work experience, occupational counseling, and placement services are the answer.

5. Those who are living in a locality or area where the former means of livelihood has ceased to exist or to afford tolerable living standards. For the employable persons in such an area new means of livelihood must be brought in or they must be assisted to move out. The unemployable persons in such depressed areas fall within the same situation as in (1) above.

6. Those whose social and personal problems have brought them to a point of self-defeating discouragement. These are the people who have sought escape in delinquency, mental illness, alcoholism, chronic dependency, and other forms of social isolation. These people may need individual supportive help in addition to the other remedies listed if they are to break the bonds of poverty.

One common denominator which aggravates all of these other causes of poverty is minority status. Thus equal opportunity for all Americans is basic to the war on poverty.

There is some danger in the current usage of the term "culture of poverty" because it suggests that something other than absence of money distinguishes the poor as a group from the rest of us. It is true that poverty is discouraging, debilitating, and cuts people off from the mainstream of American life. But there is a danger in suggesting that these qualities are intrinsic to the poor themselves rather than the end-product of remediable social ills. The danger lies in the ease with which this assumption moves toward the charge that the poor are poor by their own fault.

Mr. HART. Mr. President, the Senator from West Virginia requested that this material be printed in the RECORD as it relates to a matter of deep and continuing concern to him.

ILLNESS OF SENATOR RANDOLPH, OF WEST VIRGINIA

Mr. HART. As we all know, with regret, the Senator from West Virginia [Mr. RANDOLPH] is confined to Doctors Hospital and it will be several days before he can return to the Senate. I am glad to report that he is resting comfortably, and there is every indication that the surgical correction of the eye has been a success.

RECESS UNTIL MONDAY AT 11 A.M.

Mr. HART. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order entered yesterday, March 13, 1964, that the Senate stand in recess until 11 a.m. Monday.

The motion was agreed to; and (at 4 o'clock and 31 minutes p.m.) the Senate took a recess, under the order entered on March 13, 1964, until Monday, March 16, 1964, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 14 (legislative day of March 9), 1964:

U.S. DISTRICT JUDGES

A. Leon Higginbotham, Jr., of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania. (He was appointed during the last recess of the Senate.)

John Morgan Davis, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania. (He was appointed during the last recess of the Senate.)

Howard C. Bratton, of New Mexico, to be U.S. district judge for the district of New Mexico.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 16, 1964

The House met at 12 o'clock noon.

Rabbi Arthur Schneier, M.A., of Congregation Zichron Ephraim, offered the following prayer:

Almighty God, our Founding Fathers, touched by Thine infinite wisdom, forged a union of self-governing states. The self-rule of individual communities molded into national unity, strengthened the American character of initiative and resourcefulness. It made us freemen instead of slaves of the state. This independent spirit, in 300 years, developed small New Amsterdam into the thriving metropolis of New York.

O Lord, help us resist pressure and temptation to alter the delicate balance of Government power. May these sacred halls not become pressure chambers of selfishness. Help us rather execute what is right in Thy sight.

Knowing that our cities and States can become outposts of national honor or disgrace, O God, help us cast aside provincial pride which keeps our hearts from one another. May we unite in the fight against poverty and human misery so that everyone in our land can gratefully proclaim, "We have eaten, we are satisfied, blessed be Thy name, O Lord." Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 12, 1964, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On March 10, 1964:

H.R. 5982. An act for the relief of Pasquale Fiorica;

H.R. 7235. An act to amend sections 671 and 672 of title 28, United States Code, relating to the Clerk and the Marshal of the Supreme Court; and

H.R. 8171. An act to authorize the Secretary of the Interior to acquire lands, including farm units and improvements thereon, in the third division, Riverton reclamation project, Wyoming, and to continue to deliver water for 3 years to lands of said division, and for other purposes.

On March 11, 1964:

H.R. 6092. An act for the relief of Alexander Haytko;

H.R. 7821. An act for the relief of Wladyslawa Pytlak Jarosz; and

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

On March 13, 1964:

H.R. 1182. An act for the relief of Willy Sapuschnin;

H.R. 1295. An act for the relief of Edith and Joseph Sharon;

H.R. 1355. An act for the relief of Stanislawa Ouelette;

H.R. 1384. An act for the relief of Areti Siozos Paidas;

H.R. 1455. An act for the relief of Ewald Johan Consen;

H.R. 1520. An act for the relief of Jozefa Trzcinska Biskup and Ivanka Stalcer Vlahovic;

H.R. 1521. An act for the relief of Lovorko Lucic;

H.R. 1723. An act for the relief of Agnese Brienza;

H.R. 1886. An act for the relief of Valeriano T. Ebreo;

H.R. 4085. An act for the relief of Tibor Horcsik;

H.R. 4284. An act for the relief of Chrysanthos Kyriakou;

H.R. 4682. An act for the relief of Mr. and Mrs. Fred T. Winfield;

H.R. 5144. An act for the relief of Doyle A. Ballou;

H.R. 5617. An act for the relief of Elizabeth Renee Louise Gabrielle Huffer;

H.R. 6313. An act for the relief of Stanislaw Kuryj;

H.R. 6320. An act for the relief of Walter L. Mathews and others;

H.R. 6477. An act for the relief of Capt. Otis R. Bowles;

H.R. 6591. An act for the relief of Constantine Theothoropoulos;

H.R. 7347. An act for the relief of Teresa Elliopoulos and Anastasia Elliopoulos;

H.R. 7533. An act for the relief of Demetrios Dousopoulos;

H.R. 8085. An act for the relief of Roy W. Ficken;

H.R. 8322. An act for the relief of John George Kostantoyannis; and

H.R. 8507. An act for the relief of certain medical and dental officers of the Air Force.

FEDERAL PAY RAISE BILL

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

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

There was no objection.

Mr. ROUSH. Mr. Speaker, a great number of us found ourselves in a most difficult position last Thursday when we considered the pay raise bill. Most of us recognized a need for a general pay increase among Federal employees.

Exclude from this bill those unreasonably high increases in the legislative, executive, and judicial salaries and I become an enthusiastic supporter of this legislation. It is needed and desirable. That which made it most difficult was the fact that included were substantial increases in the legislative, executive, and judicial which would have, of course, included a substantial increase in my own salary. My expenses are great and I feel the pinch of the cost-of-living rise but I could not and would not vote for a $10,000 increase for myself. If I had voted for this substantial increase, how could I have looked a laboring man back in Indiana in the eye when I know he is making less than $5,000 or $6,000 per year. I could not.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

If these increases in the top-pay brackets could be reduced so as to provide for a modest increase, then I would have supported this bill. But, as it stood, I had to vote against it. Because of the support I want to give to the Federal employee, I hope that this matter might be reconsidered and we might have another chance to vote on a reasonable pay raise bill.

SELECT COMMITTEE ON SMALL BUSINESS

Mr. EVINS. Mr. Speaker, I ask unanimous consent that the House Select Committee on Small Business be permitted to sit during general debate on March 17 and 18 next.

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

There was no objection.

PRESIDENT'S MESSAGE ON POVERTY

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, this is a historic day for the Congress. Today we have received a message from the President which commits this Nation to a total, unrelenting, and—I am sure—a successful war against poverty.

We enjoy in this country today unprecedented prosperity and affluence, but fully a fifth of our people do not share it. This is an intolerable situation. The President has spoken for all of us in his determination that the benefits of our advanced technology and, perhaps even more importantly, the American conscience will be directed now to bringing basic security and comfort to the more than 30 million Americans who do not have such security and comfort.

There is no single cause or aspect of poverty. It must, therefore, be fought on many fronts and with many weapons. The President's recommendations constitute a well-rounded, coordinated series of specific programs. Emphasis will be on youth, because we seek not only to relieve today's poverty but to prevent tomorrow's.

I hail the President's message, because it puts its emphasis on what all Americans can do in this great crusade—not just the Federal Government. Every community in America will now be challenged to take part.

The Congress will now work its will on the specific recommendations of the President. I am confident that his message sets us on the right course. The American people will join President Johnson in hoping for quick and comprehensive action by the Congress. This is now our round. Let the people who will benefit from this program know that we will not let them down.

PRESIDENT'S MESSAGE ON POVERTY

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

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

There was no objection.

Mr. BOGGS. Mr. Speaker, the President's program for combating poverty in America is one of the most sweeping ever presented to the Congress. Its practical approach recognizes that poverty must be attacked from many different directions—that there is no single panacea for reducing the extent and severity of poverty.

I like the emphasis which the program places on local initiative and planning. It is proper that each community should take the lead, with Federal financial assistance, in determining how to reduce poverty in its own area.

Two of the programs recommended—the National Job Corps and the work-study program—bring back memories of two of the finest programs ever undertaken by this Nation—the CCC—Civilian Conservation Corps—and the NYA—National Youth Administration. Back in the 1930's the CCC and the NYA won almost universal acclaim for what they did for the youth of that generation, and it is my fervent hope that these new programs will furnish the same great help for the poverty-stricken youth of this generation.

The selection of Sargent Shriver to coordinate and supervise this program is a magnificent choice. His direction of the Peace Corps has won unprecedented international acclaim, and his reputation as a diplomatic, farseeing, dollar-conscious administrator of great skill will get President Johnson's antipoverty program off to a fine start.

THE DAY OF DISTRIBUTIVE JUSTICE

Mr. CAREY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. CAREY. Mr. Speaker, we have the message and the target is poverty. No citizen can deny its effect, no legislator can be indifferent to its existence in a land of abundance blessed by providence.

The message is as important as the message. The proposals are truly in accord with the principle and virtue of distributive justice.

They respect the freedom of the individual and the unity of the family.

They enlist all our effort and resources—public and private—without discrimination as to persons or projects. This distributive justice program addresses itself to our national dilemma.

Under our national creed we are created equal but through the predicament of poverty we have been too long unequal.

Now we propose to proportion our national effort—public, private, and individual—to create opportunity for the full development of the potential of every American.

In education, in the economy, in rural slough and urban slum, this is a day of hope—the dawn of distributive justice.

THE BAKER INVESTIGATION

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

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

There was no objection.

Mr. GROSS. Mr. Speaker, it is time for a single standard for witnesses appearing before congressional committees. It is time to end the double standard treatment that has resulted in the coddling of White House Aid Walter Jenkins. What has been in the mind of the committee that refuses to call him, and continues to insulate him against any possible perjury prosecution?

Mr. Don Reynolds was questioned under oath. He has said he will return for still more questioning as to the contradiction between his testimony and the statement attributed to Jenkins.

The committee counsel has tried to rationalize the double standard. He refuses to put Jenkins under oath and question him on the arrangements under which $1,200 was paid to the L.B.J. Co. Jenkins was an employee of the other body at the time of the transaction. The fact that he has become a White House employee should give him no immunity now.

Had there been no confrontation between Whitaker Chambers and Alger Hiss there would have been only inconclusive denials and coverups.

It is the duty of Congress to find the truth, and to diligently search out the facts when there are contradictions. If Congress fails, then there can be no respect for the authority of Congress.

Mr. Speaker, part 1 of the hearing record of the Senate Rules Committee contains a memorandum prepared by two committee staff members from which I quote the following:

> Mr. Jenkins has no knowledge of any conversation between Mr. Baines and Mr. Reynolds, nor does he have any knowledge of any arrangements by which Reynolds purchased advertising time on the TV station.

In the same hearing record—part 1—the counsel for the committee, Mr. McClendon, questioned Mr. Reynolds, as follows:

> Mr. McCLENDON. What comment, if any, do you have to make about the content of the statements made by Mr. Jenkins in the interview?
>
> Mr. REYNOLDS. No. 1 is the statement that he had no knowledge of any question of advertising time to be purchased from KTBC, which is a station owned by L.B.J. Co., sir.
>
> Mr. McCLENDON. And your statement is——
>
> Mr. REYNOLDS. He did have knowledge and discussed it with me, sir. And he discussed it directly with the president of the Mid-Atlantic Stainless Steel Co., Mr. Albert G. Young.

Mr. Speaker, Mr. Reynolds appeared before the committee and testified under oath. Mr. Jenkins, the Presidential aid, has not been called to do likewise although there is here a clear case of perjury on the part of someone.

The public is entitled to the truth.

