gross national product which will go into Government revenue. It will, therefore, permanently impair the capacity of the Government to provide solutions.

Of course, I know it is said that if we reduce taxes, governmental revenue will increase. Mr. President, with the growth

the country now is enjoying, governmental revenue may very well increase after the enactment of this measure, but not as a result of it. Governmental revenue would increase far more without the enactment of this measure. Indeed, the statistics for the last quarter of 1963 indicate that we may be in a period of expansion in which, without the enactment of this measure, the budget could be balanced in the next fiscal year—and even more, we could also have a surplus, to be applied either to retirement of the debt or to alleviation of the specific problems to which I have referred.

But, Mr. President, this battle has been lost, although I did the very best I could to convince the Senate of the error of this bill.

We come now to the final act—the question of agreeing to the conference report. I shall vote against acceptance of the conference report. I could not in good conscience vote for adoption of the report, which, I repeat, is unfair, unjust, undemocratic, unwise, and unsound.

Even so, Mr. President, I wish to say a word of commendation of the Senate conferees. I think they acted as agents of the Senate, and did so conscientiously and dutifully. I know the Senate conferees vigorously supported positions taken by the Senate on which they had previously, as individual Senators, taken an opposite position. That is true of the distinguished senior Senator from Virginia [Mr. BYRD], the chairman of the committee; and it is also true of the distinguished junior Senator from Louisiana [Mr. LONG], who managed the bill on the floor of the Senate. Indeed, I believe it to be true of every one of the Senate conferees, in one case or another. This is an improvement, Mr. President, over the action of some Senate conferees on some bills in previous years; and I am glad to see it.

Although I am keenly disappointed that this measure is to be enacted into law, I take some small consolation from the fact that the conference report contains, in modified form, three amendments which I offered either in the committee or on the floor of the Senate; and also contains a fourth Senate amendment which I was instrumental in having adopted, and on which a separate vote was taken by the Senate; and also contains a fifth amendment—that on stock options—which I am constrained to believe may have flowed in part from a 3-year fight I have waged on this provision of tax preference.

Let me refer to the three amendments in this measure which I offered.

I refer first to the amendment limiting the so-called unlimited charitable deduction for contributions to private foundations. The Senate conferees undertook to persuade the House conferees to accept the amendment as it had been approved by the Senate Finance Committee and adopted by the Senate itself. Our conferees found it necessary to compromise. I do not think the compromise version goes as far as it should. Indeed, I did not think even my amendment went as far as it should. But the compromise is a significant first step in the surveillance by the Treasury Department of private foundations and trusts; it is a significant first step in what I hope will be the ultimate correction of this provision of gross tax abuse.

Mr. President, I suggest that if it be sound—as both the Senate conferees and the House conferees now recommend to us—to hold that a private foundation which serves either the personal interest of a taxpayer or the interest of his descendants is not eligible for an unlimited charitable contribution deduction, why should such a foundation be eligible for the 30-percent ceiling on the deduction for so-called charitable contributions? Is it charity, Mr. President, when a rich taxpayer receives a tax deduction for a contribution to a foundation from which either he or his children or his grandfather receives large benefits, and sometimes almost the entire benefit? So, Mr. President, I am suggesting that we have made a good first step; and we need to make many more.

I am also pleased to note that after a discussion of this subject, which I raised in executive session of the Senate Finance Committee, the Senate Finance Committee unanimously adopted a resolution directing the initiation of a thorough going study, by the Treasury Department and by the committee of foundations.

Building upon that first step, and benefiting by the studies which are to ensue, perhaps there is hope that we can move yet more beneficially in this field.

A second amendment which I offered in the committee is now in the conference report, though again in modified form. I refer to the limitation upon the benefits from employer contribution to group term life insurance which can be tax free to the employee. I shall not dwell on that point at length. Suffice it to say that under present law, there is no limit. The Treasury told us of instances in which officers of corporations were beneficiaries of insurance policies running as high as $900,000, the benefit being tax free to them.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. I am sure the Senator would like to have the limit below $50,000, but the Senator recalls that at one time in the committee he himself offered the $50,000 figure as a compromise between the Senate and the House.

Mr. GORE. I thank the Senator. That is true. I thought the $50,000 limit was too high. But I thought some limit was better than no limit. My amendment placing a $50,000 ceiling on the policies was at one time adopted in the committee. The following day the amount was raised to $70,000. The conference has brought back the figure of $50,000.

The provision is a new form of compensation which, by the enactment of the conference report, will be recognized in law. That compensation will be tax free to the extent of the premiums on policies with a limitation of $50,000. The Treasury recommended a ceiling of $5,000. So Senators can measure the result achieved in that regard.

The third amendment which I offered that appears in the conference report in modified form relates to the preferential tax treatment of income earned in foreign countries. That provision has been the subject of another long fight.

In 1962 about 50 percent of the goals which I had sought were enacted into law. The provision in the pending bill is but a small improvement upon those. The pending conference report deals only with tax exemption of personal income earned abroad. The bill enacted in 1962 dealt with corporate taxes on income earned abroad as well as personal income earned abroad.

I should like to compliment the conferees particularly upon securing adoption of the Senate position on capital gains. That feature of the report represents no improvement on present law. It represents no tax reform. Many types of income are now considered as capital income which in my view should be considered ordinary income. In my view the capital gains rate in present law is too low. But the House of Representatives had made a drastic reduction in the already preferential treatment of capital gains income. That was the worst single provision in the bill as it came to the Senate.

The junior Senator from Louisiana [Mr. LONG] earlier referred to the fact that we had a separate yea-and-nay vote on the amendment earlier this year. That was a move which I sought, and we struck out the House provision by a vote of more than 2 to 1.

At this point I believe it should be stated that less than half of the conferees representing the Senate had voted in favor of the Senate position on the floor of the Senate and in the committee.

But, Mr. President, to the credit of the Senate conferees, they were agents of the Senate and the position of the Senate, and unanimously supported the Senate position. That I appreciate. It was an important victory for the Senate. However, as I have said, the provision will merely hold what we have in present law, though not quite. We should have been going in the other direction, removing from preferential capital gains treatment many categories of income which are not true capital gains at all, but more realistically ordinary income.

I have already alluded to the provision in the bill relating to restricted stock options. Though it is not as much as I had sought, nor as much as I shall continue to seek, in my opinion it will go a long way toward curbing the abuse of that provision of the tax law. The restricted stock option for key employees of corporations is compensation as truly as is the salary or the bonus. Therefore, to set that particular form of compensation apart for specialized and preferential tax treatment is an unfair provision of the law.

Mr. President, on tomorrow the final vote will be had, and the bill will then go to the President to be signed into law. Before the vote is taken, let it be noted that the gross national product is now, according to statistics just released, growing rapidly. We are at a peak of prosperity. Lest the advocates of the bill claim that further growth, which is

now clearly indicated with or without the bill, will flow from enactment of the bill, I want the record to show the rate of growth which we are now enjoying. But let the record show also that, while this rate of growth is being achieved, we have the paradox of much unemployment—prosperity and poverty together—unemployment and record production, want and wealth side by side.

It may well be that enactment of the pending bill will provide further stimulation of productive capacity. But I close by asking if that is a pressing need. Where is there a shortage of productive capacity?

Enactment of this bill perhaps is characteristic of our time, when material values rather than cultural and moral values are a measure of life.

Perhaps some day we will have a reassessment of our values and realize that the long-term challenge to this Nation is not in materialism, but in the quality of education, in the measure of human kindness to our fellow man, in the equality of freedom and opportunity, in the degree to which we wage war on poverty, injustice, ignorance, projudice, and discrimination.

This bill can be no part of a war on poverty. Passage of the bill strips from the Government the ammunition with which to wage a successful war on poverty.

Just yesterday the Secretary of Labor was urging that children be kept in school 2 more years, and yet the exemption for the parents of those children remains at only $600. We are told of vast needs in Appalachia, of hordes of youth without skills or vocational education, of pressing need for community facilities, housing and jobs, yet we proceed pell mell to cut drastically governmental revenue.

Yes, I regret that the bill is to become law, but one must know when he is defeated, when the last shot is fired, with respect to a pending bill. But the war on injustice, the war on social injustice, on poverty, on disease, on ignorance, on sickness, on lack of opportunity, on lack of employment will go on. We will feel the need, however, of the ammunition which we by this bill give away.

Mr. DIRKSEN. Mr. President, first of all I compliment the distinguished Senator from Virginia [Mr. BYRD]. I recall the discussion and rumors that floated around for a long time to the effect that the Senate Committee on Finance was going to be dilatory and not expedite action on the tax bill. I think it was quickly discovered, when that committee was seen in session day after day, and in the markup sessions day after day, that there was expedition; and the bill was brought to the floor of the Senate very quickly—particularly when we measure it against the fact that the bill languished in the House committee and the House for 7½ months.

So I compliment the chairman of the committee on the fine service he rendered. I also compliment the distinguished Senator from Louisiana [Mr. LONG], who managed the bill on the floor and sat in the conference.

As I recall, there were 100 subcommittee amendments. That does not include technical amendments. I believe the House receded on 70 of those. There were 13 on which the Senate receded. There were 17 that were compromised, but I think the compromises were largely in the direction of the Senate's position on the bill. That is a notable piece of work in a conference on a bill so long and so involved.

The distinguished Senator from Virginia, the distinguished Senator from Louisiana, and all the other conferees deserve a real pat on the back.

There were 129 witnesses before the committee. 250 statements were filed with the committee. Many witnesses emphasized and labored the point that the bill would work wonders so far as concerns unemployment. I am afraid that they were speculating and using generalized figures that would not stand up under analysis.

Perhaps the most provocative witness before the committee was Dr. Roger Freeman, of the Hoover Institution on War, Revolution, and Peace at Stanford University. If one goes to the trouble of analyzing the figures, he can see the real problem that confronts us at the present time.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. DIRKSEN. I yield.

Mr. LONG of Louisiana. I thank the Senator for his kind words about the Senator from Virginia and also the Senator from Louisiana. The committee had an opportunity to consider more carefully the amendments that were before it in committee than did the Senate with respect to amendments that were offered on the floor. I believe, if the Senator will analyze the results of the conference, based on the action of the Senate committee, he will find that about 95 percent of the amendments which the Senate thought were meritorious were agreed to by the conferees.

Mr. DIRKSEN. Which makes the work of the committee even more commendable; for which the Senator deserves an extra pat on the back.

There were some phenomena about the jobless presented to the committee which I think deserve amplification on the Senate floor.

First, it was established from official sources that, as of September 1963, of all the hours worked in industry, 7.4 percent were on an overtime basis. That means that if straight time was at the rate of $2 an hour for an employee, an employer was paying $3 an hour for overtime—about 7.5 percent of all the time worked in industry.

One might say that there are more workers than there is work; but the fact is that there is more work than there are workers. I believe the figures submitted to the committee indicated that if we could find enough competence and skill, we could absorb all the unemployed and still have 2 percent of industrial employees working on an overtime basis.

It is a rather singular circumstance that 5 percent of all workers are holding two jobs—commonly referred to as "moonlighting"—while over 5 percent are jobless.

How is that accounted for? There is only one way to account for it. There is not enough skill and competence available to meet the needs of industry; therefore, a production manager is willing to pay $3 an hour for an overtime employee rather than $2 an hour straight time, because he knows he will get commensurate production.

That brings us to grips with the real problem—to find more competence and more skill. When we break these generalized figures down, as was done before the committee, we discover that of all those living in households, and heads of households, unemployment was not 5.6 percent but 2.6 percent—and that figure is sustained by figures from the Department of Labor.

If we look at the age factor, in the age bracket from 35 to 44, the jobless rate amounted to only 2.1 percent. But dropping down to a lower age bracket, from 20 to 24, what was the increase? By 2.1 percent? No. It was 7.2 percent; more than 3 times as much.

The same thing obtains among women as among men when it comes to both the age factor and the stability factor.

If it is calculated on a basis of white and nonwhite, I believe the figures will indicate that among the white jobless it was 3.5 percent and among the nonwhite 8.5 percent, which is 2½ times as much.

If we consider teenagers, from 16 to 19, the jobless rate among boys was 14.7 percent; among girls it was 15.8 percent. What was it in Great Britain in that same age group? One percent.

Why was it 1 percent instead of 14 or 15 percent? Because they have a well-guided apprentice training program under which apprentices receive a small stipend in the form of pocket money until such time as they finish their apprentice training and are qualified for jobs in industry.

So what does it all mean? Tax reduction is likely to affect the employment problem somewhat, but on the basis of the figures submitted, I have grave doubt—and so did those who testified as experts—that we should be able to "sponge up" the jobless on the basis of this tax bill.

What we need is vocational training and an apprentice training program for youngsters. We need stability among the younger groups, and then, perhaps, we can start making an inroad on the 5.6 percent jobless who have been with us now for nearly 18 months. We have made virtually no progess in that field.

This requires a new approach. To me, it was an astounding fact—and something of a confession—that almost on the heels of the tax bill, the President sent a message with respect to paying or compelling double time for overtime work after a determination by a tripartite government-industry-management committee to evaluate the jobs in a given industry.

That is something of a confession. We are trying to use the power of the Federal Government to beat industrial producers over the head and say, "You will take this man whether or not you wish to do so, or otherwise you will pay double time for any overtime worked by those

who have a record for production." That is, indeed, a confession.

It is about time to break down the generalized jobless figures so that we know where we are going if we ever wish to solve the unemployment problem.

Mr. President, I wish to ask the distinguished Senator from Louisiana a question, for the sake of clarification.

To clarify the point in section 422(b), suppose the board of directors of a corporation has recommended to its stockholders an increase in the number of shares available under an employees' stock option plan, or had reserved additional shares for the plan, subject, of course to a proper authorization of such increase—would this action constitute adoption and approval for the purposes of the 10-year period mentioned in section 422(b)?

Mr. LONG of Louisiana. In my judgment, the answer is yes. The tax effect should be no different, whatever the method we decided to adopt to achieve the objective sought by the section—namely, to obtain shareholder approval at least once every 10 years, and also to approve or disapprove management action on an employees' stock option plan.

Mr. DIRKSEN. I thank the Senator from Louisiana for his clarification.

Mr. LONG of Louisiana. Mr. President, I agree with the senior Senator from Tennessee [Mr. GORE] far more often than debate on the tax bill might indicate. Insofar as the record might reflect the contrary, it would perhaps be so, because for the most part the committee agreed with us also. Therefore, there was no dispute about an agreement existing in general.

The Senator from Tennessee has been an extremely valuable member of the committee. He set himself the painful task of undertaking to ferret out and eliminate what he believed to be loopholes and special favoritism with regard to certain taxpayers. This is not a pleasant task to undertake, as I have had occasion to learn.

I am frank to say that often we find that those who should really understand the situation do not appreciate it, but it is something that should be done.

In many respects, the Senator from Tennessee has rendered a great service to the Senate. He was among the first Members of this body, many years ago, to raise the question of justice and fairness in the treatment accorded to insurance companies as compared to others, which resulted in a major change in the law on insurance.

The Senator from Tennessee also pointed up the problem involved in taxation of foreign income which properly was subject to taxation by this country, which again resulted in major changes in our law which exist today.

As the Senator has indicated, there are provisions in the bill which are being changed because of the fight made by the Senator, and many which were included in the bill as the result of the efforts of the Senator from Tennessee. I refer to the stock option proposal. Although it does not include everything that the Senator wanted, that provision is being tightened up in five respects. I refer also to the provision with respect to unlimited charitable contributions. Undoubtedly this will result in a further examination of this subject, and will lead to further legislation in the field of charitable contributions.

The distinguished Senator from Virginia, chairman of the Committee on Finance, has asked—and the committee is following up on his request—that the Treasury Department make a study of this subject and report to the committee.