CALL OF THE PRIVATE CALENDAR ON TUESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that while the call of the Private Calendar was announced during the announcement of the program last week, it was erroneously omitted in the printing of the whip notice. I take this time to advise Members that the Private Calendar will be called as usual under the rule tomorrow.

POVERTY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 243)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

We are citizens of the richest and most fortunate nation in the history of the world.

One hundred and eighty years ago we were a small country struggling for survival on the margin of a hostile land.

Today we have established a civilization of freemen which spans an entire continent.

With the growth of our country has come opportunity for our people—opportunity to educate our children, to use our energies in productive work, to increase our leisure—opportunity for almost every American to hope that through work and talent he could create a better life for himself and his family.

The path forward has not been an easy one.

But we have never lost sight of our goal: an America in which every citizen shares all the opportunities of his society, in which every man has a chance to advance his welfare to the limit of his capacities.

We have come a long way toward this goal.

We still have a long way to go.

The distance which remains is the measure of the great unfinished work of our society.

To finish that work I have called for a national war on poverty. Our objective: total victory.

There are millions of Americans—one-fifth of our people—who have not shared in the abundance which has been granted to most of us, and on whom the gates of opportunity have been closed.

What does this poverty mean to those who endure it?

It means a daily struggle to secure the necessities for even a meager existence. It means that the abundance, the comforts, the opportunities they see all around them are beyond their grasp.

Worst of all, it means hopelessness for the young.

The young man or woman who grows up without a decent education, in a broken home, in a hostile and squalid environment, in ill health or in the face of racial injustice—that young man or woman is often trapped in a life of poverty.

He does not have the skills demanded by a complex society. He does not know how to acquire those skills. He faces a mounting sense of despair which drains initiative and ambition and energy.

Our tax cut will create millions of new jobs—new exits from poverty.

But we must also strike down all the barriers which keep many from using those exits.

The war on poverty is not a struggle simply to support people, to make them dependent on the generosity of others.

It is a struggle to give people a chance.

It is an effort to allow them to develop and use their capacities, as we have been allowed to develop and use ours, so that they can share, as others share, in the promise of this Nation.

We do this, first of all, because it is right that we should.

From the establishment of public education and land-grant colleges through agricultural extension and encouragement to industry, we have pursued the goal of a nation with full and increasing opportunities for all its citizens.

The war on poverty is a further step in that pursuit.

We do it also because helping some will increase the prosperity of all.

Our fight against poverty will be an investment in the most valuable of our resources—the skills and strength of our people.

And in the future, as in the past, this investment will return its cost manifold to our entire economy.

If we can raise the annual earnings of 10 million among the poor by only $1,000, we will have added $14 billion a year to our national output. In addition, we can make important reductions in public assistance payments which now cost us $4 billion a year, and in the large costs of fighting crime and delinquency, disease and hunger.

This is only part of the story.

Our history has proved that each time we broaden the base of abundance, giving more people the chance to produce and consume, we create new industry, higher production, increased earnings, and better income for all.

Giving new opportunity to those who have little will enrich the lives of all the rest.

Because it is right, because it is wise, and because, for the first time in our history, it is possible to conquer poverty, I submit, for the consideration of the Congress and the country, the Economic Opportunity Act of 1964.

The act does not merely expand old programs or improve what is already being done.

It charts a new course.

It strikes at the causes, not just the consequences of poverty.

It can be a milestone in our 180-year search for a better life for our people.

This act provides five basic opportunities.

It will give almost half a million underprivileged young Americans the opportunity to develop skills, continue education, and find useful work.

It will give every American community the opportunity to develop a comprehensive plan to fight its own poverty—and help them to carry out their plans.

It will give dedicated Americans the opportunity to enlist as volunteers in the war against poverty.

It will give many workers and farmers the opportunity to break through particular barriers which bar their escape from poverty.

It will give the entire Nation the opportunity for a concerted attack on poverty through the establishment, under my direction, of the Office of Economic Opportunity, a national headquarters for the war against poverty.

This is how we propose to create these opportunities.

First. We will give high priority to helping young Americans who lack skills, who have not completed their education, or who cannot complete it because they are too poor.

The years of high school and college age are the most critical stage of a young person's life. If they are not helped then, many will be condemned to a life of poverty which they, in turn, will pass on to their children.

I therefore recommend the creation of a Job Corps, a work-training program, and a work study program.

A new National Job Corps will build toward an enlistment of 100,000 young men. They will be drawn from those whose background, health, and education make them least fit for useful work.

Those who volunteer will enter more than 100 camps and centers around the country.

Half of these young men will work, in the first year, on special conservation projects to give them education, useful work experience, and to enrich the natural resources of the country.

Half of these young men will receive, in the first year, a blend of training, basic education, and work experience in job training centers.

These are not simply camps for the underprivileged. They are new educational institutions, comparable in innovation to the land-grant colleges. Those who enter them will emerge better qualified to play a productive role in American society.

A new national work-training program operated by the Department of Labor will provide work and training for 200,000 American men and women between the ages of 16 and 21. This will be developed through State and local governments and nonprofit agencies.

Hundreds of thousands of young Americans badly need the experience,

the income, and the sense of purpose which useful full- or part-time work can bring. For them such work may mean the difference between finishing school or dropping out. Vital community activities from hospitals and playgrounds to libraries and settlement houses are suffering because there are not enough people to staff them.

We are simply bringing these needs together.

A new national work-study program operated by the Department of Health, Education, and Welfare will provide Federal funds for part-time jobs for 140,000 young Americans who do not go to college because they cannot afford it.

There is no more senseless waste than the waste of the brainpower and skill of those who are kept from college by economic circumstance. Under this program they will, in a great American tradition, be able to work their way through school.

They and the country will be richer for it.

Second. Through a new community-action program we intend to strike at poverty at its source—in the streets of our cities and on the farms of our countryside among the very young and the impoverished old.

This program asks men and women throughout the country to prepare long-range plans for the attack on poverty in their own local communities.

These are not plans prepared in Washington and imposed upon hundreds of different situations.

They are based on the fact that local citizens best understand their own problems, and know best how to deal with those problems.

These plans will be local plans striking at the many unfilled needs which underlie poverty in each community, not just one or two. Their components and emphasis will differ as needs differ.

These plans will be local plans calling upon all the resources available to the community—Federal and State, local and private, human and material.

And when these plans are approved by the Office of Economic Opportunity, the Federal Government will finance up to 90 percent of the additional cost for the first 2 years.

The most enduring strength of our Nation is the huge reservoir of talent, initiative, and leadership which exists at every level of our society.

Through the community action program we call upon this, our greatest strength, to overcome our greatest weakness.

Third. I ask for the authority to recruit and train skilled volunteers for the war against poverty.

Thousands of Americans have volunteered to serve the needs of other lands. Thousands more want the chance to serve the needs of their own land. They should have that chance.

Among older people who have retired, as well as among the young, among women as well as men, there are many Americans who are ready to enlist in our war against poverty.

They have skills and dedication. They are badly needed.

If the State requests them, if the community needs and will use them, we will recruit and train them and give them the chance to serve.

Fourth. We intend to create new opportunities for certain hard-hit groups to break out of the pattern of poverty.

Through a new program of loans and guarantees we can provide incentives to those who will employ the unemployed.

Through programs of work and retraining for unemployed fathers and mothers we can help them support their families in dignity while preparing themselves for new work.

Through funds to purchase needed land, organize cooperatives, and create new and adequate family farms we can help those whose life on the land has been a struggle without hope.

Fifth. I do not intend that the war against poverty become a series of uncoordinated and unrelated efforts—that it perish for lack of leadership and direction.

Therefore this bill creates, in the Executive Office of the President, a new Office of Economic Opportunity. Its Director will be my personal chief of staff for the war against poverty. I intend to appoint Sargent Shriver to this post.

He will be directly responsible for these new programs. He will work with and through existing agencies of the Government.

This program—the Economic Opportunity Act—is the foundation of our war against poverty. But it does not stand alone.

For the past 3 years this Government has advanced a number of new proposals which strike at important areas of need and distress.

I ask the Congress to extend those which are already in action, and to establish those which have already been proposed.

There are programs to help badly distressed areas such as the Area Redevelopment Act, and the legislation now being prepared to help Appalachia.

There are programs to help those without training find a place in today's complex society—such as the Manpower Development Training Act and the Vocational Education Act for youth.

There are programs to protect those who are specially vulnerable to the ravages of poverty—hospital insurance for the elderly, protection for migrant farmworkers, a food stamp program for the needy, coverage for millions not now protected by a minimum wage, new and expanded unemployment benefits for men out of work, a housing and community development bill for those seeking decent homes.

Finally there are programs which help the entire country, such as aid to education which, by raising the quality of schooling available to every American child, will give a new chance for knowledge to the children of the poor.

I ask immediate action on all these programs.

What you are being asked to consider is not a simple or an easy program. But poverty is not a simple or an easy enemy.

It cannot be driven from the land by a single attack on a single front. Were this so we would have conquered poverty long ago.

Nor can it be conquered by government alone.

For decades American labor and American business, private institutions, and private individuals have been engaged in strengthening our economy and offering new opportunity to those in need.

We need their help, their support, and their full participation.

Through this program we offer new incentives and new opportunities for cooperation, so that all the energy of our Nation, not merely the efforts of Government, can be brought to bear on our common enemy.

Today, for the first time in our history, we have the power to strike away the barriers to full participation in our society. Having the power, we have the duty.

The Congress is charged by the Constitution to "provide * * * for the general welfare of the United States." Our present abundance is a measure of its success in fulfilling that duty. Now Congress is being asked to extend that welfare to all our people.

The President of the United States is President of all the people in every section of the country. But this office also holds a special responsibility to the distressed and disinherited, the hungry and the hopeless of this abundant Nation.

It is in pursuit of that special responsibility that I submit this message to you today.

The new program I propose is within our means. Its cost of $970 million is 1 percent of our national budget—and every dollar I am requesting for this program is already included in the budget I sent to Congress in January.

But we cannot measure its importance by its cost.

For it charts an entirely new course of hope for our people.

We are fully aware that this program will not eliminate all the poverty in America in a few months or a few years. Poverty is deeply rooted and its causes are many.

But this program will show the way to new opportunities for millions of our fellow citizens.

It will provide a lever with which we can begin to open the door to our prosperity for those who have been kept outside.

It will also give us the chance to test our weapons, to try our energy and ideas and imagination for the many battles yet to come. As conditions change, and as experience illuminates our difficulties, we will be prepared to modify our strategy.

And this program is much more than a beginning.

Rather it is a commitment. It is a total commitment by this President, and this Congress, and this Nation, to pursue victory over the most ancient of mankind's enemies.

On many historic occasions the President has requested from Congress the authority to move against forces which were endangering the well-being of our country.

This is such an occasion.

On similar occasions in the past we have often been called upon to wage war against foreign enemies which threatened our freedom. Today we are asked to declare war on a domestic enemy which threatens the strength of our Nation and the welfare of our people.

If we now move forward against this enemy—if we can bring to the challenges of peace the same determination and strength which has brought us victory in war—then this day and this Congress will have won a secure and honorable place in the history of the Nation, and the enduring gratitude of generations of Americans yet to come.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 16, 1964.*

CONSENT CALENDAR

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

ACQUISITION OF CERTAIN PROPERTY IN SQUARE 758 IN THE DISTRICT OF COLUMBIA

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

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

Mr. GROSS. Mr. Speaker, in view of the message just read from the President with respect to poverty, I ask unanimous consent that this bill go over without prejudice.

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

There was no objection.

ESTABLISHMENT OF THE SAINT-GAUDENS NATIONAL HISTORIC SITE, N.H.

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

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

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

There was no objection.

APPROPRIATION OF FUNDS FOR THE BATTLE OF LAKE ERIE SESQUICENTENNIAL CELEBRATION COMMISSION

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

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

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

There was no objection.

AMENDING ORGANIC ACT OF THE NATIONAL BUREAU OF STANDARDS

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

Mr. GROSS. Mr. Speaker, since this bill has been granted a rule, I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

ADDITIONAL COMMISSIONERS OF THE U.S. COURT OF CLAIMS

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

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

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

There was no objection.