Mr. GORE. I very deeply and genuinely and with the greatest appreciation thank the Senator for his generous remarks. When the going is very rough and the knocks are very hard, and defeat is bitter to taste, one tends to become discouraged. However, so long as one accomplishes a few things, as he travels through the Senate, I suppose he can take some heart and consolation. I particularly take heart and consolation and pride in the esteem and generosity of my distinguished friend, the able and distinguished Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Tennessee can take much pride in a large number of reforms in the tax laws. He did not achieve everything that he would have taken pride in accomplishing, but the Senator has taken a position which perhaps few people understand; and that is, in respect to his insisting that those who pay far too little in taxes should pay more. In a number of respects he has succeeded in eliminating loopholes in the law which have existed for some time and, in some respects, he has perhaps prevented our creating additional loopholes that would have resulted had he not been so diligent. He has been a very effective and valued member of the committee. I regard him as one of the most valued members of the committee with whom I have had an opportunity to serve during my 12 years of service in the Senate.

Of course I believe the bill to be a far better bill, both as a reform measure and as a measure of social and economic justice, than does my friend from Tennessee. I believe that it is one of the best and most constructive pieces of legislation, particularly in the revenue field, that has been passed in a great number of years. In my judgment, if I may be pardoned for saying so, as the one who handled the bill on the floor of the Senate, the new tax law will prove to be one of the best revenue measures, as well as the most significant revenue measure, which has been passed by Congress in the 15 years that I have been a Member of the Senate.

Like other Senators, and like the majority of the committee, I was very much concerned about the possibility that the bill might provide altogether too much relief to persons in the upper income brackets. I have before me a tabulation of the reductions that would be available to persons in the various income brackets. I ask unanimous consent that the final column of this table, showing the total rate and structural changes, which relate to the income groups which appear in the first column, be printed in the RECORD at this point.

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

Revenue bill of 1964, H.R. 8363—Distribution by adjusted gross income class of the full year effect of rate and structural changes affecting individuals [1]

AS APPROVED BY THE CONFERENCE (FEB. 19, 1964)

Adjusted gross income class	Total rate and structural changes	
	In millions of dollars	Change as a percent of present tax
0 to $3,000	−565	−39.0
$3,000 to $5,000	−1,085	−26.9
$5,000 to $10,000	−3,775	−20.6
$10,000 to $20,000	−2,160	−17.0
$20,000 to $50,000	−1,045	−15.5
$50,000 and over	−550	−13.2
Total	−9,180	−19.4

[1] Excludes effect of capital gains provisions and repeal of the requirement to reduce basis by amount of investment credit.

Mr. LONG of Louisiana. Mr. President, the table shows that, percentagewise, by far the greatest percentage tax reduction falls in the lower income brackets, and that the smallest percentage falls in the upper income brackets. By far the bulk of the tax reduction falls in the middle income brackets. That is where it should fall. It is that group which pays the major share of the taxes to this Government so far as income taxes are concerned.

It seemed to me that the real issue, whether the bill was to be a bill to benefit the rank and file taxpayers on an equitable basis, or whether it would be unduly favorable to those in the upper income brackets, depended on whether the Senate prevailed in its capital gains treatment provision. I have in my hand a table showing the manner in which tax reduction would be accorded had the bill been enacted as proposed by the House, compared with the way it would have worked under the Senate language, particularly so far as the long term impact of the bill was concerned.

The Senator from Tennessee had a chart, which he used on the floor repeatedly, showing that while rates were generally regarded as being almost confiscatory in the half-million-dollar-and-above bracket, those who used the capital gains treatment and other devices—charitable contributions being one of the major items—were successful in reducing their effective tax rate to a far lower rate than the public imagines.

I have a Treasury study which shows that, under the provisions in the House bill, those who had a small percentage of capital gains were paying 47.6 percent, if they were making $700,000, and that those people would reduce their effective tax rate to 40 percent under the House action. On the other hand, it shows that with the same incomes but with a high percentage of their income in capital gains have effective tax rates of 20.1 percent, and that those people would have reduced their liability to 18.1 percent under the House action.

The same disparity was shown with regard to those making more than $2

million. Those who had a low percentage of income in capital gains were paying an effective tax of 56.7 percent. Under the House bill that would have been reduced to 46 percent.

Those making $2 million, with a high percentage of capital gains, who are presently paying 20.9 percent in taxes, would have had their tax rate reduced to 18.5 percent under the House action.

Action of the Senate, in pursuance of the Treasury's recommendation, caused those who had a low percentage of capital gains, and therefore had been paying at a high rate of taxation, to achieve a larger tax reduction than was accorded those with a high percentage of capital gains.

Therefore, those who are entitled to a major tax reduction, because they were actually paying confiscatory tax rates, receive a major tax reduction. Those who were not entitled to any tax reduction, because they were not paying taxes of as much as half of their income, tend in some cases to receive an actual increase in taxes. That is the way it should be.

A table which I have before me demonstrates what I have been trying to explain in general terms.

Mr. President, I ask unanimous consent that the table be printed at this point in the RECORD.

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

Changes in effective tax rates from present law, under House bill, and under Senate bill, for high income taxpayers with low, average, and high proportions of capital gains

Adjusted gross income	Percent of realized income			Tax reduction as percent of present law tax	
	Tax under present law	Tax under House bill	Tax under Senate bill	House bill	Senate bill
$120,000:					
Low capital gain	39.6	34.8	34.9	12.2	12.1
Middle capital gain	32.0	28.1	29.1	12.1	8.9
High capital gain	27.6	24.2	25.9	12.2	6.3
$170,000:					
Low capital gain	42.2	37.0	37.2	12.4	11.9
Middle capital gain	31.6	27.8	29.2	11.8	7.5
High capital gain	25.4	22.4	24.5	11.9	3.6
$300,000:					
Low capital gain	48.2	41.3	41.6	14.0	13.5
Middle capital gain	30.5	27.1	28.9	11.2	5.4
High capital gain	22.4	19.6	22.3	12.5	.4
$700,000:					
Low capital gain	47.6	39.9	40.6	16.3	14.8
Middle capital gain	26.3	23.1	25.4	12.3	3.5
High capital gain	20.1	18.1	21.1	10.4	−4.5
$2,000,000:					
Low capital gain	56.7	46.0	46.4	19.0	18.2
Middle capital gain	30.2	25.7	28.0	14.9	7.3
High capital gain	20.9	18.5	21.3	12.6	−1.9

Office of the Secretary of the Treasury, Office of Tax Analysis, Jan. 14, 1964.

NOTE.—Realized income is the adjusted gross income increased by the 50 percent of capital gains excluded in computing adjusted gross income. For each income the ratio of deductions to adjusted gross income and of dividends to (adjusted gross income less capital gain) is equal to the corresponding ratio for the corresponding class in 1960 statistics of income. The low gain level is a point at which 25 percent of taxpayers in the class have lower gains; at the high gain level 25 percent have higher gains; the middle level is the average ratio of gain to other income. It was also assumed that, at these high brackets, 90 percent of realized long-term gains are class A.

Mr. MILLER. Mr. President, the adoption of the conference report on the administration's tax bill is assured. I shall vote against it.

It will be a stab in the back of the poverty sector of our country, over which this administration professes to be so much concerned.

Millions of citizens do not have enough income to pay income tax. They will receive no tax reduction under the bill. But they will feel the sting of the reduced purchasing power of their social security pensions, their savings, and their insurance as a result of the inflation which will follow.

Under the bill there will be multibillion dollar deficits for fiscal years 1964 and 1965. Without the bill, we could reasonably have expected Federal revenue and Federal spending to balance out during these years. This would have meant a stable dollar and no inflation.

The proponents of the bill say that we will have deficits without the bill; so we might as well have bigger deficits with it. They deny that the bill will result in inflation, but they merely close their eyes to reality. They do not like to face the fact that during the last 3 years this administration has run our country $20 billion deeper into debt; that we have had inflation of $21 billion; that the retail cost of living index has gone up from 214.6 to 222.3; and that the purchasing power of the dollar has fallen from 46.6 cents, based on a 1939 dollar worth 100 cents, to 44.9 cents.

The cost of living index will continue to go up, and the purchasing power of our money will continue to go down, as a result of the multibillion deficits this tax bill will help to produce.

Escalation clauses in labor-management contracts will automatically result in wage increases. Other workers will be forced to demand higher wages in order to get more dollars, because all of their dollars will be worth less. Congress wil be called upon to increase social security pensions. Construction costs of schools and hospitals will go up. Property taxes will be increased. Conveniently enough, most of these events will take place after the election this fall.

But when these things happen, let the people know that this administration and its controlled, rubberstamp Congress are responsible.

The idea that we can spend more money and cut taxes at the same time is just the old "something for nothing" gimmick in a new package. The people cannot get something for nothing, even on the New Frontier.

Mr. President, the distinguished Senator from Louisiana brillantly handled a most difficult, complex tax bill. As a tax lawyer by profession, I can recognize difficult legislation when I see it. The pending tax bill is one of the most complex pieces of proposed legislation to come before the Senate since I became a Member of this body. The Senator from Louisiana had an extremely difficult assignment in handling the bill. There were occasions when I disagreed with him; there were occasions when I supported him. Regardless of whether I disagreed with him on some points or agreed with him on others, he is to be commended for his fine work in handling an extremely difficult piece of proposed legislation.

I regret very much that apparently we are in deep disagreement in some areas of economic philosophy. I feel strongly that the bulk of the benefits under the tax bill will not accrue to the lower income areas. I have already stated that those in the poverty sector, those not having enough income to pay an income tax, will be out in the cold and will be stuck with inflation. Millions of people in the lower and middle income areas will get little, if any, benefit from the tax bill. Even taking into account the extra dollars they will get from the tax cut, the purchasing power of those dollars will be diminished as the result of inflation. Let me illustrate what I mean.

On page 181 of the report of the Committee on Finance on the pending bill is a table showing the impact of the tax cut on various brackets of income. In the case of an adjusted gross income of $3,000, there would be no tax under present law and there would, of course, be no tax under the bill. Nevertheless, with the decline in purchasing power, in only 1 year, of 1½ percent, which is the record we are now operating under, and which will be the same, if not worse, in the years following, that taxpayer will suffer a loss of $45. Thus that person will automatically be $45 worse off in purchasing power under the continued inflation which the tax cut bill will produce.

The taxpayer in the $4,000 adjusted gross income bracket would have a tax saving of $40 under the bill, but the inflation in one year would eat up $60 in purchasing power. So that individual would be on the loss side.

The taxpayer in the $5,000 bracket would receive a $80 tax cut, but $75 would go out the window on a 1½-percent decline in the purchasing power of that person's money.

Some persons of course, will always benefit in an inflationary situation. Under this tax bill, some persons will have more dollars and more purchasing power as a result of the tax cut than they will suffer in loss of purchasing power as a result of inflation.

For example, a person in the $50,000 income bracket would receive a tax cut of $2,037. A 1½-percent diminution in the purchasing power of $50,000 would amount to $750, so that person would

get $2,037 on the plus side, but only $750 on the minus side.

In the $100,000 bracket, a taxpayer under this bill would receive $4,295 in additional purchasing power, but would suffer a loss of only $1,500 in purchasing power as a result of a 1½-percent diminution in the value of all their dollars.

So persons in the high tax bracket will come out pretty well, but I do not think it is fair to calculate a tax bill on that basis. I have already said that millions of people in the poverty sector are the ones least able to afford an inflation tax.

Mr. President, I am using the figures of the President's Council of Economic Advisers, showing the record of the last 3 years. Judging by the past climate, we can expect another $7 billion deficit, possibly more, during the next fiscal year. It will be more than that for the current fiscal year, and that means a 1½-percent decline in purchasing power, the purchasing power of the people's hard-earned money.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MILLER. I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The point that the Senator from Iowa had in mind with regard to an anticipated 1½-percent inflationary reduction in purchasing power would assume that those persons do not make increased earnings. I am sure the Senator is aware of the belief that this $11 billion tax reduction will create more consumer spending and will also provide an incentive to business to expand, modernize, and improve. The result will be that the $11 billion tax reduction will be spent more than once. It will be spent over and over again, and this will generate much additional employment and production.

If that is the result and that is our hope—and I am sure the Senator from Iowa realizes that this is the economic argument in favor of the enactment of this measure—that those with incomes of $3,000 will be able to find better jobs, with the result that their incomes will increase to perhaps $5,000 or $6,000, in which event they will become taxpayers.

Of course the principal benefit of that development would be, not the tax saving they might make, but the better jobs we hope they would have as a result of having private enterprise do this job—which some contend private enterprise can do much better than the Government could do.

The Senator from Iowa did not, I believe, hear the argument made by the Senator from Tennessee [Mr. GORE], which was that we should be increasing Federal Government expenditures, so as to put these people to work in Government projects. But the argument in favor of the enactment of this measure is that it will lead to an expansion of the economy and a resulting opportunity for private enterprise to provide increased production and increased employment.

Incidentally, in years gone by that theory was heard more from the Republican side of the aisle than from the Democratic side.

If we accept this theory in connection with the pending measure—and also on the ground of increasing consumption—then we should do so on the basis of helping those who now have low incomes to find better jobs which will give them increased incomes, and also on the basis of helping those now unemployed to find jobs.

We have no illusion that this measure will solve the entire problem; but we believe it will help solve it.

Mr. MILLER. Mr. President, the Senator from Louisiana has expressed very well the economic basis on which this tax measure is premised. I regret that I cannot agree. But since that expression has been made, I believe I should respond.

First of all, with respect to the Senator's point that the Republican side of the aisle has been the one chiefly favoring this type of approach, I say we certainly do, and I certainly do; and we go along with the Senator from Louisiana at least to some extent on the multiplier theory in connection with the proposed tax cut and the taking of this approach, provided one thing happens—although it never will happen under this measure, and this is one of the differences between the two parties—and that is that there be a stable dollar. Economists who have appeared before the Joint Economic Committee admit, when they are pinned down, that a tax cut must be premised on a stable dollar, if the tax cut is to be meaningful. In fact, one day I asked the Secretary of Commerce, "If we have a tax cut, and if someone who has been making $5,000 a year ends up making $5,200, as a result of the tax cut, but still has a purchasing power of only $5,000, because all his dollars are worth less, as a result of the failure to have a stable dollar, what about that situation?"

He replied, "Of course then you are on dead center."

This is the problem. If we would have a stable dollar, I suppose this measure would have been passed unanimously by the Senate. But we are not going to have a stable dollar if we continue to have multibillion-dollar deficits.

I recognize the application of the multiplier theory. The statistics for the last number of years show that the taxpayers spend about 90 or 92 cents of every dollar of their income after taxes, and that we can expect them to continue to do so, and that after this tax measure goes into effect, we can expect that 92 cents of every dollar of tax savings will be spent, and that, in turn, that will produce a profit for someone, and he will spend 92 cents of every dollar of his profits; and the economists tell us that, in terms of the final effect, from every $1 of tax cut we can expect perhaps $2 or $3 or possibly $4 of increased gross national product.

Of course there is disagreement over whether there should be a $11 billion tax cut, because some say that if a $11 billion tax cut will produce $33 billion of increased gross national product, which the Senator from Louisiana and other proponents suggest will happen under the provisions of this measure, then why not have a $22 billion tax cut, and thus have $66 billion of increased gross national product?

I recognize that the multiplier theory has some validity; but it has no validity unless there is a stable dollar; and the fact is that we do not have, and will not have, a stable dollar; and I am laying my reputation on the line on that score.

As a matter of fact, Dr. Heller, after quite a bit of "tooth pulling," admitted that probably next year we shall have inflation to the extent of from $5 to $7 billion. When there is inflation in that amount in the United States, that amounts to a 1½-percent decline in the purchasing power of the dollar, or that is about the same as having—at least, in Iowa, for example—a hidden sales tax of about 2½ percent on the backs of the people who pay for the multibillion-dollar deficit spending operations of the Federal Government.

I do not have the figures for Louisiana; but as I recall the figures for Minnesota—and I see on the floor the distinguished senior Senator from Minnesota, the majority whip [Mr. HUMPHREY]—they are that $7 billion of annual inflation amounts to a hidden sales tax of approximately 3 percent on the backs of the people of Minnesota.

This is what undercuts the beneficial effects of an income-tax cut when there is not a stable dollar.

I hope and pray that I am wrong, for all of us want the people to have prosperity and to have more purchasing power, so they can buy more of the better things of life.

But as sure as I am here today, within the next year we shall be presented with a request to increase social security pensions—why? Because we shall be told the poor pensioners cannot make ends meet, because all their dollars are worth less and their pensions have been decreasing in value every year; and it is clear that the value of their pensions will continue to fall as a result of the continuing multibillion dollar deficits, and they will continue that way as long as we insist on following the Pied Piper and his sophisticated school of economics.

As I have said, it is impossible to get something for nothing; and that includes spending in the multibillion dollar deficit area. The entire effect probably will not be felt too much until after the election this fall; but 3 years from now—just as when I first came to the Senate—it will be very clear that it is impossible to consider the effect of such measures without also considering their inflationary effect. I took that position when I first came to the Senate, 3 years ago; and I have taken that position ever since. I take it today; and I shall continue to do so. This is what is happening to the people of the United States; and I hope they wake up before it is too late.

Mr. LONG of Louisiana. Mr. President. I have before me a recent issue of the Economic Indicators; and it shows the prices in the last several years and the prices during the past year.

On wholesale prices, the index for 1958 was 100.4; and as of February 11,

1964, the index was 100.5. So for those 6 years we find an increase of one-tenth of 1 percent in the wholesale prices of all commodities—which speaks extremely well for the situation during the Eisenhower administration, the Kennedy administration, and thus far in the Johnson administration.

It is true that the showing is not that favorable when we consider retail prices. For retail prices, the economic indicators show 100.7 for 1958, as against 107.6 for December 1963—or an increase of about 1 percent a year, on the average. On the other hand, that increase is accounted for in part by the change in the quality of goods consumers buy. In other words, the consumers continue to receive better products, more attractive packaging, with the result that a considerable amount of the increase in the price index is not real. On the whole, the showing during the last 6 years—and I believe it speaks well for the administrations of two Democratic Presidents and a Republican President—relative to prices, particularly at the wholesale level, reveals them to have been remarkably stable. I now yield to the Senator from Iowa.

Mr. MILLER. First, we are all interested in the fact that the wholesale price index has remained relatively stable in the past 5 years. That is exceedingly interesting. But 99 out of 100 American people buy at retail rather than wholesale. Retail prices are far more important. That is what counts. I am quite sure that if an escalation clause in one of the auto workers' contracts in Detroit is before the union and the management for consideration, and the union suggests that a wage increase under the escalation clause is in order, and management comes along and states, "But the wholesale price index has been stable," the point will not make much of an impression on the union leaders. They will say, "We are interested not in wholesale prices; we are interested in retail prices."

It may be that management will come back to the union leaders and say, "Oh, do not worry so much about the retail price index because you people are buying better quality things."

That statement will not deter the union people. They will say, "we are going by the retail price index. What we are interested in is the fact that the purchasing power of our hard-earned money is going down. The result is that the escalation clause requires you to increase our wages. If you do not, we will go on strike."

It is that simple. I recognize that people are getting better quality things. We certainly hope that the trend will continue. But what we are interested in is the purchasing power of our dollar. The purchasing power of the dollar is going down. For the past 2 or 3 years it has been going down 1½ percent a year.

The wholesale price index is fine. I hope that wholesale prices remain stable, for it may help to prevent the retail price index from going up more than it is going up. But what we are concerned about, I believe, is the stability of the dollar. Without a stable dollar—and I am talking about the purchasing power of the dollar—a tax cut will be only an empty gesture so far as the great bulk of the people of our country are concerned. After the tax measure is signed, their condition will be worse than it was before.

Mr. LONG of Louisiana. Mr. President, I know of no period in the history of America—certainly no time in the modern history of America—when during a similar period retail prices have remained more nearly steady than they have for the past 6 years, except in a depression or a recession. I know the Senator would not wish to pay the price of a great number of people being out of work and the hardship that comes to Americans going through a depression or a deep recession. I invite the Senator to show me any similar period of prosperous times in which the Nation has had as steady a price level as we now have. I know of none.

Mr. MILLER. Mr. President, what I am interested in is current history, not ancient history. The Senator has said that the retail price index has not been going up too greatly, that the movement upward has not been too bad, that the decline of 1½ percent per year in the purchasing power of our dollar is not too bad. That does not make it right.

I suggest to the Senator that a year from now—perhaps even during the present session—we shall be requested to increase social security pensions because the pensioners cannot make ends meet.

The situation is bad. I should like to cite an example. Back in 1940, a social security pensioner with a $3,000-a-year earning base would have retired with a pension of $499. The 1939 dollar would be considered worth 100 cents. The pension of the social security pensioner was worth $499 in purchasing power.

Down through the years Congress has increased social security pensions, so that the same individual today would be receiving $640 more than he would have received in 1940. But that does not mean that he would have $640 of additional purchasing power. As a result of the inflation, he will have $16 more purchasing power than he had before. The decline will be evident in another month or so when the value of the dollar is next published.

I wish to invite the attention of my friend from Louisiana to the publication "Economic Indicators." If he will look at page 2 and observe the gross national product figures on that page, he will find two columns. One column shows the gross national product increase, and the other column shows the gross national product increase in 1963 dollars. If the Senator will add up the increases, let us say, from 1960 to 1963 in the one column, he will come up to about $100 billion. That shows an increase from $500 billion to $600 billion in gross national product in 3 years. But if the Senator will add up the figures in the other column, in terms of a stable dollar, he will find that the figure is about $21 billion less. So instead of having a $100 billion increase in gross national product, we have had only about a $79 billion increased gross national product in terms of real dollars. That is about one-fifth of our gross national product. Inflation, when it is that bad, is really meaningful, and we should be concerned about it. The unfortunate part of it is that if we would merely practice some fiscal integrity and come out with somewhere near a reasonably balanced budget, we would have a stable dollar, and these hardships would not overcome us.

Mr. LONG of Louisiana. Mr. President, the figures before me show that retail prices moved from 94.7 in 1956 to 98.0 in 1957. That was under President Eisenhower, and times were prosperous. That was more inflation than we have had during the 3 years of the Johnson and Kennedy administrations. Yet, notwithstanding a 3⅓ percent inflation during that year, people were working. They were prosperous. People were happy. President Eisenhower received such an enormous vote that even the State of Louisiana voted for him. In fact, it caused me to lose face with my daughter. I had predicted that President Eisenhower would be elected but that he would not carry Louisiana.

If we can maintain our country as prosperous as we hope for it to be, I do not believe the people will be upset about inflation of 1 percent a year in retail prices, particularly when wholesale prices are stable. I have sometimes doubted whether it is possible to maintain the country as prosperous as the country should be without some small amount of increase in retail prices—approximately 1 percent a year.

Anyone who is in any part responsible for economic planning would have great difficulty in maintaining all items so stable that there would not be retail price rises of about 1 percent. If he held a tight rein, he might get the country into a recession on the downward side.

On the whole, I would judge that if we are able to maintain the kind of stability that we have seen for the past 6 years—and I will include 3 good Republican years and 3 good Democratic years—I do not believe the people will be upset. If we are able to have the kind of full employment that everyone hopes for in our great country—and the tax measure will contribute to it—my belief is that the people of the country will bless us, even if it is not possible to reduce taxes for those who do not pay any taxes whatever.

Mr. MILLER. Mr. President, this is where we differ in our economic philosophy. The Senator from Louisiana says that if we have full employment or prosperity, it makes no difference if we have 1-percent inflation, or a decline in the purchasing power of the people's money.

I do not believe in this doctrine. I do not believe that we must have a decline in the purchasing power of our people's money by 1 percent. I do not believe we must sneak around and, through the hidden sales tax of inflation, deprive our older people, who are depending on Congress to maintain the full integrity of their money, of their purchasing power, in order to provide decent job opportunities. I do not know who is responsible for this idea. It certainly has not proved out.

We must put things in perspective. I recognize that when General Eisenhower was President we had the greatest peacetime deficit in the history of our country. I have carefully refrained from calling these deficits Johnson deficits or Kennedy deficits, because when we get down to the nub of the matter, it is not the President or the executive branch of the Government that does the appropriating. It is the Congress which does it.

My friend from Louisiana, who has been a Member of the Senate for a good many years, knows that the Democrats were in control of the Senate and the House of Representatives during the period he referred to a few moments ago, just as they are in control of the Congress today. It is bad enough when Congress is in control at a time of economic philosophy that inflation is the way to prosperity, but it makes it much tougher when both the legislative and executive branches are in the control of those people.

I recognize that there are two economic schools of thought. One is the sophisticated economic school to which I have just referred; the other is the classic school, which I favor. I hope the sophisticated economic school of thought works, but it has not been working very well. We still have a deeply serious unemployment; and a part of the reason is that we do not have a stable dollar. Of course, it would have been worse if the dollar had gone down even more in value. That does not mean it has not gone down badly enough.

As I have said, an inflation of $7 billion is equivalent to a 2½ percent sales tax on the backs of the people of my State. If the legislature of my State proposed to pass a bill providing for an increase in our State sales tax by 2½ percent for the purpose of helping finance the deficit spending programs of the Federal Government, the people would throw out of office about every one of them. It is high time some of us started pointing out what is happening to them, instead of trying to tease them. That is all I am trying to do. If people are given the facts, and then they say, "This is for us," that is it. If public opinion wants to support the sophisticated school of thought, it is the privilege of our people to do so. But it behooves those of us who believe differently to do our utmost to let the people know what the facts are before they make the choice.

LIFTING OF UNION BOYCOTT AGAINST WHEAT SHIPMENTS TO SOVIET UNION

Mr. HUMPHREY. Mr. President, the Nation received some very good news this afternoon. It already has been reported by our fine news services. I read one dispatch:

> The White House announced today that a union boycott against wheat shipments to the Soviet Union has been lifted and deliveries will resume.
>
> President Johnson received word of the solution from AFL–CIO President George Meany.
>
> Johnson hailed the union action "as a responsible move on the part of American labor."
>
> Johnson exchanged telegrams with Meany on the situation last night and again today.
>
> The President also had spoken by telephone with Meany, who is in Miami Beach, on Sunday night and again this morning.

This is a dispatch of United Press International. There is another from the Associated Press. They tell us that the difficulties which had arisen over the shipment of wheat to the Soviet Union now have been reconciled.

I compliment the president of the AFL–CIO, Mr. George Meany, upon his responsible, effective role in bringing about this agreement. I also compliment the officers of the unions involved.

As I said yesterday, I realize that the unions had some legitimate complaints. I also recognize that no private group can write the foreign policy of this country, and I have so stated. Nor did the AFL–CIO want to write the foreign policy of this country. It was seeking to get a better understanding of the arrangements pertaining to the use of the American merchant marine in the shipment of wheat purchased in the United States from American firms by the Soviet Union.

The late President Kennedy, in his announcement relating to the sale of American wheat to the Soviet Union, specified that 50 percent of the wheat would be shipped in American bottoms when such ships were available.

Following this announcement, agencies of the Government, including the Department of Commerce, its Maritime Administration, the Department of Labor, and the Department of Agriculture, met with representatives of industry and labor to discuss the schedule of shipping, shipping rates, and the availability of ships.

Some misunderstandings grew out of these discussions and conferences. In the meantime, rather substantial contracts were signed by some companies. As a result of these misunderstandings and as a result of the failure clearly to delineate cargo preference arrangements in specific details, the International Longshoremen's Association and the Maritime Union took exception to some of the arrangements and said they would refuse to load the ships that were to carry the wheat.

I mentioned this on the floor of the Senate before. I now rise for the purpose of thanking the labor unions affected for their willingness to come to grips with the problems and find solutions, for the cooperative attitude of their members, and for the action of the AFL–CIO, as expressed by the statement released today by Mr. Meany and President Johnson.

As I indicated yesterday, President Johnson has been working tirelessly in an effort to bring about this solution. The President of the United States used his persuasive powers and eloquence to remedy a difficult situation. Thank goodness we have such a persuasive and effective President. The President exchanged telegrams as well as telephone calls with President Meany of the AFL–CIO.

The telegram from President Johnson to Mr. Meany, dated February 24, 1964, reads as follows:

> You know from our conversation that the questions which have been raised by the International Longshoremen's Association and the Maritime Union, as reflected in the public statement of February 20, 1964, have my personal attention.
>
> I understand that a satisfactory basis has been established for resolving these issues to the extent that certain aspects of this problem continue to present difficulties, I suggest and urge that further meetings be held for the purpose of resolving these problems and that these be arranged under circumstances that permit free reason to prevail. The country will respect, and properly, only policies and procedures which are established in this way. I trust I will have your concurrence and cooperation in this position.
>
> Sincerely,
>
> LYNDON B. JOHNSON.

Mr. President, the head of the AFL–CIO, Mr. George Meany, did sit down and reason with his associates and colleagues in the labor movement. He did sit down and reason with Mr. Reynolds, of the Department of Labor, as well as with Secretary of Labor Wirtz. They followed the admonition that President Johnson so often called into play when he was majority leader in the Senate, and now uses as President, the counsel that comes from the Prophet Isaiah: "Come now, and let us reason together."

By this determination to reason together, by the willingness of Mr. Meany to work these matters out with his associates in the labor movement and the responsible officials of our Government, a satisfactory agreement has been reached.

Mr. Meany replied to the President today, February 25. His telegram reads as follows:

> In response to your telegram, may I say that under the plan for future meetings worked out with Secretary Wirtz, in an effort to resolve the questions raised by the ILA and the maritime unions, I have met with the head officers of the three unions affected and have urged them, in keeping with the program outlined by Secretary Wirtz, to resume work on the cargoes in question.
>
> In response, they have agreed to my request and in so doing it is my feeling they have acted in the best interest of the Nation as well as the best interest of their own membership.
>
> It is my view that this controversy has served to focus attention on certain serious problems adversely affecting the welfare of American seamen. I am confident that the program and procedures that have been worked out to resolve this dispute will be instrumental in helping to solve these problems.
>
> Sincerely,
>
> GEORGE MEANY.

What Mr. Meany particularly refers to is the necessity for the Nation to have a much more just, a much fairer, and much more active maritime policy. We need a merchant marine, and we must make whatever arrangements are necessary to sustain that merchant marine. The unions involved in this matter primarily are concerned with the future of the American merchant marine and the welfare of its merchant seamen. They have every reason to be concerned lest our merchant marine may, slowly but

surely, be peeled away and weakened because of failure to properly care for it, to use it, and to modernize it.

One of the reasons for this particular dispute relating to the shipment of wheat to the Soviet Union is not merely the difficulty that arose over shipping wheat in American cargo ships to Russia but, more importantly, the whole question of maritime policy, the whole basic issue of the future of our American merchant marine and the welfare of American merchant seamen.

The Soviet wheat sale and the 50–50 arrangement to use American cargo ships merely was the catalyst that precipitated the consideration of a much more basic issue—that of the future of the merchant marine and the welfare of American merchant seamen.

I compliment organized labor in this instance. It did what was right. It did what was required of it—namely, to protect the national interest.

The dispute that has been so widely reported in the columns of the press, and over radio and television, now has been settled. The ships will be loaded. The longshoremen and the maritime unions are fulfilling their responsibilities under the contracts entered into by private American firms. The Government of the United States is reviewing its policy, and procedures are being set up to more properly handle disputes such as the one we have just considered.