AMENDMENT TO THE ATOMIC ENERGY ACT OF 1954

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

Mr. SAYLOR. Mr. Speaker, in view of the fact this bill will be called up under suspension of the rules, I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

ESTABLISHMENT OF THE JOHN MUIR NATIONAL MONUMENT

The Clerk called the bill (H.R. 439) to provide for the establishment of the John Muir National Monument.

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

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

Mr. BALDWIN. Mr. Speaker, reserving the right to object, I would like to bring to the attention of the gentleman from Iowa that this bill has come on the House floor with the unanimous vote of the National Parks Committee and of the House Interior Committee. It has the recommendation of the National Park Service and the Department of the Interior.

I hope the gentleman from Iowa might reconsider his request that the bill be passed over.

Mr. GROSS. Mr. Speaker, the same may be true of a bill offered by the gentleman from New Hampshire [Mr. CLEVELAND]. The point is that somewhere along the line the Congress is going to have to draw the purse strings tighter rather than take over all these so-called historic sites and in perpetuity pay for the upkeep of them. I do not know about the feeling of other Members of the House, but I would think some of these historic sites and some of these historic buildings could be taken over and maintained by the States in which they are presently located. This is my feeling in the matter.

Mr. BALDWIN. I respect the views of the gentleman from Iowa, but I do point out that the purpose of this particular bill is to give recognition to a man who made a great contribution on the Federal level because he was the man who was given credit by the Department of the Interior for the establishment of the national forests as well as some of the national parks.

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

There was no objection.

AMENDING TITLE 35 OF THE UNITED STATES CODE TO PERMIT A WRITTEN DECLARATION TO BE ACCEPTED IN LIEU OF AN OATH

The Clerk called the bill (S. 2040) to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes.

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

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 35, United States Code is amended by adding the following new sections after section 24:

"§ 25. Declaration in lieu of oath

"(a) The Commissioner may by rule prescribe that any document to be filed in the Patent Office and which is required by any law, rule, or other regulation to be under oath may be subscribed to by a written declaration in such form as the Commissioner may prescribe, such declaration to be in lieu of the oath otherwise required.

"(b) Whenever such written declaration is used, the document must warn the declarant that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001).

"§ 26. Effect of defective execution

"Any document to be filed in the Patent Office and which is required by any law, rule, or other regulation to be executed in a specified manner may be provisionally accepted by the Commissioner despite a defective execution, provided a properly executed document is submitted within such time as may be prescribed."

SEC. 2. The analysis of chapter 2 of title 35, United States Code, immediately preceding section 21, is amended to read as follows:

"Sec.
"21. Day for taking action falling on Saturday, Sunday, or holiday.
"22. Printing of papers filed.
"23. Testimony in Patent Office cases.
"24. Subpoenas, witnesses.
"25. Declaration in lieu of oath.
"26. Effect of defective execution."

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

ROBERT S. KERR WATER RESEARCH CENTER

The Clerk called House Concurrent Resolution 189.

The SPEAKER. Is there objection to the present consideration of the House concurrent resolution?

There being no objection, the House concurrent resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Southwest regional water laboratory of the Department of Health, Education, and Welfare at Ada, Oklahoma, should be known and designated as the "Robert S. Kerr Water Research Center" in honor of the late Senator Robert S. Kerr, of Oklahoma. Any law, regulation, document, or record of the United States in which such laboratory is referred to should be held to refer to such laboratory under and by the name of the "Robert S. Kerr Water Research Center".

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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

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

There was no objection.

Mr. STEED. Mr. Speaker, few people in the history of our country have made a contribution to water resources development comparable to that of the late Senator Robert S. Kerr of Oklahoma. He knew that the future of our country is dependent on water, and he devoted tremendous energy to making certain that the challenge is met.

It is especially appropriate that the regional water pollution laboratory at his hometown of Ada, Okla., be named in his honor "The Robert S. Kerr Water Research Center." Senator Kerr was a leader in developing the program to fight water pollution. Together with our colleague, Congressman BLATNIK, he sponsored vital legislation in this field. It is because of his vision that this water pollution laboratory is becoming a reality.

The facility will serve the lower Mississippi Valley, the western gulf area and the Colorado drainage basins. It will stand on a hill southeast of Ada adjoining the site where the Sciences and Natural Resources Foundation of Oklahoma is bringing into being a 435-acre industrial-research complex. Nearby will be a museum of Oklahoma science and industry to be erected as a tribute to the Senator. Only a short distance away stands the log cabin in which Robert S. Kerr was born September 11, 1896, which is being preserved in his memory. The burial place of the Senator is not far away.

This laboratory, cost of which is estimated at $2.5 million, will house a staff of 150, more than half of them engineers and technicians. It will include laboratories for experimentation, research, analysis, and testing in the specialized fields of aquatic biology, radiology, limnology, bacteriology, microbiology, and others. In addition, the laboratory will conduct training courses for State and local personnel doing water pollution control work.

Senator Kerr's family came to Oklahoma 11 years before statehood. The story of his life was that of the growth of our State. His work for water development went far beyond the field of pollution control. As a new Member of the Senate in 1949 he sponsored the creation of the Arkansas, White, and Red River study commission. Its work already has resulted in a program of development that is transforming the economy of much of the southwest. And as chairman of the Senate Select Committee on Water Resources Senator Kerr compiled one of the most comprehensive studies ever made of the water problem, which will serve as a vital reference for many years.

He showed Oklahoma the way to its future, and our citizens will be proud that this fine laboratory stands as one of his many memorials.

ALASKA MINERAL LANDS SELECTION

The Clerk called the bill (H.R. 7598) to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State.

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that Senate bill 1878, an identical bill, be considered in lieu of the House bill, H.R. 7598.

The Clerk read the title of the Senate bill.

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

There being no objection, the Clerk read the Senate bill (S. 1878), as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (h) of section 6 of the Act entitled "An Act to provide for the admission of the State of Alaska into the Union", approved July 7, 1958 (72 Stat. 339), as amended, is amended by striking out "five years" and inserting in lieu thereof "ten years."

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

A similar House bill, H.R. 7598, was laid on the table.

A motion to reconsider was laid on the table.

EDEN VALLEY IRRIGATION AND DRAINAGE DISTRICT

The Clerk called the bill (S. 1299) to defer certain operation and maintenance charges of the Eden Valley Irrigation and Drainage District.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to defer, without interest, the collection of irrigation operation and maintenance charges due for the first one-half of calendar year 1964 as shown in the May 17, 1963, notices of 1964 water charges to the Eden Valley Irrigation and Drainage District: *Provided*, That the Secretary and the district enter into a contract prior to December 1, 1963, for the payment by the district of such deferred charges during the sixty-year repayment period provided by the repayment contract of June 8, 1950, with said district; *Provided further*, That the Secretary of the Interior is authorized to defer all or any part of operation and maintenance charges due for the last one-half of calendar year 1964, to the extent that he determines that the water supply is inadequate to meet project needs, such deferment without interests, to be contingent upon the Secretary and the district entering into a contract prior to June 1, 1964, for the payment by the district of such deferred charges over the repayment period provided by the repayment contract herein referred to. Appropriations heretofore or hereafter made for carrying on the functions of the Bureau of Reclamation shall be available for operation and maintenance of the Eden project to the extent that funds for operation and maintenance are deferred hereunder and therefore are not advanced by the Eden Valley Irrigation and Drainage District.

With the following committee amendments:

Page 1, line 5, strike out "first" and insert "last".

Page 1, line 9, strike out "December 1, 1963," and insert "June 1, 1964,".

Page 2, line 4, strike out "last one-half of calendar year 1964," and insert: "first one-half of calendar year 1965, as will be announced in a notice to be issued the District pursuant to Article 8 of the repayment contract herein referred to,".

Page 2, line 5, strike out "that the water supply" and insert "by June 1, 1964, that the water supply for 1964".

Page 2, line 7, strike out "interests," and insert "interest,".

Page 2, line 8, strike out "June 1, 1964," and insert "December 1, 1964,".

The committee amendments were agreed to.

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

COCHITI RESERVOIR

The Clerk called the bill (H.R. 3194) to authorize the Secretary of the Interior to make water available for a permanent pool for recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River project.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to subdivision (e) of the conditions applicable to the project for improvement of the Rio Grande Basin authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 493), is hereby supplemented to authorize approximately fifty thousand acre-feet of water for the initial filling of a permanent pool of one thousand two hundred surface acres in Cochiti Reservoir, and thereafter sufficient water annually to offset the evaporation from such area, to be made available by the Secretary of the Interior from water diverted into the Rio Grande Basin by the works authorized by section 8 of the Act of June 13, 1962 (Public Law 87-483, 76 Stat. 97),

subject to the conditions specified in sections 8, 12, 13, 14, and 16 of said Act. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

With the following committee amendments:

Page 1, line 7, after "authorize" add ", for conservation and development of fish and wildlife resources and for recreation,".

Page 2, lines 7 and 8, strike out "All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable." and insert: "An appropriate share of the costs of said works shall be reallocated to recreation and fish and wildlife, and said allocation, which shall not exceed $3,000,000, shall be nonreimbursable and nonreturnable."

Page 2, after line 8, add a new section to read as follows:

SEC. 2. Nothing contained in this Act shall be construed to increase the amount heretofore authorized to be appropriated for construction of the Colorado River Storage project or any of its units."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project."

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 614) to authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project, a bill similar to the one just passed.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to subdivision (e) of the conditions applicable to the project for improvement of the Rio Grande Basin authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 493) is hereby supplemented to authorize for conservation and development of fish and wildlife resources and for recreation, approximately fifty thousand acre-feet of water for the initial filling of a permanent pool of one thousand two hundred surface acres in Cochiti Reservoir, and thereafter sufficient water annually to offset the evaporation from such area, to be made available by the Secretary of the Interior from water diverted into the Rio Grande Basin by the works authorized by section 8 of the Act of June 13, 1962 (Public Law 87-483; 76 Stat. 97), subject to the conditions specified in sections 8, 12, 13, 14, and 16 of said Act. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of the bill S. 614 and insert in lieu thereof the provisions of H.R. 3194 as passed, as follows: "That the proviso to subdivision (e) of the conditions applicable to the project for improvement of the Rio Grande Basin authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 493), is hereby supplemented to authorize, for conservation and development of fish and wildlife resources and for recreation, approximately fifty thousand acre-feet of water for the initial filling of a permanent pool of one thousand two hundred surface acres in Cochiti Reservoir, and thereafter sufficient water annually to offset the evaporation from such area, to be made available by the Secretary of the Interior from water diverted into the Rio Grande Basin by the works authorized by section 8 of the Act of June 13, 1962 (Public Law 87-483, 76 Stat. 97), subject to the conditions specified in sections 8, 12, 13, 14, and 16 of said Act. An appropriate share of the costs of said works shall be reallocated to recreation and fish and wildlife, and said allocation, which shall not exceed $3,000,000 shall be nonreimbursable and nonreturnable.

"SEC. 2. Nothing contained in this Act shall be construed to increase the amount heretofore authorized to be appropriated for construction of the Colorado River storage project or any of its units."

Amend the title so as to read: "An act to authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project."

The amendment was agreed to.

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

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to make water available for a permanent pool for fish and wildlife and recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project."

A motion to reconsider was laid on the table.

A similar House bill, H.R. 3194, was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. HOLIFIELD. Mr. Speaker, the bill H.R. 9711, to amend the Atomic Energy Act of 1954, is on the suspension calendar for today. However, a similar bill, S. 2448, has been passed by the other body. Therefore, in lieu of calling up H.R. 9711, I move to suspend the rules and pass the bill S. 2448.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 202 of the Atomic Energy Act of 1954 is hereby amended to read as follows: "During the first ninety days of each session of the Congress, the Joint Committee may conduct hearings in either open or executive session for the purpose of receiving information concerning the development, growth, and state of the atomic energy industry."

The SPEAKER. Is a second demanded?

PARLIAMENTARY INQUIRY

Mr. SAYLOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. SAYLOR. Mr. Speaker, the House Calendar lists a bill to come up under suspension and it is a House bill. Does it not require unanimous consent to suspend the rules and take up a Senate bill?