I salute Mr. George Meany and his associates. I also thank the unions that have come to an agreement with the Government of the United States. I also commend the Secretary of Labor, Mr. Wirtz, and his assistant, Mr. Reynolds, and, above all, I thank the President of the United States for his willingness to inject himself into this situation and to use his great abilities to bring about an equitable solution. He has used the power and prestige of the office of the Presidency to see to it that on the one hand justice was done to our own people in the unions and, on the other hand, that the policy adopted by this country was effectuated by offering contracts for the shipment of American wheat to the Soviet Union for cash or for gold, under terms that are desirable to the American people.

The sale of this wheat will reduce our surpluses, thereby strengthening the domestic price of wheat to producers in the United States. It will reduce the cost to the American taxpayer of maintaining the surpluses—namely storage and handling costs. The sale of this wheat will provide much needed gold to aid us in our balance-of-payments problem.

The sale of this wheat will open new markets for American farmers who need foreign markets.

The sale of this wheat will benefit the American merchant marine.

It is in our national interest. Today we have won a singular victory for reason, justice, and fair play.

I yield to the Senator from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. President, I shall not detain the Senate, but I wish to associate myself with the remarks of the Senator from Minnesota. I believe he has brought the Senate the best news it has heard on the floor in a long time, and I am sure it will be so received all over the country.

Yesterday I said on the floor of the Senate, during discussion of the proposed wheat bill, that I believed it was highly unfortunate that a private group of citizens—in this case, a group of labor leaders—should deliberately take over the foreign policy of the United States. I do not retract that statement. However, tonight I am happy to be able to sound a more hopeful note, a note of commendation that the councils of reason have prevailed and that our labor leadership has put the national interest above personal interest on the question of wheat shipments.

As the Senator from Minnesota has said, this is clearly in the interest of our country. It certainly is in the interest of the wheat producers, who are hard pressed to find profitable markets for the commodities they produce in such abundance.

I should like to add one further note to what the Senator from Minnesota has said. I know there are some citizens who are somewhat unhappy over the possibility of American wheat assisting the Communist cause.

I believe this represents a great victory for the free world. This is a wonderful opportunity for us to dramatize, not only to the people of the Soviet Union, but also to people all over the world, many of whom are uncommitted, that we, under our system of free agriculture, have once again demonstrated the superiority of that system.

I suppose that in most areas of production the Soviet Union has come pretty close to approaching us. They were able to put a missile on the line which is as good as anything we can devise. They have developed bombers that are comparable to the ones that we are able to put in the sky. They have done all kinds of remarkable things in the field of science. They have done pretty well in most fields, on a par with us. However, in this most important area, food production, about which more people are concerned than with anything else, they have fallen short of what we have been able to achieve with our system of family-type farm production.

Therefore, with the conclusion of this wheat transaction, and the ironing out of certain difficulties which have thus far blocked the transfer of American wheat to countries behind the Iron Curtain, we have scored a really dramatic victory in our contest with Iron Curtain countries. This is a point which everyone ought to keep in mind in evaluating the pluses and minuses of the wheat transaction.

I join the Senator from Minnesota in commending the labor leadership, and in commending our President and the Secretary of Labor for their efforts in ironing out these difficulties.

There is one thing which the Senator did not say when he was commending the President for his persuasiveness. He did not tell us that the Senator from Minnesota himself has also been on the telephone and that he has also been talking to people in an effort to iron out the difficulties. Such action led to a successful conclusion of the shipments of wheat.

I believe he deserves a sizable portion of the credit, in the first instance, for making the wheat transaction possible and, secondly, for lending his strong voice and his own persuasiveness to ironing out the remaining obstacles in the way of shipment of wheat to the Soviet Union.

I ask the Senator from Minnesota if he can enlighten us a little more on the arrangements which have been made by our Government with reference to this whole transaction.

Mr. HUMPHREY. I thank the Senator from South Dakota for his kind references to me. They were more than generous. I deeply appreciate what he had to say.

The settlement that was reached, as both of us have indicated, was in the typical American tradition of negotiation, conference, and working things out through reason and understanding. This surely is to be noted, because the Government did not move in and take over. No force was used. It was a matter of consultation, negotiation, reasoning, and adjustment among responsible and thoughtful men.

Mr. McGOVERN. Have new arrangements been made?

Mr. HUMPHREY. Yes. First, of course, President Johnson wishes to make sure that the commitments of the late President Kennedy with reference to the sales are kept. One of these commitments is that at least 50 percent of the shipments are to go in American bottoms, under the American flag, whenever such ships are available. Availability is included. However, availability was not intended to be used as an escape hatch for any contractor or for any company seeking to sell wheat to the Soviet Union. Availability means just that. If U.S. ships are available, they are to be used for up to 50 percent of all the tonnage. It is on this point that there was some honest disagreement, because certain waivers were obtained from the Maritime Administration of the Department of Commerce by some companies. The Maritime Unions felt that these waivers were excessive, and thereby violated the commitment in the statement made by the late President Kennedy at the time the public policy was announced with regard to the sale of American wheat to the Soviet Union.

It is around this point and this controversial issue that all the discussions revolved. I am happy to say that the meetings referred to in the exchange of telegrams will lead to discussions of questions which have been raised by the unions.

As I have indicated by reading the telegrams between President Johnson and Mr. Meany, President of the AFL–CIO, certain meetings are to take place in the future to discuss questions and issues raised by the unions in this present dispute.

The President has made quite clear his determination that every effort shall be made to carry out the commitment given by the late President Kennedy that 50 percent of the wheat would be carried in American ships.

In an effort to avoid any misunderstanding or difficulty, President Johnson has given orders that there be no waivers whatever on any licenses granted in the future on shipments to the Soviet Union under the proposals of last October.

The Government now has indicated it will discuss both with labor and the shipping industry questions which have been raised about the use of American shipping in trade with other Communist countries.

The President is asking interested agencies to insure that a procedure is established whereby any waivers which are granted in connection with the Cargo Preference Act or other 50–50 shipping arrangements will be subject to review upon complaint, and remedied if the complaint is sustained. Provision will be made for participation in this procedure in an advisory capacity by industry and union representatives.

If waivers are granted based on the doctrine of availability, whether or not a ship physically is available, and if complaint is made by the unions on that waiver, a procedure now is established for reviewing the complaint and for remedying the situation if the complaint is sustained. This procedure will involve an advisory body, including both labor and management representatives from the shipping industry. It is a very salutory provision.

Finally, our Government will establish a tripartite advisory body, which will include labor and management representatives from the shipping industry, along with Government, to consider all matters relating to the administration of Government programs affecting the industry, and to advise the departments and agencies of the Government regarding such matters.

This last provision goes to the central problem; namely, the future of the American merchant marine. It is time Congress and the executive branch gave more consideration to this problem.

Mr. McGOVERN. I thank the Senator for this helpful information. He has reminded us again of the close relationship between American industry and the welfare of American agriculture—in this case, the shipping industry and the American farmer.

As the Senator knows, one of the ways in which that alliance operates is through the food-for-peace program, under the provision that 50 percent of all of the commodities that move out under Public Law 480 must move in American ships. My memory is that every day of the year an average of three 10,000-ton ships leave American ports with grain and other commodities under the food-for-peace program.

We shall be considering the extension of Public Law 480 during this calendar year.

I know the Senator shares my hope that Congress will extend that act and continue the program that has been so much in the interest not only of our farmers, but of our entire economy and of our position in the world, as well.

I thank the Senator from Minnesota for yielding.

Mr. HUMPHREY. I thank the Senator from South Dakota for his participation in this discussion. He knows I am a strong advocate of the extension and expansion of the Food for Peace program. I compliment the Senator from South Dakota for his outstanding leadership in making this program a truly effective and meaningful part of our foreign policy.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, the schedule for tomorrow's activities and business in the Senate has been announced by the majority leader. With that understanding, I move that the Senate adjourn, under the previous order, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 52 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, February 26, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 25 (legislative day of February 10), 1964:

FEDERAL DEPOSIT INSURANCE CORPORATION

Kenneth A. Randall, of Utah, to be a member of the board of directors of the Federal Deposit Insurance Corporation for a term of 6 years, vice Jesse P. Wolcott, term expiring.

IN THE AIR FORCE

I nominate Maj. Gen. Joseph R. Holzapple, 1897A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Stevenson, Howard F.
Roush, Martin B.
Saussy, George S.
Johnson, William G.
Mitchell, William P.
Conley, Robert F.
Bolish, Robert J.
Wilkinson, Frank R., Jr.
Lyford, Truman K.
Carpenter, James B., Jr.
Bruder, Joseph A.
Whipple, Warren E.
Norris, Glenn E.
Lanigan, John P.
McShane, Bernard
Horn, Charles H.
Gilson, Leslie A.
Reusser, Kenneth L.
Smith, Paul M.
Keith, Bruce E.
Short, James C.
Ourand, William R., Jr.
Wallace, Harold
Munday, Jack R.
Thomas, Frank C.
Hise, Henry W.
Rouse, Jules M.
Tillmann, Alfred A.
Hearn, Alexander M.
Johnson, Dan H.
Risher, Clarence T., Jr.
Voorhees, Edward H.
Severance, Dave E.
Nelson, Harold E.
Hunt, Sanford B., Jr.
Haberlie, Douglas E.
Clark, Albert L.
Richardson, Judson C., Jr.
Blackburn, George P., Jr.
Simmons, Edwin H.
Bridges, David W.
Carrington, George W., Jr.
Jeschke, Richard H., Jr.
McNeil, John P.
Scherr, Robert A.
Williams, Grover C., Jr.
Cibik, Steve J.
Treadwell, James P.
Thompson, Roy H.
Casey, Dennis P.
Rathbun, Robert L.
Windsor, John J.
Fairbanks, Willis L.
Steinkraus, Robert F.
Ellis, George W.
Haynes, Fred E., Jr.
Bates, William L., Jr.
Carney, Robert B., Jr.
McClanahan, James F.
Silverthorn, Merwin H., Jr.
Dick, William L.
Gall, Walter
Gilhuly, Fred J.
Zastrow, Herbert E. L.
Randall, Thomas L.
McMaster, Robert G.
Poggemeyer, Herman, Jr.
Twisdale, Robert H.
Laing, Robert B.
Bowman, John W.
Chip, William C.
Donahoe, Joseph F., Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Robinson, Harry G., Jr.
Volkert, Marvin D.
Cail, Ralph D.
Beat, Nolan J.
Watson, Warren C.
Busick, Clarence J.
Lee, Harry
Fulton, Floyd K., Jr.
Nahow, Theodore
Schmid, Clarence H.
Vaught, Francis W.
Kirk, Walter C.
Evans, Harold W., Jr.
Mobley, Warren L.
Sinclair, Robert B.
Doty, Duane J.
Murphy, John J.
Nichols, Robert L.
Dunbar, Michael J.
O'Donnell, Andrew W.
Bu nett, Loren E.
Mann, Clyde R.
Coffeen, Albert E.
Nelson, William L.
Hershey, Gilbert R.
Donahue, William F., Jr.
Pommerenk, Albert C.
Fisher, Sidney
Slenning, Bradford N.
Soper, James B.
Stamps, Clyde H.
Skotnicki, Anthony J.
Michaux, Alexander L., Jr.
Gore, Willis L.
Wagenhoffer, Martin T.
Doering, John H., Jr.
Domina, Walter E.
Bailey, Edward A.
Bain, Herbert J.
Bell, Van D., Jr.
Franzman, Freddie L.
Lauck, John H.
Landrigan, James M.
Raphael, Milton L.
Kurth, Harold R., Jr.
Camporini, Edward E.
Allen, Robert B.
Rogal, Edward R.
Priddy, James R.
Alexander, Leland G.
Thomas, Alfred I.
Herndon, Wilber N.
Sullivan, Arthur J.
Adair, Harold F.
Wilkerson, Herbert L.
Crispen, Richard W.
Taylor, William W.
Defenbaugh, Neil F.
Broome, Norris C.
Campbell, Frederick H.
House, Arthur E., Jr.
MacDonald, James A., Jr.
Culver, Ralph K.
Oliver, Verne L.
Storm, William W., III
Wood, Frederick S.
Brunnenmeyer, Sherwood A.
Meyers, Bruce F.
Goggin, William F.
Fisher, Joseph R.
Gibson, Gerald W.
Holben, Donald E.
Piehl, Robert H.
Moody, Clarence G., Jr.
Preston, Herbert, Jr.
Clement, David A.
Kirstein, Lee A.
Dyroff, William F.
Freeman, Thomas R.
Draper, William H.
Wilcox, Edward A.
Vance, Robert N.
Van Meter, Jo M.
Sims, John B.
Leader, Samuel F.
Davis, Merle C.
Powell, J. B.
McKean, Edgar A.
Vroegindewey, Robert J.
Grimes, Doyle
Youngs, Clifford A.
McGuire, James L.
Rodenberger, Wesley H.
Jannell, Manning T.
Bronleewe, Loren K.
Johnson, Irving R.
Freitas, Joseph L., Jr.
Ottmer, Walter E.
Gill, John R.
Temple, Jack W.
Dekeyser, Charles F.
Stout, Marvin R.
Alberts, Howard K.
Deeds, William E.
Pultorak, Joseph
Wilson, Robert R.
Rollins, John J.
Boll, Joseph L.
Scheffer, Cornelius
Moise, Frank V., Jr.
Seaman, Milford V.
Roe, Murray O.
Goode, Charles L.
Hirt, Paul L.
Fitzmaurice, Charles W.
Moody, Richard E.
Sparkman, Thomas B.
Patton, Walter B.
Goldston, Eugene V.
Filippo, John J.
Ramseur, Franklin F., Jr.
Chamberlin, George E., Jr.
Hanson, Harry B.
Ecklund, Arthur W.
Fiegener, Kenneth G.
Corley, Ruel H., Jr.
Trager, Earl A., Jr.
Roley, William H.
Ashton, Clark
Losse, Robert N.
Stribling, Joe B.
Ludden, Charles H.
Flynn, John P., Jr.
Johnson, Danny W.
McGee, James M.
Street, Lewis C., III
Boyle, Patrick D.
Latta, Arthur W., Jr.
Lynch, Duane G.
Furimsky, Steve, Jr.
Bowen, Ermel D.
Murray, Edward D.
Silverthorn, Russell L.
Slack, Arthur B., Jr.
Lucas, Burton L., Jr.
Sherwood, James M.
Cosgrove, William P.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Grimes, George H.
Clark, C. P., Jr.
Haden, Frederick M.
Baity, Richard B.
Ferguson, Gilbert W.
Markus, Howard M.
Alexander, Richard D.
Talbott, Richard B.
Gaughf, Orvis O., Jr.
Phillips, George R.
Webster, Charles A.
McConnell, Daniel F.
Levert, Harris J., Jr.
Lamb, George R.
Burger, Donald J.
Ohanesian, Victor
Keith, William C., Jr.
Alsop, William F., Jr.
Cunningham, Ralph L., Jr.
Grubaugh, William R.
Foley, Kenneth S.
Beyerle, Garland T.
Stevens, Marvin H.
Mathis, Jerry F.
Deering, Claude E., Jr.
Cross, William E., Jr.
Hart, Elwin B.
Stine, Harold E.
Mehargue, David G.
Bronars, Edward J.
Marsh, James W.
Cowing, Harry O., Jr.
Tubley, George F.
Bendell, Lee R.
Rosenfeld, Charles A.
Petersen, Arthur R.
Pross, Vincent J., Jr.
Greenwood, John E.
Vest, Wendell N.
Hare, Andrew E.
Twomey, David M.
Di Nardo, James J. Jr.
Palmer, Thomas A.
Brennan, Robert B.
Morgan, Ira L., Jr.
McMillan, Alexander P.
Svenson, Otto I., Jr.
Green, Fredric A.
Sargent, George T., Jr.
Gruenler, Robert E.
Herman, Stanley A.
Randall, Harry B., III
Ryan, Raymond M.
Hall, Lawrence A.
Megarr, Edward J.
McClintock, Bain
Good, Robert N.
Miller, Donald C.
Buchanan, Richard K.
Ridderhof, David M.
Talbert, Aubrey W. Jr.
DeWitt, Birchard B.
Chapman, Winston D.
Swigart, Oral R., Jr.
Woeller, Frederick M.
Jones, Richard E.
Savage, Cornelius F., Jr.
Trevino, Rodolfo L.
Zlogar, Albert J.
Nastasi, Joseph
Buss, Kenneth M.
Wadzita, Cyril
Dorsey, Joshua W., III.
Lesser, William
McMahon, Paul G.
Brown, Robert G.
Wold, Henry E.
Keller, Don L.
Hytrek, David J.
Corson, William R.
Robinson, Kenneth L., Jr.
Oliver, Robert W.
Burckell, Thomas J.
Foxworth, Eugene D., Jr.
Rigby, Edward J.
Wood, James W.
Stanton, Donald C.
Smith, Erin D.
Aichele, James R.
Dorsa, Lawrence R.
Fleming, William B.
Johnson, Warren R.
McLernan, Joseph V.
Harter, Robert H.
Cizek, Gregory J.
Horn, William K.
Abbott, Charles W.
Gambardella, Joseph J. N.
Bulger, Thomas E.
McCurdy, William B.
Watson, Edward R.
Smith, Richard J.
Roth, Earl F., Jr.
Preis, Reagan L.
Collier, Charles W.
Wyatt, Richard B.
Staley, Newell, D., Jr.
Herrin, William M., Jr.
Gibney, Jesse L., Jr.
Monti, Anthony A.
Wehrle, Robert E.
Carter, Johnny L.
Rapp, John A.
Zielinski, Edward L.
Pyles, Howard E.
Livingston, Charles R.
Blass, Lytton F.
Roberts, Henry G.
Varley, William J.
Bailey, Jack F.
Grow, Hubert C.
Anderson, Eugene D.
Wade, Douglas E.
Sadeski, Adolph G.
McKeon, Donald N.
Reilly, Martin B.
Koontz, Grover C.
Gestson, Johan S.
Erwin, Jack
Hertling, Eugene F., Jr.
Webb, John N.
Rockey, William K.
Redfield, Heman J., III
Anthony, Arthur W., Jr.
Campbell, Richard E.
Treado, Marshall J.
Presson, Robert E.
March, Robert B.
Cooper, Charles G.
Lindsley, Robert A.
Colvin, Harold C.
McEnaney, James R.
Hunter, David J.
McCrary, Norman B.
Martin, Henry V.
Laine, Elliott R., Jr.
Manley, Thomas F.
Leder, Frederick D.
Stewart, Alexander M.
Carter, David I.
Whitesell, Robert D.
Davis, John K.
Muir, William B.
Tatem, Lloyd E.
Moss, Roddey B.
White, William V. H.
Barrett, Howard L., Jr.
Montgomery, Robert R.
Hunter, Robert E., Jr.
Kennedy, Hugh T.
Goodiel, Carlton D., Jr.
Vincent, Hal W.
Beattie, George E.
Buckley, Clement C., Jr.
Abraham, James W.
Todd, James A.
Burnett, Richard H.
Kelley, Paul X.
Mulford, Ross L.
Houck, George W.
Chen, Byron T.
Armstrong, Peter F. C.
Buynak, John E.
Cushing, Francis C., Jr.
Galyon, William J.
Whitfield, Charles K.
Tatum, William M., Jr.
Mickelson, Richard D.
Laseter, James W.
Sadowski, Joseph L.
Walker, Robert A.
Parcell, William K.
Fontaine, Winston F.
Laney, Joseph M., Jr.
Craig, Raymond W.
Lundquist, Carl R.
Warren, Goodell P.
Bjorklund, Darrel E.
Westling, David Y.
Rutty, Edward J.
Cooney, Robert W.
Driscoll, Edward J., Jr.
Crosswait, Philip M.
Severson, Ronald I.
Overgaard, Wilford E.
Cumming, George D.
Howard, Robert E., Jr.
Martz, James G., III
Miller, Robert E.
Shutt, George H., Jr.
Macho, Dean C.
Rhykerd, Clarke A.
Cameron, Raymond A.
Hiett, Charles O.
Smoke, Frank R.
McCool, William G.
Percival, Richard E.
McNutt, Russell W.
Shadrick, Ural W.
Bench, Arnold E.
Cowie, Franklin G., Jr.
Bonin, Louis A.
Darbyshire, Leslie L.
Doud, Francis E.
Jacks, Edgar K.
Sewell, Charles A.
Buschmann, Conrad P.
Linman, L. G.
Trout, James A.
Guell, Edward M.
Manning, Paul A.
Thurston, Francis H.
Brady, Eugene R.
Meyers, James F., Jr.
Chamberlain, Clement C., Jr.
Bonney, Richard A.
Ruvo, Victor A.
Roessle, Palmer A.
Bartleson, Thomas P., Jr.
Baker, Freddie J.
Bannan, James M.
Serrin, Dalvin
Stiver, Donald R.
Rice, Donald L.
Dunnagan, Cecil G.
Delaney, Francis L.
Howell, Preston E.
Erway, Douglas E.
Niesen, Paul W.
Wallace, Ralph D.
Howard, Dwight E.
McCarthy, Frank D.
Conard, Jack W.
Wilson, Daniel M.
O'Mara, James R.
Duncan, Jimmie W.
Strope, John H.
Doss, James G., Jr.
Penico, Edward F.
Seaton, Baxter W.
Finne, David D., Jr.
Helms, Keith H.
Adams, William C.
Cunha, Ulysses F.
Coffey, Samuel R.
Lamoureux, Wesley D.
Fleetwood, Walter W.
Persons, Harry D.
Bittick, William C., Jr.
Sedora, Stephen
Thomas, Waldron E.
Gardner, William E.
Clegg, Francis X.
Buskirk, William K.
Wilson, James W.
Blakeslee, Rollin Q.
Ruos, George V., Jr.
Ingalls, Jack F., III
Roberson, Clinton
Spence, Charles E., Jr.
Seitz, Frederick H.
Marron, Joseph J.
Unkle, John W.
Henderson, Paul F., Jr.
Sharpe, Whitlock N.
Donaldson, Joseph R.
Forde, John E., Jr.
Bacher, Louis J.
Fennessy, Mark P.
Alexander, Maurice H.
Caslin, William E.
McGee, James H.
Hansford, John R.
Kieswetter, Gerard M.
Armstrong, Marshall B.
Highhouse, Laverne D.
Ohlgren, Arthur S.
Koehler, Robert F.
Wallach, Albert W.
Reitz, Charles M.
Bedwell, Everett D.
Tremmel, Robert M.
Damon, Robert K.
Williams, Tom W.
Newton, George L.
Molesky, Richard V.
Wolff, Warren F.
Spiesel, William J.
Kiracofe, Walter E.
Wilder, Gary
Dinse, William J.
Smith, Herbert O.
Bartlett, George L.
O'Leary, Raymond J.
Kent, William D.
Nelson, Albert O.
Livingston, Gordon M. B.
Watson, John E.
King, Edwin C.
Snyder, Elmer N.
Albert, Alan D., Jr.
Burhans, Robert N.
Kerr, Charles R.
Miller, William R., Jr.
Norton, Robert J.
Mitchell, Donald L.
Ziegler, Arnold G.
Wilson, Paul E.
Kutz, Richard E.
Bourne, Frank L., Jr.
Englisch, Henry
Morris, Harry L., Jr.
Holthus, Elmer H.
Rourke, Rodger E.
Whisman, Ermil L.
Pearce, Garry M., Jr.
Austin, Conway L.
Brown, Arthur M.
Simonis, Robert L.
Frey, Hubert I.
Weston, Walter A.
Mead, Howard R., Jr.
Adrian, Billy M.
Lowdermilk, Theodore, Jr.
Vielhauer, William C.
Etheridge, Marion, M., Jr.
Schoen, Joseph F., Jr.
Fuchs, Leonard E.
Fogarty, Herbert L.
Branen, Wade E.
Griffis, Joseph K., Jr.
McDaniel, Roland L.
Evans, Jack W.
Turner, James S. G.
Figard, Charles R.
Robinson, Richard L.
Hodges, Thomas A.
Barnard, Roger H.
Clelland, William M.
Toner, Edward R.
Schulze, Richard C.
Hilderbrand, Donald H.
Stoetzer, William H.
Jaeck, William C.
Butler, William O.
Grabowski, Edward Z.
Slawter, Louis Z., Jr.
Chadwick, Robert J.
Carr, John B., Jr.
Little, Charles G.
Fimian, Charles
Twohey, Richard B.
Everett, James, Jr.
Simanikas, William C.
Smith, Thomas C.
Glowicki, Walter F.
Moore, Karl E.
Daniels, William S.
Kephart, William R.
Burnette, Lowell R., Jr.
Parchen, John W.
Jones, Richard K.
Shatzer, Dale E.
Metz, John G.
Sudhoff, Richard I.
DeAtley, Hillmer F.
Unterkofler, John J.
Donabedian, Haig
Francis, David D.
Grube, Frederick E.
Cobb, John H., Jr.
Fitzgerald, Garret J.
Conlin, Henry J.
Palmer, Robert E. B.
Stinemetz, Broman C.
Frazier, Kenyon J.
Howland, Robert W.
Larson, LaVern W.
Christian, Robert L., Jr.
Murphy, Rowland M.
Thousand, William H.
Schueler, Robert
Parker, Eric B.
Kruck, Frederick H.
Woods, John L.
Donahue, John J.
Johnson, Richard P.
Reece, Lee C.
Crosby, Hiram B., III
Thuesen, Ralph
Frazier, Philip N.
McClure, Val R.
Newton, Donald E.
Chaney, Robert P.
Olmstead, Stephen G.
Coffman, John L.
Hughes, Robert C. V.
Marsh, Richard C.
Hagedorn, Elvyn E.
Kelly, Thomas R.
Jolley, Malcolm S.
Lawler, Gerarrd E.
Standley, Billy R.
Deal, Carroll T.
Wickwire, Peter A.
Clayborne, John W.
Davis, Dale N.
Holmberg, William C.
Utley, Edward H.
Blaz, Vincente T.
Pape, Richard A.
Rowe, Ben C.
Nicholas, Charles E.
Cannon, Frank S.
Thomas, Gerald C., Jr.
Hutchison, William E.
Jones, Chester T.
Jones, David E., Jr.
Riddle, Robert G.
Dausman, Jack E.
Duncan, William B.
Heim, William P.
Goodson, Joseph P.
Wood, Leonard E.
Parker, Landon W.
Connolly, James P., II
Sellers, Donald L.
Balderston, Francis G.
Bumpas, Hugh R., Jr.
Matthews, Drew I.
Collin, John R.
Taber, Richard B.
Roberts, Charles D., Jr.
Boicey, Charles G.
Trainor, Bernard E.
Stockton, Richard C.
Meeker, Robert R., Jr.
Sylvester, Vernon L.
Maxwell, Edward K.
Lynch, Maurice B.
Buergey, William L.
Abrams, Lewis H.
Bradley, John R.
Hartman, Richard S.
Ingrando, Raymond B.
Smith, Richard W.
Tonnacliff, Charles W.
McKinney, Harold E.
Hohmann, William F.
Megna, Phillip E.
Chaplin, Duncan D., III
McElheny, Charles L.
Casey, Charles R.
Clark, Stuart T.
Bailey, James D.
Mogensen, Paul C.
Mallard, Frederick F.
Stranahan, Jerome W.
Morley, Dean H.
Maloney, William R.
Siegmund, Paul L.
Beeler, William R.
Hazard, Gilbert C.
McMath, James B.
Shrader, Paul A.
Smith, Joseph T.
Schramel, Raymond F.
Love, John R.
Hart, Herbert M.
Lawrence, William A.
Young, Donald P.
Culkin, Thomas J.
Moore, Marc A.
Grace, John J.
MacLean, Fred D., Jr.
Reddy, John J. P.
Dooley, Philip J.
Harris, Robert E.
Miille, Robert J.
Searles, Robert M.
Fields, Thomas C.
Fuller, Robert A.
Barker, David B.
Mattimoe, Thomas E.
Haebel, Robert E.
Morgan, Pat
Carpenter, Harry U.
Cottrell, Harold E.
Woodham, Tullis J., Jr.
Williamson, Charles T.
Cawthron, John C., Jr.
Webster, Charles B.