The SPEAKER. The Chair will advise the gentleman from Pennsylvania, under the rules of the House, the Speaker may recognize a Member on a motion to suspend the rules.

Is a second demanded?

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

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, the bill before the House now, S. 2448, would amend section 202 of the Atomic Energy Act. As the law is now written, the Joint Committee must, as a matter of law, hold hearings within the first 90 days of each session on the "Development, Growth, and State of the Atomic Energy Industry." This amendment would make these hearings permissive and discretionary with the committee.

The bill is solidly supported by the members of the Joint Committee, without dissent. It is also supported by the Atomic Energy Commission and as I have already noted the bill has already passed in the Senate.

As a result of legislation enacted last year, the entire atomic energy budget, including both construction and operating funds, must be authorized by the Congress in advance of appropriations. This year, our Joint Committee on Atomic Energy held 6 weeks of comprehensive hearings which covered the budget for the full gamut of atomic energy activities. This is in contrast with our prior limited authority to review only appropriations for the purposes of construction and capital acquisition.

During our hearings this year, we received testimony from representatives of the Atomic Energy Commission and other Government agencies, as well as representatives of the national laboratories, certain industrial contractors and the coal industry. In particular, the committee received interesting and valuable testimony from representatives of the National Coal Policy Conference and the National Coal Association.

In effect, these extensive hearings on the AEC authorization bill have accomplished many of the same purposes as the annual hearings on the "Development, Growth, and State of the Atomic Energy Industry," and we have avoided unnecessary duplication.

I think it should be stressed that this amendment will not foreclose or limit in any way the opportunity for interested persons to be heard on any subject affecting the atomic energy program. It merely provides the flexibility which is necessary to adjust the committee's schedule to the requirements of congressional business.

Mr. Speaker, I urge the prompt enactment of this bill.

Mr. HOSMER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ASPINALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 68]

Alger	Fulton, Pa.	O'Brien, Ill.
Ashley	Fulton, Tenn.	O'Brien, N.Y.
Avery	Gallagher	O'Hara, Mich.
Barrett	Gary	Olson, Minn.
Barry	Gibbons	O'Neill
Bass	Gilbert	Osmers
Bolling	Grabowski	Patten
Bonner	Gray	Pepper
Bray	Grover	Philbin
Bromwell	Gurney	Pirnie
Bruce	Haley	Powell
Buckley	Halpern	Pucinski
Burton, Calif.	Hansen	Rains
Byrne, Pa.	Harvey, Mich.	Randall
Cahill	Hays	Reid, N.Y.
Cannon	Healey	Reuss
Casey	Hébert	Rivers, S.C.
Celler	Henderson	Roberts, Ala.
Clausen, Don H.	Hoffman	Rodino
Clawson, Del	Holland	Rogers, Tex.
Colmer	Ichord	Roosevelt
Conte	Jennings	Rostenkowski
Cramer	Johnson, Pa.	Roybal
Curtis	Jones, Ala.	St. George
Daddario	Karth	St Germain
Davis, Tenn.	Kee	St. Onge
Delaney	Kelly	Schadeberg
Dent	Keogh	Sheppard
Diggs	Kirwan	Smith, Iowa
Donohue	Kluczynski	Springer
Dowdy	Knox	Staebler
Dulski	Lloyd	Steed
Dwyer	McDade	Stephens
Edwards	McDowell	Teague, Calif.
Elliott	Macdonald	Thompson, N.J.
Fallon	Martin, Calif.	Tollefson
Farbstein	Martin, Mass.	Ullman
Feighan	Matthews	Vanik
Finnegan	Meader	Vinson
Fino	Minish	Wallhauser
Flynt	Minshall	Watson
Fogarty	Monagan	Whalley
Ford	Moorhead	Wickersham
Forrester	Multer	Willis
Fraser	Murray	Wydler
Friedel	Nelsen	
	Nix	

The SPEAKER. On this rollcall 292 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The gentleman from Pennsylvania [Mr. SAYLOR] is recognized.

Mr. SAYLOR. Mr. Speaker, the bill which we are considering changes one word in section 202 of the Atomic Energy Act of 1954; is that correct?

Mr. HOLIFIELD. That is correct.

Mr. SAYLOR. In other words, the bill as originally drawn required the Atomic Energy Commission to hold public hearings within the first 90 days of every session of the Congress?

Mr. HOLIFIELD. It is the Atomic Energy Committee, not Commission.

Mr. SAYLOR. The Joint Committee on Atomic Energy?

Mr. HOLIFIELD. That is right.

Mr. SAYLOR. The word that is changed is the word "shall" to "may"; is that correct?

Mr. HOLIFIELD. That is correct.

Mr. SAYLOR. So that at the end of the first 90 days of any session of Congress you have not held any hearings, then you have complied with the law; is that correct?

Mr. HOLIFIELD. There is not a committee in the House that has a mandatory requirement for hearings imposed upon them. This was done for a special purpose at a special time. In view of the legislation of last year which put upon the Joint Committee the responsibility for holding complete authorization hearings, then our committee is going to do its duty and it will hold hearings, as it has this year, on every facet of the bill; therefore, the language which is sought to be changed is merely a change in the language to bring it up to date with the new responsibilities which the committee has. Of course, if the gentleman means to infer that our committee will not hold hearings on the authorization bill, then I am surprised at the gentleman.

Mr. SAYLOR. I have never said that you would not hold hearings on the authorization bills. You made that statement, not I.

The thing I am concerned about, and the reason I have taken this time, is to try to get the record straight that this bill as originally passed served a very useful purpose. It gives not only the Joint Committee on Atomic Energy but those who have been friends and foes of atomic energy the opportunity to appear before your committee and be heard.

Now, if what the gentleman is trying to say is that you intend to hold no further hearings except as far as your authorization is concerned, then I think we ought to know it right now.

Mr. HOLIFIELD. The gentleman did not say that. We will hold hearings on various subjects throughout the year. Any subject matter which is necessary to be heard by the committee will be heard.

Mr. SAYLOR. Let me say to the chairman of the committee, and it is right there in this record, if that was the intention of the Joint Committee on Atomic Energy I am surprised at the language that has been presented here for us to vote upon today. Of course, if that was the intention of the committee then you should have written a bill and changed section 202 to say that if at any time during a session of Congress a matter came to the attention of the Joint Committee on Aomic Energy which would require hearings you would hold those hearings.

Mr. HOLIFIELD. Does any committee in the House impose upon itself such a mandatory provision?

Mr. SAYLOR. That would not be mandatory. You are now coming around to just what I was afraid of.

Mr. HOLIFIELD. No.

Mr. SAYLOR. You are now saying you are going to determine and the people on this committee are going to determine whether or not hearings should be held. If that was your intention, then why did you not say so in the first place?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. HOSMER. Mr. Speaker, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. HOLIFIELD. If the gentleman will refer to page 2 of the report he will note the following language:

> This amendment is not intended to foreclose or limit in any way the opportunity to be heard on subjects affecting the atomic energy program. It will merely provide the flexibility required to adjust the committee's schedule in accordance with the requirements of congressional business.

It puts the committee in the same position as the Committee on Interior and Insular Affairs, that the members of the committee determine what hearings they will hold, and where and when. It is the same with all committees of the House.

Mr. SAYLOR. If that is your intention, then what you are doing here does not say it.

Mr. HOLIFIELD. I disagree with the gentleman.

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

Mr. SAYLOR. I yield to the gentleman from Colorado.

Mr. ASPINALL. It so happens that no mandatory hearings would have to be held on the question of the raw materials. Hearings were held during the 87th Congress, during the fall of 1962. The chairman of the Subcommittee on Raw Materials, the gentleman from Colorado, now speaking, recently sent out 400 letters to producers and everybody else concerned to see whether or not there should be any further hearings. I received 30 answers. Some of them suggested no hearings were necessary, others said further hearings might be necessary. When we looked over those we found it was largely an administrative matter. As to the appropriations for 1965, hearings were held by the Joint Committee on Atomic Energy during a period of 5 weeks. The Senator from Rhode Island, Mr. PASTORE, and the gentleman from California [Mr. HOLIFIELD] chaired such meetings.

The committee spent a total of 60 hours in public hearings and executive hearings reviewing each AEC program in detail; 21 hearings were held in public sessions and 6 hearings in executive session on classified matters.

My colleague knows as far as the great coal industry of the United States is concerned that two of the representatives of the coal industry appeared before the committee relative to their position on coal and power matters having to do with the atomic energy program. May I say I think, if I remember correctly, in the 5 years that I have been on the committee the most logical case and constructive testimony that the representatives

of the coal industry have ever presented was presented during the time that they were appearing on the authorization bill this year.

Mr. SAYLOR. I might say to the chairman of the Joint Committee on Atomic Energy, and my colleague, the gentleman from Colorado, who is a member of the committee, I think the record we are writing here today will serve a very useful purpose. I think it will indicate not only to the Members of the present Congress, but to Members of future Congresses and to the present and future members of this committee that any time there is an important matter on which hearings should be held, we have been given the assurance by the present chairman and other members of the committee that proper hearings will be held. That, Mr. Speaker, is the only reason I have taken this time in the well.

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

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. HOLIFIELD. I appreciate the gentleman's interest, and if he needs any reassurances I have the record here before me that the members of the coal industry have been invited every year to testify before our committee. In some years they have testified and in other years they have signified they did not care to testify. But the record of the committee is that they have been invited every year to testify. There will be no intention on the part of the committee to foreclose any legitimate person who has an interest in atomic energy business and wants to come to testify. We have never turned down anyone from the coal industry who wanted to testify before our committee.

Mr. SAYLOR. With this assurance from the chairman of the committee, I think, Mr. Speaker, the bill should be passed.

The SPEAKER. The question is on suspending the rules and passing the bill.

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

A motion to reconsider was laid on the table.

A similar House bill, H.R. 9711, was laid on the table.

COULD AUSCHWITZ RISE AGAIN?

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

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

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, there are undoubtedly some who ask why should the Nazis now be tried for the crimes they committed on order a generation ago. The Detroit News of Sunday, March 15, carried Arthur Miller's answer. I think it would be well for us to examine that answer on the day that the Atomic Energy Act is up for extension.

FRANKFORT, March 14.—There is an unanswerable question hovering over the courtroom at Frankfurt, where 22 of Hitler's SS (elite guard) men are on trial for murdering inmates in the Auschwitz concentration camp during World War II.

Can the kind of movement which gave life-and-death power to such men ever again rise in Germany?

The doctor testifying hour after hour this day leaves no doubt about the facts. He was himself an inmate but since he did get more food than the others he is here to tell the tale.

And as he describes babies ripped from their mothers' arms, bed linen changed twice a year, the almost total absence of medicine, Red Cross trucks being used to transport prisoners to their deaths, tortures and beatings—and names one of the defendants after the other as the actual perpetrators, the German housewives who comprise most of the jury burst into tears or sit with open horror in their faces.

Imbedded in every word of testimony and in the very existence of this trial is a dilemma which is first of all a German dilemma, given the history of concentration camps, but is actually an unresolved problem for all mankind. For the final defense of these accused is that they acted under government orders.

The point which the prosecution is trying to open up first to Germany, and then to the world, is individual conscience and responsibility in the face of inhuman orders. A judge (who has no connection with this trial), told me that his fears for Germany stemmed from precisely this profound tendency to abjure freedom of choice, to fall into line on orders from above.

This trial will go on for about a year during which time some 300 psychologically and physically scarred survivors will face the high tribunal in Frankfurt, living evidence of how one of the most educated, technically developed and artistic nations in the world gave itself over to the absolute will of beings it is difficult to call human.

And while that testimony fills the silent courtroom, and the world press prints its highlights, German industry will pour out its excellent automobiles, machine tools, electronic equipment. German theaters will excellently produce operas and plays. German publishers will put out beautifully designed books.

All the visible signs and tokens of civilization will multiply and make even more abstract, more bewildering the answer to the riddle which the impassive faces of the accused must surely present to anyone who looks at them. How was it possible in a civilized country?

It is the same question to which Cain gave his endlessly echoed answer. And I have often thought that this is why it is the first drama in the Bible, for it provides the threat, the energy for all that comes after.