Thomaidis, Speros D.
Navorska, Donald R.
Read, Brooke F., Jr.
McQuinn, Donald E.
Loferski, Stanley J.
Murray, Frank J.
Proudfoot, Ronald M.
Reiniche, Harvey T.
Landers, James H.
Yundt, Gary L.
Hawes, Richard E., Jr.
Eidson, Robert E.
Edwards, Thomas C.
Morrow, Samuel M.
Davis, Thomas G.
Vanairsdale, James B.
Maysilles, David J.
Drummond, Milton D., Jr.
Howard, Eugene R., Jr.
Atkinson, Harry E.
Fortin, Victor G.
Wray, Richard E., III
Bates, William G.
Kitterman, Warren P.
Stewart, Roderick M.
Baylor, John D.
Chene, Jerry P.
Bowie, Frederick R.
Westenberger, Paul H.
Rice, William R.
Gorski, William P.
Hollen, Kent D.
Van Den Berg, Oliver W., Jr.
Rowley, Jack D.
Silverthorn, Eugene A.
Anderton, Richard L.
Farmer, Martin E.
Qualls, Thomas F.
Rice, William H.
Hayes, David B.
Black, James L., Jr.
Stanaro, Chester J.
Kelly, Walter H., Jr.
Desselle, Albert M.
Rosecrans, Robert D.
Gifford, Cedric C.
Dinegar, Wilbur W.
Pearson, Paul E.
Hogan, Clarence E.
Gentry, George H., Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Webb, Donald E.
Robinson, Charles D.
Pratt, George E.
Nelson, Herbert E.
Pafford, Billy E.
Plant, Robert
Daniels, Charles E., Jr.
Yanochik, Walter N.
Hull, Robert R.
Schofield, Harold
Evans, George G., Jr.
Manzione, John A., Jr.
Habgood, Charles R.
Coogan, Richard J.
Weiss, Robert J.
Stauch, Victor D., Jr.
Bainbridge, Robert L.
Piantadosi, Louis J.
Day, Charles J.
Wilson, Paul A., Jr.
Holmes, Lyell H.
Miller, Henry G., Jr.
Gash, William J.
Nalle, Thomas A., Jr.
French, Russell W.
Sprott, David N.
Reap, Thomas S.
Sells, Jimmy D.
Nelbach, Arthur A., Jr.
Nieland, Paul F.
Graham, Frank E.
Curry, Kenneth D., Jr.
Cassidy, Gerald W.
Sanders, Albert L.
Whitley, Billy L.
Koch, John R.
Holstead, George N.
Emery, Gordon P.
Baughman, Robert C.
Elliott, Philip L.
Simerly, Calvin F.
Hutchinson, Franklin G., Jr.
Sardo, Americo A.
Moore, Richard G.
Williams, Charles P.
Courson, Eugene S.
Kettering, Alvah J.
Emberton, Bruce W.
Bond, Royce L.
Cope, John F.
Kuhn, Harold F.
Light, William H., Jr.
Purcilly, Joseph C., Jr.
Weiland, Gerald A.
Radabaugh, Harold V.
Breslauer, Charles K.
Brewer, Clyde W., Jr.
Verdon, Donald J.
Ryhanych, George W.
Dupont, James A.
Johnson, Robert A.
Etnyre, William R.
Huckle, Richard A.
Pishock, Stephen J.
Daugherty, Ben D.
Anderson, Morris S.
Portner, Jack
Hartmeier, William J.
Thomas, Donald J.
Colburn, George W.
Turner, David C.
Hepp, Gerald J.
Nichols, Bobby J.
Taylor, Jack R.
Magaldi, Joseph M.
Hasler, Frederick R.
Loehe, Robert E.
Zimmerman, Karl A., II
McNelis, James F.
Woeckener, Robert J.
Pentecost, Thomas J.
Willkomm, James W.
Oliver, John P.
Dale, Denver T., III
Gregorcyk, Joe L.
McDonald, Charles J., Jr.
Parker, Charles E.
Shubert, James D.
Reid, Robert J.
Lafser, Raymond C.
Bair, Harry H.
Jamison, Russell E.
Wood, Richard F.
Nulty, William H.
Cady, Michael P.
Morrow, Gene S.
Humphrey, Donald L.
Kelly, Edwin F.
McCarty, Howard J.
Rogers, George F., Jr.
Kennedy, Raymond G.
Doub, Jay A.
Malone, Gordon E.
Louder, Joseph J.
Kueker, William R.
Stevens, Jerome E.
Overcash, Bobbie G.
Heister, Theodore A.
Boone, William
Johnson, Richard J.
Bustamante, Miguel E., Jr.
Dodds, William E.
Waters, Robert T.
Anderson, Donald C.
Black, Carl E. R.
Macfarlan, Cornelius W.
Petroff, Richard
Leavitt, James E. C., Jr.
Cardwell, Ronald E.
Andrew, Thomas C., Jr.
Bailey, George N., Jr.
Jones, Homer P.
Ondrako, Stephen, Jr.
Robson, Jon R.
Scarborough, Kenneth L.
Moore, Robert H.
Berry, Fred H., Jr.
Brubaker, Ralph E.
Gahagan, James S.
Throgmorton, James R.
Samaras, Peter N.
Schilhab, Eugene E.
Monteau, Hubert A.
Jupp, Walter A.
Birzer, Edward A.
Tye, Charles
Mills, Harry L.
Symm, Bernace M.
Crittenden, Jerry J. S.
Nichols, John T.
Brandenhorst, John D.
Manrod, Frank M.
Isbell, Will D.
McMahon, George F., Jr.
Holcomb, Charles E.
Guttormson, Darold L.
Anderson, James E.
Bieger, Donald C.
Chapman, Ralph L.
Cole, Jack L.
Cassidy, Brendan J.
Brown, Earl E.
Page, James E.
Ramsey, Lonnie E.
Johnston, Carl B.
Harrell, James T., III
Roberts, John W.
Pitman, Charles H.
Boemerman, George F.
Hintz, Gary W.
Bergman, Arthur A.
Henry, Charles A.
Phifer, David W.
Beers, Thomas G.
Green, James R.
Webb, Bruce D.
Stewart, Arthur L., Jr.
Horn, Denis R.
Barry, John A.
Kraxberger, Billy D.
Coleman, George F.
Sheehan, James F.
Gaboury, Laurence R.
Gonzalez, John C.
Bloomer, William A.
Foreman, Clarence D.
Cox, James M.
Cranford, James O.
Eggers, Robert F.
Steffey, Richard G.
Leach, George H.
King, Robert D.
Foley, William M.
Abel, Gerald G.
Shunkey, William P., Jr.
Mack, Jack A.
Crampton, Ervin J.
Browne, Desmond F.
Young, David L.
Cooper, James L.
Wieler, Eric H.
Macha, Benjamin E.
Vanous, Fredric J.
Whitman, Fred T.
Arman, Phillip T.
Weir, Robert K.
Valentini, Mario S.
Lockie, John E.
Crawford, John D.
Widener, William W.
Scolforo, Leo J., Jr.
Edwards, Myrddyn E.
Van Hemert, Willem
Solazzo, Vito M.
Liedel, Arthur J.
Bollard, George J.
Fahrni, Leonard W.
Scott, Roger F., Jr.
Barnard, William R.
Rust, Barry P.
Oaks, Charles W.
White, Francis V., Jr.
Roberts, Stanton H., Jr.
Bailey, Richard A.
Greene, Wallace M., III
Newton, Haril W.
Carr, Richard W.
Way, John D.
Townsend, David C.
Doran, Edwin J.
Noble, Joe B.
Clauretie, David M.
Hawthorne, Richard W.
Slack, Paul D.
Kerr, Hugh T.
Smith, Rodgers T.
Bradley, Robert L.
Jacks, Glenn G.
Lapham, Thomas J.
Knuebel, Kenneth P.
Robertson, Richard S.
Kaufman, Larry A.
Christy, Howard A.
Masters, James E.
Pauley, Donald C.
Carli, Randall C.
Biel, Richard K.
Odom, David L.
Frucci, Allen L.
Jones, George E.
Mason, Robert B.
Clark, Arthur B.
Hyatt, Richard C.
Peterson, George E.
Clarkson, Edward J.
Morris, McLendon G.
Martino, Frank W.
Murray, John D.
Caldwell, Robert C.
Avera, B. Lewis, Jr.
Caputo, Joseph J.
Mason, Donald G.
Miller, Donald R.
Perryman, James M., Jr.
Sparks, Donald R.
Burton, John J.
Marks, Roy M.
Ridgely, Reginald H., III
Cooper, Wade H.
Clute, Morrel G.
Onslow, Robert C.
Votaw, Edward F.
Trehy, Jerome P.
Read, William T.
Eller, Franklin P., Jr.
Obuhanych, David E.
Edson, Herbert R.
Ross, Richard D.
Kelly, Francis J.
Berwald, Herbert T., Jr.
Cuthbert, Edward W.
Knotts, Joseph B.
Bennett, David R.
Grissom, Esta D.
Von Harten, William R.
Perron, Edward R.
Ball, William R.
Weaver, Calvin G.
Tolleson, Frederic L.
Curnutt, John R.
McGarvey, James M.
Eldred, Loran C.
Fischer, Robert L.
Gary, John H., III
Owlett, Fred
MacNulty, William K., Jr.
Terhorst, Bernard R.
McAfee, Carlos K.
Pifel, Bruce A.
Chmelik, James J.
Cisewski, Richard J.
Milone, Donald E.
Gannon, Dominick R.
Camper, Richard M.
Tashjian, Robert C.
Bickel, Donald C.
Shea, William S.
Halliden, Richard C.
Albert, Karl V.
Schulken, James E.
Arney, Harold E., Jr.
Hayes, Charles H.
Blanchard, Ronald E.
Esterline, Charles S.
Forehand, Lorraine L., Jr.
Wiedemann, Robert J.
Poland, James A.
Coffin, John C.
McFarland, Thomas G., Jr.
Acey, John B.
Beery, Richard L.
Morra, John A.
Colassard, Barry S.
Sudduth, Donald E.
Arnold, William P.
Brooks, William J.
Gray, John T.
Stuckey, Robert D.
Goins, Robert F.
Valentine, Harry C., Jr.
Cowart, James G., Jr.
Locke, Frederick A.
Sime, Colben K., Jr.
Tyler, John T.
Vail, Alfred L.
Adkins, Mars M.
Freeman, Bobby H.
McManaway, James L.
Janis, Robert V.
Fisher, Wilfred S.
Geraghty, Gerald W., Jr.
Celli, John G.
Fisher, Albert T.
Monahan, John P.
Shelton, Jerry L.
Marks, James W.
Taylor, Charles H., Jr.
Seeley, Devon C.
Helms, Samuel H.
Adams, John A.
Lowrey, Bill G.
Sheridan, John J.
Miller, Robert C.
Adamczuk, Russell W.
Weiler, Frank V.
OBymachow, Joseph P.
Holben, David S.
Wheeler, Thomas M.
Graeff, Edward W.
Gaffney, Jack A.
Winberg, James M.
Grimes, Billy M.
Rogers, John A., II
Capwell, George L., Jr.
Nussel, Arthur H.
Lary, Ralph L., Jr.
Kahler, Billy J.
Cleveland, Robert E.
Oldham, John S.
McInroe, Jimmy B.
Armstrong, Stephen A.
Shockley, Gordon E.
Morris, John B.
Reeves, Michael P.
Dane, Donald W.
Lottman, William J.
Davis, William C.
Miller, James A.
Shaver, Glenn J., Jr.
Blackburn, George M.
Gagen, John A.
Tinsley, Dale L.
McCarthy, Donald J.
Llewellyn, Perry T.
Jahn, James D.
Smyth, George W., Jr.
Nelson, Marvin R.
Ruthven, Colin J.
Cathcart, Donald E.
Ausley, Wilbur H.
Lockwood, Robert H.
Adams, Richard J.
Anderson, Ira C.
Watson, Jac D.
Thompson, Jerry R.
James, Gerald D.
Lively, Charles M.
Brown, Richard H.
Eddy, John L.
Spaulding, Dorsey L.
Lee, Peter B.
Correll, William R., Jr.
Wallace, Lorin C., Jr.
Rule, Julius M., III
Caylor, David A.
Burns, Mervyn J.
Jacobsen, Donald E.
Miller, Ralph D.
Yates, Charles E.
Ellis, Gerald L.
Kirby, Donald E.
Pitt, Albert
Caldas, John J., Jr.
Tunget, Everett L.
Silva, Lionel V.
Ficere, William G., Jr.
McCarty, James A.
Murch, David H.
Wilson, Dwayne E. T.
Loe, Gerald E.
Strand, Gordon D.
Ramsey, David A.
Freeman, Robert A.
Hatch, William W.
Heiser, Karl, R.
Houle, Fredrick J., Jr.
Bjork, Wayne V.
Ludlow, James L.
Broad, Robert O., Jr.
Walsh, Robert L.
Hatch, Donald J.
Smith, Norman H.
Allen, Francis R.
Ragsdale, James E., Jr.
Schuyler, John A.
Kennedy, Thomas J., Jr.
Kent, William L.
Kennedy, Clifford A.
Earls, Kenneth W.
Conway, Thomas F.
Carr, Donald S.
Bailey, David B.
Difiore, Harold J.
Poronto, Earle G.
Pritchett, Louis C.
Kitchens, Kenneth E.
Cloutier, Paul N.
Taylor, Charles W.
Voigt, Wilson A.
Kazmierczak, Robert B.
Kachauskas, Carl W.
Rhodes, James L.
Adams, Richard O.
Wessel, William C., Jr.
Fountain, Marcus T., Jr.
Seay, Donald R.
Robinson, Lucien C.
McCoart, James J., Jr.
Lougheed, Thomas P.
Marquette, Eugene O., III
Lee, Howard V.
Hanly, Alfred S.
Fullerton, Edward R.
Harding, William W., Jr.

Vreeland, Norman H.
Price, William G.
Parker, John B.
Sfreddo, Robert L.
Busch, Peter M.
Combs, Loyal D.
Byram, Joseph C., Jr.
Tharp, John J.
Douglas, Richard T.
Lutes, Morris, W.
Johns, David D.
Page, Dorsie D., Jr.
Fennel, Harris J.
Driscoll, Bruce W.
Johnson, Robert C.
Monroe, Jack P., Jr.
Huston, Ralph S.
Owen, Ronald L.
Hunt, Harry A., Jr.
Finn, Robert C.
Memmer, George V.
Schumacher, James A.
Mullen, Frank C., Jr.
Walker, Edwin H., IV
Hampton, Charles T.
Schoon, John E.
Williams, Donald E.
McManus, William J.
Keenan, John M.
Preble, Lee A.
Coykendall, John M.
Donovan, John B., Jr.
Clark, George
Finlon, Arthur P.
Cameron, Dougal A., III
Throm, Robert B.
Edwards, Fred, L., Jr.
McKenna, William E., Jr.
Nice, Lloyd B.
Taylor, George H., III
Trader, Everett P., Jr.
Crudup, Dempsey B.
Kropp, Ronald G.
Slider, William P.
Corbett, Roy G.
Reed, Ralph L.
Johnson, Lester E.
James, Perry L.
Hunt, Theodore E.
McGrady, Garnett
Cody, Joseph F., Jr.
Hicks, Jimmie A.
Park, Ralph K.
Kropinack, Robert C.
Skelton, Richard J.
Larimer, Neil M., II
Jasper, Norman J., Jr.
Gonzales, Cyril E.
Splean, Roger A.
Whelan, Vincent M.
Johnson, Gunnar A.
Sinclair, Duan K., Jr.
White, Craig A.
Blair, Lynde D.
Turner, Terry
Shortt, Harry R.
McKellar, Charles W. F.
Glaser, Ronald R.
Reilly, James K.
Schultz, Jack T.
Eskam, John A.
Taylor, Richard B.
Martin, Delbert M.
Spooner, Richard T.
Reese, John A., Jr.
Zeterberg, David P.
Soesbe, Keith E.
Hatfield, Charles D.
Carroll, John E., Jr.
Vogel, Peter J.
Cruz, Frank, Jr.
Sullivan, Michael P.
Bode, Donald H.
Hornsby, Malcolm T., Jr.
Erickson, Bernon R.
Edens, Allen R.
Carroll, Edward P.
Russell, Eugene B.
Noll, Richard A.
Abraham, Louis R.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Ackerman, Carl P.
Adams, Carl I.
Ahern, John R.
Amey, David G.
Anderson, Andrew G.
Anderson, John M.
Anderson, Michael W.
Archer, James B.
Arthur, David A.
Atkinson, Dennis M.
Averill, Clair E., Jr.
Backus, Larry A.
Bacon, Charles L.
Bakke, Allan P.
Bannan, Richard C.
Barclay, Boyd L.
Barker, Richard T.
Barth, Peter L.
Beery, James R.
Bell, Donald R., Jr.
Bement, George E.
Benjamin, Benjamin E.
Bentley, Jerome H., III
Berg, Allan E.
Berryman, Gordon C., III
Bertelson, Floyd E.
Bettle, George R.
Bevins, Lance V.
Bevis, Abraham
Biddle, Ronald J.
Bing, Noel C.
Bishop, Max D.
Bittner, Donald F.
Black, Robert A., Jr.
Boone, Latham, III
Boss, Michael O.
Boyan, John W.
Boyd, Thornton
Braly, Clinton E.
Breede, Walter J., III
Brennan, Patrick S.
Bride, Roger S.
Brinker, Jack R.
Brinson, Lloyd G., Jr.
Brown, David W.
Brown, Frederick G.
Brown, Gary E.
Brown, Paul B.
Bruce, Curtis B.
Browning, Robert A.
Brumbaugh, Clay A.
Bryan, Frederick T., Jr.
Burns, Arthur E., III
Burns, Thomas V.
Burnstell, Ronald G.
Burrows, Bruce
Camp, Richard G.
Carlson, Gary E.
Carpenter, Peter D.
Chadwick, Leon G., III
Carson, Jimmy M.
Champion, Robert C., Jr.
Chance, Edward W.
Cheff, Stanley W., Jr.
Christoph, William H.
Clancy, Joseph B.
Clausen, Charles D.
Clay, William C., III
Clingman, David W.
Cochran, Michael E.
Coffel, Richard V.
Coffman, Richard W.
Cole, William E., II
Conatser, Bernis B., Jr.
Conway, John J.
Cormier, Ronald C.
Costello, Walter J.
Cox, William F.
Crafton, Wayne N.
Crosby, Albert B.
Craig, Richard J.
Cuny, Charles D.
Cullen, Thomas B.
Criche, Richard H.
Darling, Marshall B.
Davidson, William D.
Davis, James A.
Davis, James F.
Davis, Leroy G.
Dawson, Patrick E.
Dearman, Lester R.
De Groft, Herbert W.
De Holl, John D.
Devitt, Thomas P.
Dickson, William P.
Diedrich, William M.
Dinius, Ernest L.
Dohrman, John W.
Dolan, John T.
Dougherty, John J.
Downey, David A.
Downey, Lawrence L.
Doyle, Robert A.
Dozier, Walter B.
Dugas, Clay J., II
Dwyer, Edward J., Jr.
Dwyer, Joseph M.
Eaton, Leonard M.
Egloff, James F.
Eiland, Earl W.
Eitel, Jack O.
Ek, Paul R.
Ellingson, John H.
Ellis, James F.
Elsworth, Richard W.
Ely, John N.
Enright, Patric S.
Fagan, Brian J.
Fagan, James W.
Faulkenberry, Paul I.
Favor, Joseph M.
Ferguson, Roger G.
Field, James D.
Fischbach, John T.
Fisher, James A.
Fleming, Victor K., Jr.
Frank, Douglas R.
Frindt, Richard A.
Fullerton, Richard F.
Gardner, Joel R.
Garner, Barry L.
Garrett, James D.
Goetz, Robert H.
Getlin, Michael P.
Goodwin, Paul B.
Grant, Donald A.
Grabowski, Bernard
Green, Robert W.
Green, William R.
Gregory, Tommy D.
Griggs, Alfred L.
Groebner, Steven J.
Hagerman, Edwin A. J.
Hall, Hurston
Hamilton, George C.
Hanley, Joseph J.
Hanson, James H.
Hardaker, William T., Jr.
Harkness, Christian L.
Harper, Michael H., Jr.
Harrison, John C.
Heintz, Ronald A.
Henning, Stuart L.
Herd, James R.
Herkal, Walter H., Jr.
Hess, Jerome L.
Hildreth, Kent R.
Hillgaertner, William W.
Hinkle, Thomas F.
Hitzelberger, Daniel A.
Hoekstra, James V.
Holland, Alwin G., Jr.
Holland, George F., III
Holmes, Hal, Jr.
Hornbacher, Keith D.
House, John A., II
Howard, Thomas M.
Howard, Otis E., III
Huebsch, Norbert A., Jr.
Hudiburg, Walter F., Jr.
Huesman, Ronald H.
Hughes, Robert A.
Hulit, Richard C.
Hultman, Bruce A.
Hunt, Gerald
Jacoway, Bronson C., Jr.
Jenkins, James T.
Jaros, James J.
Johnson, Ward S.
Johnston, Harold C., Jr.
Jones, Jack L.
Jones, Patrick S.
Jones, Richard C., Jr.
Jordan, Charles G.
Jungmann, Norman G.
Junkins, Kenneth E.
Kalt, Gerard T.
Kapsch, Richard J.
Keenan, Thomas P., Jr.
Keeley, Elton J.
Kelly, John A.
Kenyon, Richard B.
Keskey, Theodore J.
Kiser, John W., Jr.
Klabough, Francis T.
Kleiboeker, Larry G.
Kline, Alfred S.
Kolbe, Edward A.
Konopka, Anthony F.
Konrath, William E.
Krolak, Leonard R.
Lake, Harry E., Jr.
Lambert, Gary K.
Lamphier, Timothy A.
Langley, Howard F., Jr.
Leatham, Robert O.
Leonard, William E.
LeSieur, James G., III
Libbey, Jacob E.
Lingenfelter, Wayne M.
Linsert, Henry, Jr.
Little, David R.
Little, Ernest K.
Lloyd, James F., Jr.
Loch, Charles J., Jr.
Loeber, William G., III
Longo, Joseph S., Jr.
Luhrsen, David A.
Lundeman, Alf
Lyle, Charles A.
Lyon, Alfred E.
Mackin, Harry T.
Madeo, Robert A.
Madson, Gerald G.
Maisel, John M.
Makowka, Philip S.
Marra, Michael A.
Marshall, William S., III
Mathews, Lyle D.
Matthews, Ronald R.
McCarron, Edward D., Jr.
McCloy, Harry M., Jr.
McFarlane, Richard S.
McGowan, Thomas A.
McKenna, Bruce S.
Medlin, Laurence R.
Merrick, Burton J.
Meyers, Tulmon V.
Metcalf, Donald W.
Mills, Wallace L.
Miles, Perry W., III
Milsap, Ray F.
Miner, Terry L.
Miske, George J.
Mitchell, Jay A.
Mitchell, Patrick G.
Monroe, Anthony A.
Moore, Brady L.
Morey, Richard L.
Morra, Joseph G.
Morris, David A.
Morrison, Robert S.
Moser, Richard E.
Mulherin, Charles H., Jr.
Mullane, Joseph F., Jr.
Munger, Christopher D.
Murphy, John P.
Myatt, James M.
Nay, David R.
Neist, Terrence P.
Newton, John L.
Nichols, James W.
Nisewaner, Ken W.
Northcutt, William R.
Nykreim, Theodore P., Jr.
O'Connor, Donald J.
Oetting, Robert L.
Ogle, Daniel J.
Okrina, Loren J.
Optekar, Peter S.
Osborne, Ronald G.
Otlowski, Raymond J.
Palmerlee, Thomas M.
Pardini, Albert J.
Parker, Alson H., III
Paull, Jerome T.
Perzinskas, Henry L.
Peterson, James C.
Peterson, Michael B.
Phillips, William R.
Pierpont, Charles C., III
Pinckney, John M.
Pitaro, Nicholas R.
Pittroff, Lyle F.
Plachy, Ronald J.
Platt, John F.
Pleier, Joseph R.
Porchey, David V.
Porter, Robert D.
Praeger, Dirck K.
Preston, Charles P., Jr.
Price, Ernest E., III
Rabert, Daryl L.
Rafferty, Thomas F.
Ramsey, Kenneth R.
Randolph, John D.
Rank, John A., III
Raschke, Jay A.
Raske, Walter O. A.
Reynolds, Donald J.
Richmond, James M.
Ries, Edward G., Jr.
Ritzenthaler, James M.
Roberts, Howard S., Jr.
Roney, John A.
Roederer, John S.
Roniger, Joseph J., Jr.
Rosenberg, Donald L.
Rummans, Larry M.
Ryan, James P., Jr.
Saltarelli, Donald J.
Schmidt, George T.
Schmidt, William E.
Schumacher, Ludwig J.
Sciepko, Ronald S.
Sconyers, David J.
Shore, David R.
Shugart, Edward R., III
Simpleman, Louis L.
Smith, Alfred T.
Smith, Gordon F.
Smith, William E.
Smith, William F.
Snee, Thomas J.
Sowa, Gerald R.
Sortino, Don F.
Sortino, Ronald D. R.
Spadafora, Charles A.
Sramek, James B.
Stalcup, Charles H.
Staley, Roger F.
Strong, Frank D.
Stummer, John R.
Sullivan, John A.
Swinburn, Charles
Swinburne, Herbert H., Jr.
Sympson, Kenneth P.
Takabayashi, Glenn
Taylor, James L.
Terrill, William B.
Telfer, Gary L.
Tester, Bruce A.
Thomas, Blake K.
Tkac, Joseph G., Jr.
Tomlin, Richard D.
Townsend, Patrick L.
Tozour, Douglas O.
Treschuk, Timothy M.
Urland, Robert S.
Valdov, Juri
Vanderham, Thomas L.
Van Ryzin, Peter J.
Varanini, Emilio E., III
Walker, John S.
Ward, John W.
Warner, John H.
Warshaw, Joel M.
Wawrzyniak, Daniel J.
Weatherly, Davis C., Jr.
Weathers, Dudley M.
Webb, Allen B.
Weibel, Jerry R.
Weinbrenner, George J.
Weinhart, John R.
Weides, John D.
Wellman, Donald A.
Werth, Duncan S., III
Whitaker, Alexander W.
Whitehouse, Richard A.
Whitworth, Wyatt C., Jr.
Williams, Claude N.
Williams, John K.
Williams, Peter D.
Williams, Thomas E., Jr.
Wilson, Willis C.
Winkelbauer, Michael N.
Windisch, John W.
Wise, Thomas J., Jr.
Witt, Siegfried R.
Woggon, John A.
Wydo, Michael W.
Zealley, Harold E.
Zobenica, Ronald M.
Clark, Robert F.
Hinson, Amos B., III
Hunter, James B., III
Kohler, Edward A.
Lowe, James M., II
Severin, Bernard K.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Athy, Wilma G.
Botwright, Jeanne A.
Canal, Jo Ann
Howard, Mary S. L.
Jones, Vera M.
McMillan, Saundra
Reals, Gail M.
Silvey, Wanda R.
Waugh, Gail A.
White, Jacqueline J.

Willoughby, Paula M.
Houston, Arthur L., Jr.
Mediavilla, Antonio
Giddings, Joseph A.
Pinnick, James H.
Caynak, John P.
Gofas, Constantine
Russell, William E.
Rudeen, Paul E., Jr.
Young, Hoyt W.
Isbell, Charles M.
Ayer, Willard F.
Brady, Frank D.
Briggs, James H.
Cahaskie, Charles S.
Connell, James J.
Crusing, John R.
Depreker, Peter L.
East, James T.
Eckert, James D.
Fallon, John J., Jr.
Griffin, James P.
Guenther, John J.
Havel, John H.
Hoffman, George F.
Johnston, Donald W.
Kennedy, Thomas J.
Lakin, William P.
Lippmann, Robert E.
Livezey, James W.
Mann, Frank, Jr.
McClellan, William O., Jr.
McVay, Kenneth A.
Mears, Charles J., Jr.
Meece, Donald O.
Nelms, Ralph
Oss, Merton J.
Roberson, Willie G.
Schlotzhauer, William P.
Sherzer, Russell R.
Smyth, James P.
Still, Leo J., Jr.
Truax, Thomas M.
Wagor, Jaris L.
Ariola, Carl R.
Benner, William D.
Branum, Marx H.
Chapman, Paul W.
Clapp, Robert G.
Cobb, Charles W., Jr.
Curtis, Charles B.
Dadisman, Donald W.
Davenport, Paul G.
DeWalt, Donald H.
Diehl, Richard F.
Eddy, Dale D.
Evans, Frank W.
Ellis, Richmond K., Jr.
Fisher, Thomas V.
Foreman, Ronald D.
Greenough, Robert K.
Hall, William A.
Zappone, Francis L., Jr.
Harrington, Myron C., Jr.
Harrington, Phillip L.
Hayner, Claire L.
Hemingway, Thomas E.
Heuring, Francis E.
Hippner, Richard C.
Horn, Carl J.
Hurley, William F.
James, Orville E., Jr.
Kirk, Glen R.
Knibbs, James R.
Lambert, Clark S.
Lawseth, Raymond M.
Lehrack, Otto J., III
Lyman, Thomas T., Jr.
Marcani, Paul S.
McDonald, Harland E.
Miller, W. Scott
Morgan, Harmon S., Jr.
Moore, Raymond R.
Morris, Philip R.
Nargele, Dominik G.
Phaneuf, Joseph R.
Rider, Kenneth L.
Roller, Robert F., Jr.
Rook, Ronald C.
Ryan, John A., Jr.
Salisbury, Robert E.
Shirley, Troy T.
Stroup, William C.
Walsingham, Carl B., Jr.
Wilson, Ronald N.
Adams, Gene A., Jr.
Allegretti, Joseph J.
Allen, Bryan K.
Anderst, James L.
Ariss, David W.
Atchley, Robert C.
Baker, Larry L.
Balthis, Joseph R.
Banks, Henry D.
Barber, Frederic C.
Barbour, George F.
Barraclough, Harold T.
Barré, Ole
Barrett, Thomas V.
Barrier, Robert C.
Bartel, Roger A.
Bean, Edwin, Jr.
Beinner, David M.
Bendrick, Frank A.
Benson, Dean E.
Bernath, Donald L.
Bledsoe, Carl R.
Brady, Philip O.
Brickley, John P.
Brooks, Robert C.
Brophy, Richard T.
Brousseau, Andre R., III.
Bruner, Robert T.
Burns, Ralph D., Jr.
Butler, John A., III.
Butsko, Frank
Byrne, Peter E.
Cadwalader, George
Calta, Ronald F.
Campbell, William R., Jr.
Canaday, Michael C.
Care, James D.
Carlson, Keith E.
Cassidy, James A., Jr.
Cavin, Robert C.
Chapman, Jack A.
Chowen, Wesley J.
Cloud, David F.
Coates, Sterling K.
Cody, Ernest L., Jr.
Coleman, Bobby L.
Coleman, Roland W.
Connell, Terence P.
Conrad, John E., Jr.
Costa, Richard L.
Coulter, Wayne F.
Crowley, Jerome J., Jr.
Cusick, Thomas L.
Daigle, Paul N.
Daley, Roderic S., Jr.
Damon, Dennis E.
Dastugue, Marcel F., III
Daughtridge, Albert S., Jr.
Davenport, Wayne A.
Davis, Arthur G., Jr.
Davis, Charles E.
Dean, Dale D.
Decker, Richard A.
De Forest, Roy E.
Delaney, Richard A.
Derry, James O.
Dietz, Harry L.
Divelbiss, Charles F.
Dobies, Ronald S.
Downs, Michael P.
Doyle, James R.
Duke, Leiland M., Jr.
Dukes, John E.
Dunn, Bernard
Dunning, Clifford R.
Durrant, Stephen C.
Egger, Walter J.
Eustis, Peter
Evans, Donald L.
Everage, John M.
Fidelle, Thomas P., Jr.
Fish, William D.
Fisher, Robert J., Jr.
Fitts, William W., Jr.
Flaherty, Richard A.
Flint, Jon T.
Follett, John F.
Fosnocht, Bruce A.
Fox, Kim E.
French, James H.
Gacusana, Jose M.
Galazio, Joseph A.
Gallagher, Dennis O.
Gardner, Dayne G.
Gardner, Jackie R.
Gatchel, Theodore L.
Gibbons, Terrence A.
Gleason, Theodore A.
Goldhill, Edward C., Jr.
Golemon, Ronald K.
Gonyea, Darrel E.
Goodman, William S.
Gorski, Allan A.
Greeley, Brendan M., Jr.
Greenwood, William R.
Gresham, James W.
Grubb, Edgar H.
Gruhler, Jean A., Jr.
Grunwaldt, James G.
Guthrie, Clifton W.
Hadley, William C.
Hall, Richard V.
Halvorsen, John P.
Hamlon, John S., Jr.
Hampton, Glen L.
Hardiman, David W.
Harris, Andrew D.
Harris, Ernest A., Jr.
Hart, James A.
Hart, William R.
Hassler, John R.
Hathcock, Frank W.
Heigel, Roger C.
Heikkila, Frank L.
Heller, Kim F.
Henderson, David G.
Hendricks, Gordon E., Jr.
Hernandez, Enrique
Hess, John D.
Hines, Ralph E.
Holder, Kenneth M.
Holifield, Claude M., Jr.
Holmes, Larie W.
Hook, Sanders H. B.
Hooper, Richard W.
Hopper, Robert A.
Huckelbery, Charles T.
Hughes, Edward J., Jr.
Huml, Gerald F.
Hunter, William C.
Hyde, Wilton H., Jr.
Irvine, Edmund J., Jr.
James, Jack J.
Jennings, Fernandez, Jr.
Jennings, Harry E., Jr.
Johnson, Gene F.
Johnson, Gerald W.
Johnson, Kenneth D.
Johnson, Philip L.
Johnson, Richard F.
Jones, Newell M.
Jones, Thomas E.
Joyner, Alfred R.
Kaff, Robert N.
Kane, Thomas F.
Kenworthy, David M.
Keough, Francis T.
Kievit, Richard J.
Kilbane, Robert H.
Klages, William B.
Kleiboeker, Ronald W.
Koellner, Carl A.
Kolakowski, Henry, Jr.
Krueger, Bruce E.
Kummeth, Eugene P.
Lasley, Rex W.
Laster, James M.
Lawrence, George D., Jr.
Lawson, Walter J.
Lea, James O.
Lecornu, John
Lenzini, Martin J.
Lewis, Frederick E.
Lincoln, Neil R.
Long, Edward D.
Long, Melvin H.
Lucas, Albert F., Jr.
Lunde, Dennis E.
MacMullan, Hugh A., III
Madison, Gerald M.
Maiden, Joseph C., Jr.
Makowski, Stanley S., Jr.
Maloney, Terrence B.
Marchand, David M.
Maresco, Richard E.
Marshall, Joseph W. III
Marshall, Willard D.
Mattiace, John M.
Mauldin, Joe A.
Mayhan, Lynn B.
Mayian, Stephen M.
McAdams, William R.
McCarthy, Anthony J.
McCarthy, John W.
McCaughan, Frederick A.
McCreedy, Edwin J.
McDonald, Lawrence J.
McDonough, James G.
McFadden, Andrew G., Jr.
McGehe, John D.
McGill, George M.
McGowan, James D., Jr.
McGuire, Carol R.
McHenry, James P.
McIndoe, Robert A.
McKeown, Thomas K.
McKnight, James M.
McMillan, Bruce F.
McMurtrie, Earl L.
McNease, Colin A. P.
Meadows, Charles L.
Miecznikowski, Robert S.
Mitchell, Robert W., Jr.
Monette, Roland E.
Morgan, James E.
Morris, John C., Jr.
Mullen, Michael J.
Murphy, Thomas F.
Myers, Donald J.
Nance, Herbert T., Jr.
Nargi, Robert A.
Needham, James S.
Neely, Ives W., Jr.
Nelson, Lyle K.
Newman, Robert J.
Nolen, Roy L., III.
Norman, Jay R.
O'Connell, John M.
O'Connor, John R.
O'Connor, Martin H., Jr.
Ogle, Larry R.
Okeefe, Edward S., Jr.
Oleata, Edward A.
O'Neill, Robert R.
Owen, James T., Jr.
Pace, Ray T.
Pacello, Francis D.
Palumbo, Fred J.
Parker, Gary W.
Paterson, Robert J.
Peet, Alva E., Jr.
Pelott, Robert O.
Peterson, Joel N.
Pettis, Ronald E.
Phelps, Fred A.
Pierpan, Herbert E.
Pope, John C.
Porterfield, Charles W.
Prichard, John L.
Puckett, John R.
Raab, Robert L.
Rakow, William M., Jr.
Ray, Revedy C., III
Raymond, John W.
Regal, John E.
Rentto, Robert L.
Robb, Charles S., II
Roberson, Clifford E.
Robinson, Dayton L., Jr.
Robison, John W.
Rogers, Milton B.
Rose, John M.
Rose, Robert M.
Rothwell, Richard B.
Rountree, Neal T.
Rowe, Peter J.
Ryan, Justin M.
Saunders, James A., Jr.
Sayer, Donald L.
Schue, Ronald R.
Schultz, Virgil L.
Schulzke, Delbert L.
Seitz, Karl J., Jr.
Severson, Glen L.
Seymour, Jack T.
Shapiro, Bruce L.
Sharp, William C.
Sheahan, John J.
Shelton, Charles H.
Sherretz, Lundie L.
Shirley, Jerry C.
Shrivalle, Wade B., Jr.
Sims, Samuel R.
Slack, Willard E.
Sloan, Todd M.
Smith, Charles R., Jr.
Smith, Frank W.
Smith, Paul J., Jr.
Smith, Richard P.
Snow, Claude K.
Snow, Denman T., II
Snyder, William F.
Sobieski, Alexander J., Jr.
Soderstrom, Frank R.
Speicher, John A.
Stone, Alan C.
Stone, David T.
Straumanis, Eric R.
Stroud, Luther P., Jr.
Sullivan, Thomas C.
Swart, Arnold R.
Sykes, Waverly E., Jr.
Taylor, Charles C.
Taylor, Kenneth T.
Terrell, Thomas C.
Thomas, Francis A.
Thomas, Sidney E.
Thompson, Orville M.
Thompson, Raymond S., III
Thoreson, Bruce D.
Trumpfheller, Robert R.
Trice, William H., Jr.
Tripp, William E., Jr.
Trowbridge, Larry W.
Tuckwiller, Frank W.
Urban, Luke J.
Vanderberg, Paul A.
VanOrden, George M.
Varn, Robert M.
Vazquez, Amilcar
Vertrees, Robert L.
Wagner, Benny D.
Walker, John F., III
Walter, Sam T., Jr.
Warman, David A.
Warren, William R.
Washburn, Dean L.
Weaver, Robert F., Jr.
Webber, Frederick L.
Weede, Richard D.
Wehrung, Malcolm W.
Weller, Donald M., Jr.
West, William H., Jr.
White, Thomas A.
White, William H.
Whitesel, Robert N.
Whitley, Walter H.
Whittelsey, Arnold G.
Wiele, Frederick J.
Williams, Daniel B.
Williams, Dempsey H., III
Williams, John A.
Wills, Duane A.
Wilson, Willis A., Jr.
Windham, Benjamin T., Jr.
Winer, Peter D.
Winn, Paul C.
Witzgall, Wilton K.
Wold, Thomas H.
Yarbrough, George E.
Zimmerman, Ralph A.
Zittel, David R.
Norred, Caldwell V., III
Pearce, Frank G.
Dove, Thomas R.
Gordon, Charles R.
Russell, Leo K.
Sinclair, Cloyce E.
Harris, Robert E.
Brahms, David M.
Brodeur, Gerald P.
Fritz, David H.
Garten, Ronald C.
Howell, Jefferson D., Jr.
Johnson, Alford B.
Negron, William P.
Price, Donald L.
Risler, Eugene S., III
Anderson, Robert R.
Becker, James H.
Bellows, Bruce A.
Berthusen, Norman T.
Blanks, Charlton H.
Bricker, Peter W.
Burke, John G.
Carr, John D.
Carroll, Ronald J.
Collins, Emmett B., II
Conoley, Robert O.
Coyle, Edward L.
Craney, Dennis W.
De Bona, Andrew D.
Dees, Wilton F.
Depretoro, Thomas W.
Dickinson, Ralph A.
Dow, Charles W.
Driscoll, Steven J.
Edmunds, Richard L.
Evans, Thomas J., Jr.
Flowers, Walter E.
Fowles, Robert G.
Franzwa, Robert E.
Frey, Charles D.
Glad, Andrew D.
Green, Larry S.
Guinn, Richard L.
Guinn, Robert L.
Haring, Joseph A.
Harman, Milton L.
Heidbreder, Robert E.
Hicks, Gerard R.
Horn, Thomas R.
Hunter, James B., III
Johnson, Robert E.
Johnston, Robert B.
Jones, Lloyd C.
Kenny, James P.
Kerney, James L.
Larson, George H.
Linkonis, Bertram L.
Lytch, William D., Jr.
Mannila, Richard R.
Marks, David E.
Martin, James E.