If man can murder his fellows, not in passion but calmly, even as an "honorable" duty leading to a "higher" end—can any civilization be called safe from the ravages of what lies waiting in the heart of man?

Why is there this uneasy silence at best, and this resentment at worst, excepting that in the Frankfurt cases these accused worked for a state under its orders? Perhaps the problem becomes clearer now, and not only for the Germans. * * * who, in what country, has not heard men say, "If I did not do this someone else would so I might as well go along?"

So the question in the Frankfurt courtroom spread out beyond the defendants and spirals around the world and into the heart of every man. It is his own capacity with murder, even the murders he did not perform himself with his own hands. The murders, however, from which he profited if only by having survived.

It is this profound complicity which the Frankfurt prosecution is trying to open up by sticking to its seemingly simple contention that all murder is murder.

With the atomic bomb in so many different hands now it might be well to take a good look at the ordinariness of most of the defendants in Frankfurt.

The thought is hateful, to be sure, and no one would willingly think it, but we do, after all, live in the century when more people have been killed by other people than at any other period.

Perhaps the deepest respect we can pay the millions of innocent dead is to examine what we believe about murder, and our responsibility as survivors for the future.

HENRY J. KAISER, PATRIOT AND HUMANITARIAN, ENTITLED TO SPECIAL RECOGNITION

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

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

There was no objection.

Mr. PATMAN. Mr. Speaker, to recognize the patriotism and humanitarian service of a fellow American is one of the proudest acts this Congress can perform.

Today, I have that very great honor, Mr. Speaker, to introduce, for appropriate reference a bill authorizing the Congress of the United States of America to bestow upon Henry J. Kaiser the Congressional Medal of National Honor and thereby expressing the admiration, respect, and appreciation in which he is held by the Congress, by the people of the United States, and by the people of the world for his contributions to upholding the dignity of man.

Further, this bill authorizes and requests the President of the United States to present to Mr. Kaiser a gold medal in the name of the people of the United States at an appropriate program of presentation.

CONGRESSIONAL MEDAL OF NATIONAL HONOR DESERVED

What makes Henry J. Kaiser my candidate for the Congressional Medal of National Honor is not only that he stands first among American industrialists, but that on a dozen or more fronts where our Nation's war efforts were concerned, and in moments of extreme crisis and industrial danger, he risked his name, his reputation, and his financial and personal resources for the good of his country.

For the support of his sound and brilliant and highly inventive and original convictions in the fields of ships and planes and construction and management, Henry J. Kaiser did what Thomas Jefferson said our Founding Fathers did. He pledged to his country, his fellow Americans, what the Founding Fathers so nobly pledged to each other—"our lives, our fortunes and our sacred honor."

For this I honor him.

For this, Mr. Speaker, I believe this Congress, this House, should honor him.

For this the whole country owes Henry J. Kaiser an immense debt of gratitude.

For this we all stand humbly before the literally massive inventory of his diverse works for freedom and progress. For this, we bow our heads in deference, in respect, and in profound and affectionate acknowledgment.

In war or in peace this man is an asset to mankind.

Millions of people, tens of millions, in many parts of the earth owe their comfort, their health, their peace of mind, their creature satisfactions in a hard work-a-day world, to the profound genius of this unselfish and remarkable American.

And the working people recognize Mr. Kaiser for his contributions. Just last month, the executive council of the AFL–CIO selected Henry J. Kaiser to receive the 1965 Murray-Green Award "for his outstanding contributions to the health and welfare of the community—particularly in voluntary medical care, housing, and labor-management-community relations."

Such recognition can only be earned, Mr. Speaker, and that magnificent American, Henry J. Kaiser, has earned the respect and admiration of his fellow Americans, and we should express that appreciation by awarding him the Congressional Medal of National Honor.

The resolution introduced by me today is as follows:

H.J. RES. 951

Joint resolution authorizing the expression of appreciation and the issuance of a gold medal to Henry J. Kaiser

Whereas Henry J. Kaiser, world-famous industrialist and humanitarian, has devoted his full life to the business of serving and building people; and

Whereas he has demonstrated to the peoples of the world that individual initiative and private enterprise are the bulwark and foundation of democracy; and

Whereas he pioneered a new approach to solving the problems of providing medical care for the average man by applying the instruments of private enterprise; and

Whereas Henry J. Kaiser's remarkable wartime record of building ships, planes, weapons, and military installations set the pace for the rest of the Nation and to supply her the necessary materials she needed for victory; and

Whereas his generous use of imagination and spirit of cooperation have helped solve the problems of labor with realistic understanding, and consequently have earned for him the respect of labor, management, and the public; and

Whereas Henry J. Kaiser has helped peoples of the world to rise to freedom and a more ample life by searching the globe for areas of human want and need—and then fulfilling them: Therefore be it

Resolved, That the Congress of the United States of America bestow upon Henry J. Kaiser a Congressional Medal of National Honor and therewith express the admiration, respect, and appreciation in which he is held by the Congress, by the people of the United States, and by the people of the world for his contribtuions to upholding the dignity of man; and be it further

Resolved, That the President of the United States is hereby authorized and requested to present to Henry J. Kaiser in the name of the people of the United States of America a gold medal of appropriate design.

SEC. 2. The President is further authorized and requested to present such a medal at an appropriate program of presentation; and be it further

Resolved, That the Secretary of the Treasury shall cause such a medal to be struck and furnished the President. The sum of $2,500 is hereby authorized for the purpose of paying for the medal and incidental expenses in connection with the presentation.

FAITH IN FUTURE OF AFRICA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, Don Rotunda, a member of the staff of the Hoya, the well-written and well-edited newspaper of the student body of Georgetown University, honored my office with a visit. He had been assigned to interview me in the field of my especial interest, Africa.

We sat down and chatted for the better part of a Saturday morning. The product of our conversation appears in the March 12, 1964, issue of the Hoya, which I am extending my remarks to include. I am doing this because so many persons have asked me in person and by correspondence whether I have been disillusioned by some recent unpleasant incidents in Africa. I am far from being disillusioned, or anything in that nature, as is indicated by my answers to Mr. Rotunda's questions given informally and without dressing up as he and I sit there talking things out together. On the whole he did a very good job, I would say really a professional job, in projecting the meaning I had in mind even when the exact quotes were necessarily abbreviated and the phraseology was not mine.

I have the upmost faith in the future of Africa. Despite incidents, some tragic, that are as distressing to most Africans as they are to us, I feel that on the whole the progress made by the new African nations in the short period of their independence should be a substantial source of encouragement.

Mr. Rotunda's article in the Hoya follows:

CONGRESSMAN O'HARA

(By Don Rotunda)

The Honorable BARRATT O'HARA is a Democratic Congressman from the Second District of Illinois. As a member of the House Foreign Affairs Committee and chairman of the Subcommittee on Africa, Congressman O'HARA is well versed on African affairs. Following are excerpts from an interview conducted with him on March 7.

Question. On March 6, Time reported that the Jeunesse of the Krvilu Province in the Congo recently went on the rampage killing missionaries and wholesale slaughter was prevented only by the sudden arrival of a small United Nations plane that alerted a nearby band of Congolese regulars. Do you think this is any indication of general dissatisfaction with the Government?

Answer. No; they are having in the Congo now regrettable incidents but this is no index for the future. Missionaries have been working for a good many years in the Congo and, by and large, are highly respected by the people. Those that are guilty of these outrages represent a small minority. True, the Congo at the present time is suffering from a lack of adequate police force but progress is being made in this field. If in Washington some people went to Georgetown University and disrupted the campus this would not be an indication that most of the people were against the Government but only that there aren't enough policemen. What's happened in Africa has been blown out of proportion. At the American University recently there was a disorderly demonstration and little was said about it. But let it happen in Africa and it's a reflection of unsettled and dangerous conditions. These things are given a significance that they do not warrant.

Question. When the Congo first received its independence from Belgium there was criticism from the newspapers that the country wasn't ready to rule itself because of a lack of leaders. I think that some articles stated that there were only about 13 college graduates in the entire country. Does the Congo or Africa in general suffer from lack of leadership?

Answer. You must remember that there were not many college graduates in our country when it was founded. In our country the towns and villages elect their own leaders such as village clerk. Most of them have little experience in their jobs when they start out but they get to know their jobs and acquire those skills. So it is in Africa. The people of Africa are a very old people. They had a civilization there long before we had ours. I marvel at the ability the rank and file Africans show. Many have not had a formal education but they have a tremendous amount of natural intelligence.

Question. Is Africa leaning toward communism?

Answer. In Africa, there is no desire on the part of any country to join the Communists. They get help from the Communists because they need it. They realize that communism is another form of colonialism. Another factor is that the Africans are a deeply religious people. Even the cannibals and heathens believe in a god. Although their god is a strange conception to us, they still believe in that god. I have not seen any danger of communism taking over Africa.

Question. Is our foreign aid program in Africa successful?

Answer. We are not giving enough. A great deal of aid is being given to the Far East and Latin America. Aid has been given to Latin America because it is close to home. The shortest distance across the Atlantic is between some point in Brazil and Africa. Africa is close too but it has been neglected in receiving foreign aid.

Question. Is the aid which is now being sent properly administered?

Answer. In our foreign aid program we have profited from experience. It was a new field for us when we entered in it a short time ago and of course we made a lot of mistakes. We gave worldwide but little to Africa. The administration has improved vastly but we will continue to make mistakes.

Question. Do you think we will increase our foreign aid to Africa?

Answer. I would hope so but I don't know. There is a political climate against it. Foreign aid has become unpopular with the American people.

Question. What results would aid achieve?

Answer. I think all the money that we send into Africa will be returned to us—a hundredfold. Money can be advanced for development as long-term loans that I think will definitely be repaid. Also, more important, this investment will open up new markets. If we don't have new and expanding markets we will have continued unemployment. When we invest in Africa we will also be investing in the future of the United States.

In my first visit to Africa, I saw the largest sawmill in the world and it was owned by Americans. A railroad just opened in African mountains which contain the largest iron deposits in the world. Six million tons of iron ore are shipped out every year on that

railroad which was built from money raised in European countries by subscription.

Question. How can we understand Africa?

Answer. The blueprint is in our own country. The underdeveloped parts of Africa roughly compare to our own wild West. Until the turn of the century the story of the United States was the story of conquering the western frontier. Today, the story of the world is conquering the African frontier. Just as there were numerous deposits of mineral wealth in the West, so are there vast amounts in Africa. The African railroads are providing for shipping and transportation just as our railroads opened up the West. Some years ago in Ethiopia roads were being built. Bandits would swoop down and kill a few of the builders. The police tried to capture them but generally they escaped. This is exactly what we had in the West. The situations are very similar. This is the story of Africa.

Question. Has the Peace Corps accomplished very much in Africa?

Answer. The Peace Corps has been applauded in every country where it operates and every country in Africa wants more volunteers. These—many of them trained at Georgetown, I believe—succeeded in Africa because they have kept from meddling. If they did meddle—tell the natives what to do and how to do it—they would be unpopular. That they are popular indicates that they have been working sympathetically with the people.

Question. What is the future of Africa?

Answer. I have said many times that as Africa goes, so goes the world. The future of Africa is tremendous. The wealth of Africa is untapped, and it is wealthy in so many things. The book "White Fathers" written a couple of years ago gives you a good idea of what progress has been made in Africa by the missionaries and the contribution the Catholic Church has made. The work has been followed by such people as Julius Nyrere, President of Tanganyika.

Politically, we don't want the African nations to follow us blindly. We don't want the African bloc to vote with us blindly in the United Nations. We want to encourage them, the people, to make their own contributions to the peace and welfare of the world.

HUMAN ECOLOGY

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

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

There was no objection.

Mr. HANNA. Mr. Speaker, there is now and has been historically in our country a strongly held opinion that the best investment of private or public philanthropy is in the development of the individual of talent and promise within an area of opportunity. The history of America reveals an experience which extols the wisdom of such a philosophy. Out of recognition of this principle was executed the edifice of public education and its results have been the emergence of a dynamic, fluid, society of improved talent and enlarged opportunity.

Note that the expressed thought has two parts, the first addresses itself to development. This is no more nor no less than a recognition of a natural resource that to be useful must be mined and refined. The second part stresses the need of a practical environment of opportunity. Such an environment is required to provide the incentive, the drive, the motivation for individual development in the first instance and is required so that society may enjoy the fruits of the service and contribution of the talent developed.

To fail to determine and to develop all of the individuals of talent and promise in a society is to waste one of its important resources. To discover and develop such talent, to illumine the promise and then deny the opportunity is more than wasteful, it defies justification. The frustration, disappointment, and disillusionment of denying opportunity is as dangerous as the denial of development is costly. The children of the poor are entitled to the expectation that they, too, will be the beneficiary of this philosophy of ours.

To relate this principle in an objective way let us look at a newer but just as widely accepted principle. This principle is called "human ecology." This term "human ecology" is a fancy label. It recognizes the concept that any given society, whatever its stage of development, stands in intimate relation to all aspects of its environment. A change in one aspect of that environment necessarily affects all other aspects. As a corollary it can be said that an impediment to change in one element of environment where change would be natural and desirable will inevitably work an adverse effect upon all other elements.

In a family, a community, a business, or a nation where one segment or unit develops very rapidly over all the others certain torques and tensions are bound to be induced. Also where one or more sectors lag seriously behind or develop at a disjunctive disparity, distortions and discomfort are felt by all other related sectors. For example, what happens in a business where production suddenly outstrips sales development, quality control, or new product development? Will the whole business suffer? What happens in this day of dynamic technology to the major business that lags in research and development or product diversity? What happens in a family where one child gets all the attention, the favor, and the opportunity? Is there tension? Can we expect distortion and discomfort? Where one child is neglected, denied, and demeaned, will it be surprising if the relationships within and around the family will be unhappily affected? The so-called field of "human ecology" has been developed on the sound commonsense that, where interrelated fronts are involved, methods must be devised to move all the important elements forward simultaneously. The nature of man and therefore of his institutions are such that equal pace is not expected nor perhaps even desirable. But encouragement for the laggard and adjustments for the tension developed by the pace setters is essential for a climate of constructive change for a progressing society.

The Negro in today's America is an interrelated part of our social structure. An important one whose potential for constructive contribution to society lies buried under layers of neglect, discrimination and isolation. Of all of these negative factors none has been more destructive than isolation. It is true for the Negro as it is true for many of his fellow white citizens that when he dominates his own immediate environment the handicaps he suffers become the major obstacles to improvement. There are, we submit, several attitudes to take as we view these "captive citizens." That is applicable whether we are looking at the slum area of Los Angeles; the ghetto called Harlem in New York or the hillbilly belt called "Appalachia." We can condemn these people as products of their own ineptitudes and denigrated standards. We can sympathize with the conditions but avoid affirmative action by accepting their plight as one of the unfortunate and inevitable byproducts of our economic system as suggested in the 19th century by Smith, Richardo, and Malthus. There are, one supposes, a wide range of spectrum from which to choose but also to be included should be the attitude that these people, by and large, are innocent victims of the conditions which chain them and that there are tools available in our viable society to effect an escape. Further, this last viewpoint need not be entirely charitable, for these people represent not only a challenge to the good Samaritan in us. More importantly they represent untapped manpower—unused consumption. Negatively, unimproved they represent an increasing drain on our power to improve the rest of our society and a threat of violence as the gap between the haves and the have-nots increase.

In the light of such ecological relationship we cannot remain uninterested in the problem of the Negro. From a practical sense this sociological situation is far more severe than the political problem of the Negroes' civil rights. Our great challenge lies in an allout assault on the environment of poverty. This environment is no different for the Negro than it is for others similarly situated except that it engulfs such a large portion of the nonwhite citizenry and further that the apologists assault his dignity by attributing his condition to his race and color as well as to characteristics leveled broadly at the poor white, that is, slothfulness, antisocial behavior and lack of desire to improve by self-effort.

Mr. Speaker, I should like to suggest that the economic and social condition of most of the Negro Americans and their fellow white citizens that make up from 35 to 50 million in numbers represents to our country its greatest challenge and greatest opportunity. I suggest that we energetically address ourselves to an inventory of the tools we now have and forge the tools we need in breaking the prison of poverty which now enslaves these people. That we engage in this task not in the spirit of asking them to be consumers of our wealth but that their condition calls for an investment of our wealth. An investment from which we as a country and as individual citizens can assuredly reap dividends. Let us get to the business of mining and refining this resource. Mindful, it is true, that there will have to be some movement of unproductive

"over burden" before "paydirt" is delivered. Environment is housing, education, and health. It is also people's attitudes, aspirations, and ancestry. The improvements in the older citizens will be small and slow to come but the rewards of the second and third generation could be rich and lasting.

Along with improved housing, better education, and meaningful training must move the reality of opportunity. Here the avenues are not so clear. How, in a society where automation is forging an increasingly larger ring of poverty from job obsolesence, can we provide new and larger numbers of jobs. Only by expanding our economy. Moving aggressively into the use of our public and private wealth to explore the new frontiers and fully develop and improve all the phases of our present life. This is no work for the thinkers of small ideas or the cautious conservator of the status quo. We can only gain the future by an investment of the present. There is no need to sever ties with prudence and good judgment; in fact the use of these qualities dictate the necessity of our urgent action but these virtues should also accompany our plans as they are formulated and our programs as they are activated. The admonition of the late President Kennedy was that we should "get America moving." Human ecology adds but one important additional word "Get all America moving." Let us begin the investment in the unused, underdeveloped talent of the "forgotten" Americans and create for that newlyminded resource a climate of meaningful opportunity. Let us break the chains of poverty and in the words of Moses "Let my children go."

AMERICA HAS THE RIGHT TO KNOW

Mr. UTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the body of the RECORD, I wish to include a broadcast by one of our former colleagues, the Honorable Donald L. Jackson.

In this broadcast, former Congressman Donald Jackson inquires of President Johnson, "Which way is America going?" He insists that the people have a right to know. With that I agree, as most of my mail indicates a deep concern over the direction our country is headed. They pose the very same questions to me that Mr. Jackson poses to the President. The President is the only man in America who can give the answers.

Mr. Jackson expresses alarm over the flood of Communist propaganda coming into America with the consent of the administration. He refers to five paperback books by Nikita Khrushchev, printed by the Foreign Languages Publishing House in Moscow, pouring into the United States from Canada, duty free, and being circulated by the thousands through the American educational system. He quotes from one of these books to the effect that America must run with Communist forces until there is a complete victory of the ideas of communism and that communism will advance until the red banner of Russia flies over the entire world, which includes, of course, the United States of America.

I have been sounding this alarm for years, while the radical left condemns me as a fright peddler. You have but one choice, and that is the Soviet left or the American right.

AMERICA HAS THE RIGHT TO KNOW

Good evening, ladies and gentlemen, this is your Capitol Reporter, former Congressman Donald L. Jackson, bringing you Broadcast No. 23 in the continuing series of interrogatories, "America Has the Right To Know." The questions which are addressed to the President of the United States, are put respectfully in the name of a great many Americans who are concerned, puzzled, and more than a little bewildered by the official pursuit of national policies, foreign and domestic, which appear to have put the ship of American state on a collision course charted in history as surrender. Tonight we have other pertinent and respectful questions to ask—this after a brief message.

Our subject, Mr. President, is the choice. Our question is which way, Mr. President—which way? Is it to be the way to Communist world domination—an end to religion and an end to freedom—or, conversely, the American way?

Is it to be more piecemeal surrender—more appeasement—more accommodations of the Soviet enemy—or is it to be a belated stand for what is good and what is right?

This is a burning and serious question, sir. Are official decisions and the implementation of national policies being influenced today by Moscow's orders to the Communist press in the United States—as relayed by Gus Hall and James Jackson—to support you in the 1964 election?

Is that why no official mention and no official censure of Communists and communism is permitted in official Washington? Is that why the clear and unmistakable facts of Communist aggression are either ignored or glossed over even as the clear evidence of Communist successes piles up week after week, day after day, hour after hour? Is that why official Washington, the Departments of State and Defense, speech writers and advisers, refuse to face up to or acknowledge the big lie called "peaceful coexistence"?

What, Mr. President, is going to be done about the expanding Communist beachhead in Cuba, a threat so starkly silhouetted by the enemy's Panama operations in January and the ever-increasing pressures against this Nation since that time?

Isn't it a fact, sir, as repeatedly stated in the public print, that because of previous administration commitments to Moscow and U Thant, of the United Nations, the official view is that nothing can be done about Cuba? Further, that nothing can be done about the construction by this country of a sea-level canal across Central America without Moscow's permission?

Permission from a mortal and self-avowed enemy for what the United States does in the Western Hemisphere? Incredible, Mr. President? If so, why has there been no emphatic denial or prompt repudiation of such allegations?

Have we indeed, Mr. President, come to that sorry plight? America has the right to know.

Are we not at this moment, sir, at the forks of the long road, and haven't the American people the right to know—to be told bluntly and plainly—whether we are to take the Soviet left or the American right? The record shows, as Khrushchev has pointed out, that there is no middle road that endures.

Moscow says that it knows what you are going to do, Mr. President. Does it—and do you? Americans in all walks of life have been asking these questions since long before you came to the high and honored office you hold. The questions are not impertinent nor in any manner intended to be disrespectful. The inquiries may be unpleasant, but sir, so is human slavery—that slavery which is communism.

How is it possible, Mr. President, for any American, including the Chief Executive of the United States, to reconcile continuing official make-believe on "peaceful coexistence," so-called, with the torrent of abuse loosed on the United States by Communist propagandists during the Panama Canal fiasco in January? At that time Radio Moscow took off the mask. Radio Budapest took off the mask. Warsaw abandoned the make-believe. And the Communist press in this country, acting on orders from Moscow, was clear enough in its demands.

Americans who keep track of what is going on feel that they need and are entitled to some straight and unequivocal answers from you, Mr. President, because no one else is qualified to tell them the things they have a right to know. They want to know why the official policy of their Government is to continue to bail out the enemy with American taxpayer money in the wheat deal, and why there appears to be an accelerated movement toward unilateral disarmament of the United States. You, sir, in your public statements have made it clear enough that peace is one of your principal objectives. But, sir, millions of your fellow citizens are asking, "Peace on whose terms; and what are the terms?" They want to know if the peace is to be arrived at on terms dictated by a mortal foe, terms which spell not peace, but ignominous surrender, and, Mr. President, America has the right to know.

In light of what some of America's peace engineers and architects have written and said, may we respectfully call your attention, Mr. President, to Khrushchev's objectives, as he himself has spelled them out in his own words. Do you have knowledge, sir, of the set of five paperbound books by Nikita Khrushchev from the Foreign Languages Publishing House in Moscow, which books are now pouring into the United States from Canada, duty free, and being circulated by the thousands through the American educational system?

Here is a fragment from one of the books titled, "Imperialism, Enemy of the People, Enemy of Peace." On page 122, Khrushchev says, and we quote:

"Today the imperialist camp is obliged to reckon with our forces. These forces will grow and speed their advance until a complete victory of the ideas of communism is achieved—until our Red banner flies over the entire world."

There's really not very much doubt about what Khrushchev intends, is there, sir?

"The entire world" he speaks of, includes, of course, the United States of America—target No. 1. His concise and clear projection of Soviet purpose and intent includes Washington, D.C., and the 50 States of our Union. And, as he points out, sir, he has a good start, and his position has been improved and continues to improve with the rising and setting of every sun. His position was improved by the wheat deal. Improved by the continuing make-believe about peaceful coexistence. Improved by tolerance of the Cuban beachhead and by obvious enemy operations in the Western Hemisphere, aggression that would be clear to any normal 6-year-old child—aggression in Venezuela, in Brazil, in Panama, in Bolivia, and in British Guinea—to name only a few of the places where State Department policy is serving to

handcuff and throttle anti-Communist elements.

The enemy's position was improved by Khrushchev's pat-on-the-back announcements to Fidel Castro following the Panama explosion in January—and without a single word of protest by the American Government.

Improved by the increasing Soviet military buildup in Cuba, exposed by Democratic Senator THOMAS J. DODD, of Connecticut, and denied by Secretary of Defense McNamara. Improved by the incredible steps toward the unilateral disarmament of the United States and by the equally incredible affronts to our natural and longtime allies throughout the world.