Matthews, Frederick R., Jr.
McAlpin, Gary T.
McDonough, Edward J.
McGee, James L.
Miller, David F.
Mitchell, Neil F.
Moody, Joe D.
Mooney, William B.
Moore, Alfred H.
Morgan, Jerry L.
Mullen, John J., Jr.
Nelson, Arnold R.
Neyman, James L.
Poss, Willard B.
Raoul-Duval, Michael
Read, John J.
Reese, Thomas D., Jr.
Rich, Michael E.
Rintye, Edward D.
Roberton, James C.
Scott, Denver D.
Shepherd, James A.
Skierkowski, Walter H.
Springer, David A.
Stewart, Richard L.
Tait, Glenn S.
Trudeau, James L.
Tuttle, Ronald B.
Uyeda, Theodore Y.
Van Horne, Charles W.
Weingarten, Julian A.
Westendick, William A.
Wheeler, Carl B.
Whitfield, George A.
Yarnell, James H.
Allen, James S.
Brown, John M., Jr.
Dickey, Clarence D.
Knight, John B.
Kruse, Philip R.
Mills, Harry R.
Moffett, James H.
Nunn, Albert N.
Palatini, Anthony
Suber, Eddie J., Jr.

The following named for permanent appointment to the grade of second lieutenant for limited duty in the Marine Corps, subject to the qualifications therefor as provided by law:

Anthes, Fred W.
Ashe, Thomas D.
Bartlett, Robert O.
Beaver, Dale S.
Bode, Wichard H., Jr.
Bowden, Holland C.
Campbell, Wallace E. A.
Carter, Kenneth L.
Chavez, Lonnie S.
Church, Jorel B.
Clark, James A.
Curran, James E., Jr.
Demeo, Angelo C.
Duncan, Dorris A.
Faught, Robert J.
Franz, Howard A.
Girvin, Bobby G.
Golden, John J.
Gray, Edwin T.
Holbrook, Vernon J.
Incociati, Raymond F.
Joyce, Robert W.
Jones, Robert E.
Land, Carlton E.
Manco, Edward J.
McCurry, Kenneth D.
Merry, Bion E.
Mitchell, Robert L.
Mockenhaupt, Robert J.
Noe, Robert E.
Olson, Robert V.
Perry, Leon E.
Pitts, Thomas E.
Rickmon, James E.
Roberts, Morris R.
Robinson, Jean O.
Rodgers, John H.
Scaplehorn, William E., Jr.
Scott, Gerald E.
Simmons, Clyde M.
Smith, Clarence D.
Starzynski, Paul M.
Tanksley, Lawrence E.
Vangrol, Daniel P., III
Wieden, Clifford, Jr.
Yaeger, Richard A.

The following named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Reed-Hill, Robert E.
Welker, Daniel L.

The following named (platoon leaders class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Armstrong, James H.
Beard, Norman W., Jr.
Benson, Stanley L.
Bledsoe, Vadney C.
Chapman, Leonard F., III
Clark, Edward T., III
Cochran, Moncrieff M., III
Dematteo, Douglas A.
Dyke, Walter.
Ebbecke, Vincent R.
Ernest, John F., Jr.
Gavin, James F.
Hodder, Mark L.
Huddleston, Gene K.
Jaye, Donald B.
Johnson, Donald P.
Lindholm, Hans W.
Manning, Gary L.
Mitchell, James E.
Miller, Michael R.
O'Buch, Warren J.
Pierce, Robert C.
Regan, Richard J.
Roe, Frederick S.
Rowe, John H.
Runstad, Harold J., Jr.
Sargent, George L., Jr.
Schmitt, James H.
Tucker, Gilbert A., Jr.
Ward, Joel D.
Weeks, Larry L.
Wilkins, James R.
Griffing, Darryl R.
Jaroch, Roger M.
Richards, Robert J.
Walke, Alfred J.
Schade, Dewey D.
Korte, James M.
Vetter, Lawrence C., Jr.
Peters, William J.
Baroch, Jerome P., Jr.
Vandam, Albert R.
Polyascko, Gerald J.
Reed, Don T.
Rick, Ronald A.
Dugan, James A.
Erickson, John R.
Shara, Robert L.
L'Heureux, Robert D., Jr.
Kenyon, William O.
Goldstein, Mark K.
Swallows, Jack E.
Corbett, David C.
Longan, Laird C.
Kennedy, Dennis M.
Fratarcangelo, Paul A.

The following named for permanent appointment to commissioned warrant officer (CWO–2) in the Marine Corps, subject to the qualifications therefor as provided by law:

Johnson, Albert D.
Stevens, Glenn B.
Womack, Carl G.
Merrell, Edward L., Jr.
Turner, Roland L.
Newton, Orbin D.
Cusimano, Joseph.
Cervin, Michael V.
Rose, William W.
Schultze, Edward W.
Steiner, Clifford D.
Dowell, Sidney C.
Young, Fred F., Jr.
Holman, Ottie P., Jr.
Campbell, Henry C.
Schwab, Charles F.
Lark, Scott E.
Dierickx, Phil A.
Hallet, James G., Jr.
Corriveau, Orval J.
McLaughlin, Melvin W.
McCue, Merrill W.
Pawlik, Mitchell W.
Baumwart, Eldon L.
Morrisey, Robert B.
Lane, Keary L.
Hershey, Rodger E.
Dixon, John C.
Voss, Bethel A.
Nichols, Bobby J.
Magaldi, Joseph M., Jr.
Kueker, William R.
Stevens, Jerome E.
Kent, Donald E.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 25, 1964 (legislative day of February 10, 1964):

U.S. INFORMATION AGENCY

Carl T. Rowan, of Minnesota, to be Director of the U.S. Information Agency, vice Edward R. Murrow, resigned.

AGENCY FOR INTERNATIONAL DEVELOPMENT

William S. Gaud, of Connecticut, to be Deputy Administrator, Agency for International Development, vice Frank M Coffin.

William B. Macomber, Jr., of New York, to be Assistant Administrator for the Near East and South Asia, Agency for International Development, vice William S. Gaud.

DEPARTMENT OF STATE

Fulton Freeman, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Howard E. Haugerud, of Minnesota, to be Deputy Inspector General, Foreign Assistance.

DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning David M. Bane for promotion from class 2 to class 1, and ending Warren Zimmerman for promotion from class 7 to class 6, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 24, (legislative day of February 10), 1964.

The nominations beginning Perry H. Culley to be also a consul general and ending Marvin Weissman to be a secretary, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 20 (legislative day of February 10), 1964.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 25, 1964

The House met at 12 o'clock noon.

Rabbi Bernard Weinberger, Young Israel Synagogue of Brooklyn, Brooklyn, N.Y., offered the following prayer:

Avinu Shebashomayim. Our Father in heaven, joined here in the home of the legislative tribunal of our great Nation, the House of Representatives of the United States of America, we proclaim Thy sovereignty and dominion over all that is created and we reaffirm our fervent desire to abide by Thy will.

We pray Thee, O merciful Father, that in Thy infinite goodness Thou wilt bestow upon these dedicated leaders of Thy divine grace so that they may be strengthened to face the challenge of world leadership. Give them the courage and wisdom to pursue with ever-increasing vigor the principles of our great democracy. Give them the fortitude needed to persevere in the unrelenting pursuit of freedom, and human dignity. May our present leaders be enabled to emulate the consecration and dedication of Lincoln and Washington whose commemoration we have just concluded. Shower them with Thy coveted gift of an understanding heart and a soul attuned to the need of those less fortunate.

As we stand on the threshold of the festival of Lots which we will usher in tomorrow, we beseech Thee Almighty God that Thou mayest as in days of old, convert these days of fear to tranquillity, darkness to light, hate to love, anxiety to serenity, and sorrow to joy. Hasten the day when all the inhabitants of the earth will recognize Thy glory and Thy will be done; and when in unison we will all labor for the sanctification of Thy name. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4638) entitled "An act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President."

The message also announced that the President pro tempore, pursuant to section 1, Public Law 87–759, had appointed Mr. WALTERS to be a member of the Battle of New Orleans Sesquicentennial Celebration Commission.

The message also announced that the President pro tempore, pursuant to section 1, Public Law 86–420, had appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. GORE, Mr. GRUENING, Mr. KUCHEL, Mr. TOWER, Mr. MECHEM, and Mr. SIMPSON to be members of the U.S. group of the Mexico-United States Interparliamentary Group.

The message also announced that the President pro tempore, pursuant to title 14, United States Code, section 194, had appointed Mr. WALTERS to be a member of the Board of Visitors to the U.S. Coast Guard Academy.

The message also announced that the President pro tempore, pursuant to title 10, United States Code, section 4355(a), had appointed Mr. BIBLE, Mr. HOLLAND, and Mr. KEATING to be members of the Board of Visitors to the U.S. Military Academy.