We trust that it is not impertinent to ask, Mr. President, if your attention has been directed to the 37-page report of the Joint Committee on Atomic Energy, titled, "Nuclear Propulsion for Naval Surface Vessels" with its startling glimpses of the McNamara strategy of disarming the United States? Further, have you been afforded an opportunity, sir, to read the views of Walter P. Millis, one of the advisers of the U.S. Arms Control and Disarmament Agency? Mr. Millis is an associate of Secretary McNamara's in the so-called "Center for Democratic Institutions," of which Mr. McNamara is listed as a founding member. Here, Mr. President, is what Mr. Millis wrote in his "Permanent Peace," a publication issued by the Center, and we quote:

"If the price of avoiding all-out thermonuclear war should prove to be acquiescence in the 'Communist domination of the world' or any of the other unpleasant imaginings against which we cling futilely, to the war system, to preserve us, it seems possible that the price will be paid."

America wants to know, Mr. President, if that philosophy represents a guideline for stripping the United States of its defenses—first the Army, then the Air Force, and now the Navy.

Now, sir, and by the way of stark contrast, and to let a little fresh air and old-fashioned American attitude into this whole matter—do you remember, Mr. President, what that great all-American Democrat, the late Alfred E. Smith, predicted in January 1936, in his famous "take-a-walk" speech. We quote that happy warrior:

"Let us give this solemn warning," he said. "There can be only one Capitol—Washington or Moscow. There can be only one atmosphere of government—the clear, pure fresh air of free America, or the foul breath of communistic Russia. There can be only one flag—the Stars and Stripes or the Red flag of the godless union of the Soviet. There can be only one National Anthem: 'The Star Spangled Banner' or the 'Internationale.' There can be only one victor."

That was in 1936, Mr. President, when the great American who had been the nominee of the Democratic Convention at Houston, Tex., broke with the New Deal because of its pro-Soviet policies which were at that time being engineered by such as Alger Hiss, Lauchlin Currie, and Harry Dexter White, all of which activity was exposed and chronicled by the Senate Internal Security Subcommittee in Senate Report No. 2050.

Do you remember, sir, what Al Smith suggested to the leaders of the Democratic Party in his famous speech before the American Liberty League? One of his suggestions was to, and we quote:

"Stop compromising with the fundamental principles laid down by Jackson and Jefferson and Cleveland."

Granted that sort of talk would probably raise nothing more than a snicker in most Washington circles today, there are millions of grassroot Americans out in the hustings, who breathe a prayerful "Amen" to Smith's words.

A further bit of Smith's advice was this, and we quote:

"Stop attempting to alter the form and structure of our Government without recourse to the people themselves as provided in their own Constitution. The country belongs to the people, and it doesn't belong to any administration."

To this sage advice, Al Smith added, and we quote:

"Next I sugegst that they read their oath of office to support the Constitution of the United States, and I ask them to remember that they took that oath with their hands on the Holy Bible, thereby calling upon God Almighty himself to witness their solemn promises."

Those were days, Mr. President, days when a great leader of the Democratic Party could and would speak out like that in public places, and even refer to God Almighty without worrying about offending Moscow—or the United Nations—or the U.S. Supreme Court. I think we all know pretty well, sir, what Al Smith's choice would be today if he were standing at the forks of the road. We can be sure that he would say, as he so often did, "Well, let's look at the record." Thank you, Mr. President.

LIVERMORE FALLS DAM—TOWN TAXPAYERS JOIN THE OPPOSITION

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, critics of congressional drives for economy frequently state that Congressmen are only for economy which does not affect their own districts. I object. As a Congressman who is for economy in government, I am opposed to plans for an unneeded Federal dam in my district, which is estimated to cost more than $50 million.

My opposition to the proposed dam at Livermore Falls, north of Plymouth, N.H., in the beautiful Pemigewasset Valley, commenced in October 1963, at which time the Baker River watershed project was approved by the House Committee on Public Works on which I serve. It seemed logical to me that the concept of small impoundments on tributaries, which characterizes watershed projects, could be applied in crowded river valleys to avoid the catastrophic impact of a single large dam. During October, November, and December, I studied in detail the proposed Livermore Falls Dam with my staff. As a result of my studies, I have concluded that, despite my high regard for the U.S. Corps of Engineers, their proposals for a dam at Livermore Falls are not in keeping with the best interests of the State and the immediate area involved. The proposal may be feasible on the drawing boards but I believe what has not been given proper consideration is the shattering and detrimental effects of this installation in terms of human and community values which dwarf, by comparison, the stated benefits.

WOULD OBLITERATE VALLEY

The proposed 200-foot dam would cause the inundation of almost the entire Pemigewasset Valley from the Livermore Falls site in Campton, north to a point beyond Woodstock. It would flood out cemeteries, schools, industries, churches, homes, and some of the State's prime farmland. It would, indeed, obliterate this entire beautiful valley as we know it today. It would mean the loss of payrolls conservatively estimated at above $5 million.

KILLS PLANNING—HURTS NORTH COUNTRY

The construction of the dam, and the flooding of a 12-square mile area, would necessitate relocation of a 3-mile strip of Interstate Defense Highway 93 at Campton, which has just been built at a cost of $1 million. Besides extensive relocation of other transportation facilities, the threat of the dam hangs like the sword of Damocles over the entire valley. While the dam is being considered, construction, planning, economic development, and indeed, the progress of Route 93 northward in the area will all come to a dead halt. The indefinite holding up of Route 93 will be harmful to the entire North Country.

FLOOD CONTROL BY OTHER METHODS

I am fully aware of the possibility and threat of floods downstream but there are cheaper and better solutions readily at hand than this multiple-purpose proposal. The Baker River watershed project, using a series of small dams to do the job of one big one, is a good example. This approach could be applied to the upper reaches of the Pemigewasset and its major tributaries for downstream protection.

If a large dam is necessary—and I want to make it clear that I am not opposed to large dams per se—one might be located above Lincoln on the east branch of the Pemigewasset. Proof of the fact that I am not opposed to large dams is my active support of the proposed Pontook Dam above Berlin. In that area, however, damage and human dislocation would be insignificant and the benefits in relation to costs and hardship far superior.

DAM IS NOT ECONOMICALLY SOUND

We have recently heard comment that Congressmen are for economy except in their own districts. Again I want the record to show that I am for economy and the proposed Livermore Dam and Reservoir does not meet my standards of economy. Therefore, I oppose this $50 million project for my district.

The U.S. Government has declared Grafton County a distressed area with a low rate of employment and it seems the height of folly to consider seriously a project that will knock out most of the industry in the valley and payrolls conservatively estimated at $5 million.

The collateral value of the project in the production of power may be a smokescreen because there seems no unmet need for additional electric power. Recreational values are highly debatable for various reasons. Above all, however, we come back to the human equation and commonsense. Proponents of the dam

have just not carried the burden of proof that this project makes sense.

I strongly oppose the construction of the Livermore Falls Dam. Unless this project is dropped, as I hope it is, it will eventually come before the Public Works Committee of the House of Representatives, of which I am a member. As long as I am a Member of Congress I will continue to oppose this project, as presently outlined.

TEN TOWNS OPPOSE DAM

Mr. Speaker, as the entire Nation knows, on March 10 the voters of New Hampshire went to the polls. The results of the presidential primary have made history. What is not so widely known, Mr. Speaker, is the fact that the voters of 10 towns in the Pemigewasset area registered their sturdy disapproval of the proposed dam at Livermore Falls. The voters of the towns of Lincoln, Woodstock, Thornton, Campton, Holderness, Plymouth, Rumney, Dorchester, Warren, and Wentworth all voted to oppose the high dam at Livermore Falls as proposed by the U.S. Corps of Engineers. The voters in some of these towns raised and appropriated tax dollars to be used, if necessary, by their selectmen to help the Livermore Falls Dam Study Committee in its continued opposition to the high dam at Livermore Falls.

PROUD OF NEW HAMPSHIRE VOTERS

I am proud of the voters of those towns. They, too, believe in economy in Government and they are willing to fight for it with their votes and with their tax dollars. But it seems regrettable, Mr. Speaker, it is necessary for the taxpayers to use their own money to protect themselves against proposals by the Federal Government which, after all, is supported by them and is meant to be their servant. I am confident that, Mr. Speaker, when all the facts are known, the U.S. Corps of Engineers, for which I have a high regard, will immediately abandon its plans for the high dam at Livermore Falls and turn its energies in other and more sensible directions.

FLAMMABLE FABRICS ACT OF 1954

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. QUIE. Mr. Speaker, I have today introduced a bill to strengthen the Flammable Fabrics Act of 1954. The purpose of my bill is to reduce the danger of injury and loss of life by providing, on a national basis, standard methods of testing and rating the flammability of textiles and textile products for bedding use, thereby discouraging the use of any dangerously flammable bedding textiles.

This act was created in 1954 as a result of the so-called "explosive sweater" incidents. These sweaters were brushed viscose rayon, a very inflammable fiber, and the same fiber that is going into millions of brushed rayon blankets today. For some strange reason, the act applied to apparel only and never covered such vital things as sheets, covers, blankets, comforters, pillowcases, quilts, bedspreads, and so forth.

At the time this bill was passed, most of the new synthetic fibers were just in the process of being developed and introduced to the American market. This includes all the acrylic fibers such as Orlon, Acrilan, Cresland, Zefran; the modacrylics such as Verel and Dynal; the polyesters such as Dacron and a host of other less known synthetics. Since that time, many of these fibers, which are not only quite flammable, but produce a dangerous hot melt resulting in serious or possibly fatal burns, as well as poisonous gases during combustion, have been adopted and are in widespread use today. Especially when used for bedding, these fabrics are potentially dangerous to the user because of the speed and intensity of flame with which those fabrics burn and their ease of ignition, and because of the design of the weave. Millions of homes are being filled with many fabrics of this description with no consideration to the inflammable qualities, and I feel that this protective legislation should be updated.

Let me cite a few examples: Take the case of blankets where millions of highly inflammable viscose rayon blankets are in consumers' hands besides other types of synthetics, all of which are more flammable than wool. Because the raised or napped surface on the blanket which will very readily ignite with flames racing across the brushed surface at an incredible rate of speed and the fact that people are either semiconscious or sleeping when in bed, the user has little chance of getting the fire out before he has sustained serious or even possibly fatal burns. I feel that it is particularly important that bedding items be covered by the act. Persons in bed have the human weakness of smoking and there are other dangers from electrical blankets, the cord for the wiring of the electric blanket is usually made of cheap synthetic and cotton, and of course, any sparks hitting such flammable fibers would make for a dangerous situation. The person using these is frequently in a sleepy condition and most likely to doze off and be completely unaware that a fire may have started.

Take the case of tests which confirm that a moment's exposure of a cotton mattress to a burning cigarette will start it glowing. Once thus started, the flameless combustion progressed rapidly. Smoldering or glowing is incomplete or imperfect combustion which produces a great deal of smoke containing a high percentage of poisonous carbon monoxide, plus other products of combustion, including carbon dioxide. This is an especially dangerous combination. Carbon dioxide acts to stimulate the rate of breathing thereby increasing the amount of carbon monoxide taken into the lungs. The normal sleeping person exposed to such conditions frequently will succumb to the initial intoxicating or asphyxiating effect of the carbon monoxide and will not awaken. There are more people who die from the effects of gas and suffocation during a fire than those who are actually burned to death.

Our newspapers are full of accounts of fires which caused death or injury and which originated in homes. Last year in this country fires caused over 11,000 deaths, 150,000 were seriously injured with terrific suffering and property damage was over $1,700 million. Over 60 percent of the tragedies occurred in homes where the major factor was the speed with which the fires developed. On February 4 of this year a 5-year-old girl was burned to death when a blanket in which she was wrapped was ignited by the sparks from a nearby electric heater. This girl was the 14th child to die in fires in New York since January 1, 1964. If an epidemic happened every year in this country taking so many lives, the Government would do something to try to prevent a reoccurrence of it.

There are already many evidences of where properly treated materials are resistant to fire. Others could be made safe by the application of special finishes, and methods are now available for flame proofing, but no manufacturers are doing it now because flame proofing is expensive and they feel the public will not pay the added cost. It is too bad that lives are lost, people of all ages suffer, and property destroyed for the sake of saving money that it would take to properly flame proof fabrics used in bedding.

Last month President Johnson presented his message on the American consumer urging, among other things, that the Congress enact legislation to protect the buying public from deceptions in packaging and advertising. I feel that the consumer should be further protected from the use of articles which are highly combustible. As this message pointed out, the consumer has the right to be informed and the right to safety. The road to consumer safety, accurate information, free choice, and an adequate hearing is never ending. In modern society, the consumer is constantly exposed to the winds of change. Countless new products, and new forms of other products, vie for his attention and his dollar. Services take a larger and larger share of the consumer dollar. Yet they are often performed without established standards of safety or values. Too often, we discover dangers in products only through serious injury to a consumer.

I think it is time we protect the public against the innocent purchase of such dangerously combustible products, and I feel that the bill I have introduced today is a necessary step toward that end.

AREA REDEVELOPMENT ADMINISTRATION

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. LANGEN. Mr. Speaker, the Area Redevelopment Administration has again gone against the principles for which it

was created. I am referring to the recent approval by ARA of an industrial loan of over $4 million for a new hardboard manufacturing plant in Superior, Wis. The present capacity and planned expansion of existing hardboard plants is more than adequate to supply the hardboard demand for years to come, so all this new plant will accomplish is to create new jobs at taxpayers expense while eliminating present jobs that were created through private capital.

And on top of all this, a good share of the equipment for this ARA-financed plant is to be purchased from Sweden, one of the countries that is undercutting the hardboard industry in the United States through drastically increased exports in recent years. Swedish engineering services also are to be used. Both the machinery and engineering services are obtainable in the United States, which would in itself create jobs for Americans.

Three of the existing hardboard plants in this country are in the immediate area of the ARA project and are capable of producing all of the hardboard contemplated for the new plant. Two are at Bemidji and Duluth in northern Minnesota and one is at Phillips, Wis. The Duluth plant is just a mile away from this latest ARA boondoggle and will end up having to eliminate jobs for each man added at the new plant.

Of course these plants are protesting, but to no avail. They were built with private capital and have worked diligently to increase the potential of the domestic market. But big-brother Government shows his appreciation by setting up a competitor right under their noses.

I note in ARA's announcement that the new plant will be in an area of "persistent and substantial unemployment." The three existing plants in that same general area also are in counties suffering from "persistent and substantial unemployment." The result will be to aid one county and further depress the others.

One of the northern Minnesota plants, Nu-Ply, of Bemidji, has an expansion plan that would create new jobs at $20,000 or less per man. But the ARA project will cost $40,000 for every job it directly creates. When are we going to learn that private enterprise can do it better and at less cost?

It is interesting to note that the Department of Commerce through its Business and Defense Services Administration issued a report on hardboard for the Area Redevelopment Administration in June of 1963. The report clearly states that existing facilities are adequate to supply the total U.S. demand for hardboard in the immediate future, and frankly admits that the problem of foreign competition is the single factor most important to consider. But ARA wants to do some more needless spending, so the report has been ignored. In fact, some of the statistics quoted in the report proving the fallacy of building new hardboard plants with ARA funds, have now been mysteriously revised to prove the opposite. However, industry shipment figures bear out the earlier conclusions.

The statute under which ARA operates provides as one of its basic purposes that new employment opportunities should be created by developing and expanding new and existing facilities and resources rather than by merely transfering jobs from one area to another. But here we have the latest in a long list of examples of how ARA has failed completely to grasp the purpose for its existence.

INCREASING STEEL IMPORTS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WEAVER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WEAVER. Mr. Speaker, in my radio broadcast for the week of February 24, I drew the attention of the people of the 24th Congressional District to the problems of increasing steel imports.

In a statement on March 6, I again emphasized this serious problem and the necessity for a firm position by the U.S. Government at the General Agreement on Tariffs and Trade—GATT—Conference at Geneva. The stagnation of the steel industry in western Pennsylvania resulting from heavy steel imports has reached the critical stage.

Already some 40,000 steelworkers have been displaced in this country because of the rapidly increasing imports which have hit 5.5 million tons. Meanwhile, U.S. steel production is hovering at 2 million tons.

Within the next 3 years—if no corrective action is taken—foreign produced steel will cut further into the American steel market, taking from 10 to 15 percent of the market and eliminating more jobs—perhaps 35,000, bringing the total to 75,000.

If the current trend continues, by 1970 American steel exports will drop to about a million tons, while imports will approach 10 million tons, wiping out thousands of more jobs.

A further downward adjustment in corporate taxes and more liberal depreciation allowances on plants and equipment are necessary to better the competitive position of American steel producers.

I support a strong U.S. position in international trade negotiation discussions scheduled for Geneva in May.

At these conferences, no cut should be made in American steel tariffs unless the Common Market countries and other steel-producing countries slash their duties back to American levels. These countries must trim back their nontariff trade barriers and end unfair marketing two-price practices such as dumping.

The Buy American Act and the Foreign Assistance Act—foreign aid program—should not be negotiable items at Geneva. No agreements should be made to seek congressional modification of these laws to permit greater American purchases of foreign goods.

Failure to achieve cooperation in international negotiations would make it necessary to strengthen and enforce the Antidumping Act to eliminate trade abuses.

It is time to protect the payrolls of our U.S. steelworkers by guaranteeing a competitive position for American steel not only in the world market but in the domestic market. Northwestern Pennsylvania needs this firm action at the Geneva Conference if jobs are to be stabilized and our economy improved.

SOMETHING ROTTEN

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, many of us feel that there is something rotten as far as the Bobby Baker affair is concerned. Certainly it is a sad episode in the history of the U.S. Congress and the fact that a President of the United States enters into the picture should not deter us in our efforts to see that wrongdoing is exposed and lawbreakers are punished. The public is getting a very skeptical feeling about this Congress because of our foot dragging on the Baker case.

President Johnson's insistence that he had made his last statement about the matter did not settle the doubts in minds here on Capitol Hill or back home. A full disclosure of the advertisers on the Johnson television monopoly station in Texas might set some of these doubts at rest. Certainly there has been evidence to indicate it was used as a legal means to channel contributions, some call them kickbacks, into the L.B.J. purse. What are the facts? As long as the President refuses to come forward with this information we can only believe as National Review has stated in the following article, that there indeed is something rotten:

SOMETHING ROTTEN

Yes, yes, power bobbybakerizes, and absolute power bobbybakerizes absolutely. As long as there are governments there will be corruption grand and petty, and in that sense the exposure of it will always be something of a bore. It is in the nature of cheese to attract mice.

Who knows the point at which an aroma turns into a stench? The majesty of the White House is in itself a powerful deodorant, but not all powerful. Now comes the news that the administration has allowed a secret document to slither into the hands of a discredited journalist in order to impugn the veracity of a witness who had testified about mice and men in the White House. The liberal mousekeepers hissed Otto Otepka out of office for cooperating with an authorized congressional investigation, but then Otepka was committing the unpardonable sin of protecting his country from subversive infiltration. Who has risen up to call for the resignation of everyone who had a hand in publishing the latest secrets?

Pierre Salinger at the White House denies everything, and no doubt it is his job to do so. But before this stench settles forever

into the woodwork, President Johnson should seriously consider the idea that has been privately proposed by at least one member of the FCC: that in order to put gossip to rest, the record of the financial dealings of Mrs. Johnson's television stations, alleged beneficiaries of some of the bobbybaking, be made public. Surely public knowledge of their business deals would bring less risk to national security than release of Government documents to Drew Pearson.

EXEMPTION FROM DUTY ENJOYED BY RETURNING RESIDENTS ARRIVING FROM THE VIRGIN ISLANDS—CHANGE OF TERMINATION DATE

Mr. ROGERS of Florida. Mr. Speaker, I have been requested by the gentleman from Arkansas [Mr. MILLS] to announce that H.R. 10170, reported unanimously from the Committee on Ways and Means, which involves a termination date with respect to a provision of law affecting the existing exemption from duty enjoyed by returning residents arriving from the Virgin Islands, will be called up later by unanimous consent. The expiration date involved is March 31, 1964, and action should be taken as soon as possible.

SHERIFF BLACKBURN'S SERVICE OUTSTANDING

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FUQUA. Mr. Speaker, last week the Members of the Florida congressional delegation were honored to play host to seven young boys who make their home at the Florida Sheriffs Boys Ranch, located some 7 miles north of Live Oak, Fla., in the district which I have the privilege to represent.

Accompanying these young men were three outstanding individuals: Harry Weaver, former Federal parole officer, who has been superb in the position of manager of Boys Ranch; Pinellas County Sheriff Don Genung, who has one of the finest records in an active program to combat juvenile delinquency in the Nation; and the man that I would like to pay tribute to here today, Sheriff Ed Blackburn of Hillsborough County, Tampa, Fla.

Many of you have expressed an interest in the Florida Sheriffs Boys Ranch since I made a recent speech about this program here in the House of Representatives, and when I had the chance to present these young men and Sheriffs Blackburn and Genung and Mr. Weaver to many of you.

As I have pointed out, it is a home for the homeless. Young boys who come sometimes from circumstances that would startle you, are taken by the humane sheriffs of Florida and given a home, a real home, at Boys Ranch. Starting with the first boys only in 1958, the enrollment is now at 60 and is expected to go to 80 by the end of this year.

And this has been done completely through the generosity of men and women all over Florida, and from all parts of this Nation, who believe in this program.

I think it magnificent to relate that this task has been carried on without tax moneys, but rather from the generous heart of the people. Today a physical plant of over half a million dollars is augmented by the funds necessary to operate the ranch. It is a going concern and countless thousands of youngsters through the years are going to benefit from this tremendous program of the sheriffs of Florida. They are not merely content to follow the normal course of arresting the criminal and bringing him to trial, but are determined to do something for these youngsters who otherwise would know no hope, and from these circumstances be led into a life of crime, no education, and hopelessness.

And in the forefront of those who have made this dream a reality has been Sheriff Ed Blackburn. Back in the days when the ranch was only a dream, it was Sheriff Blackburn who determinedly worked to secure the land for the ranch and to see it become a reality. He worked ceaselessly to secure the funds for the first cottage, which cost in excess of $30,000, and he and the sheriffs of Florida had begun with only a dream and a few thousand dollars.

The sheriffs of Florida recognized his extraordinary tenacity and ability and asked Sheriff Blackburn to serve as the ranch executive director, to give it direction and make it a reality.

Looking back, I am mindful that this was not an easy task. But with Sheriff Blackburn leading the way, it did become a reality.

Sheriff Blackburn has a large metropolitan area to serve as sheriff, and he is recognized as one of the finest in these United States. And all of the load of duties that he had to carry in that office, he forcefully found the time to work for the Boys Ranch and it was a killing pace that he set.

But others, seeing his determination, followed suit. It is my feeling that the Florida Sheriffs Boys Ranch is a living memorial to Sheriff Blackburn for I know that without his efforts the ranch would have had difficulty in becoming a reality.

At our delegation luncheon last week, Speaker JOHN MCCORMACK, one of the most beloved leaders ever to serve in this House, turned to Sheriff Blackburn and said that:

> What you and the sheriffs of Florida have done is one of the most heartwarming and finest programs that I have ever had any knowledge of. What you have done goes right to the heart of all human existence. Yours is a story that should be told in every nook and cranny of this country so that others might follow your example.

I know that it was a great source of pleasure to Sheriff Blackburn not long ago when the Department of Health, Education, and Welfare cited the Florida Sheriffs Association for its accomplishment and noted that it was the first such law enforcement group in the Nation to conceive and sponsor a permanent home for underprivileged, unloved and unwanted boys.

A further tribute has been shown in that three other States have followed suit in having the sheriffs of those States initiate boys ranches.

I would not minimize for a moment the tremendous job that Sheriff Blackburn has done as the chief law enforcement official in Hillsborough County, one of the largest counties in population in the South. His record has been exemplary in cleaning up crime and vice in his county, his men are well trained and dedicated, and his leadership has made it a model for others to follow in this Nation.

It was Sheriff Blackburn who conceived the idea for the Sheriffs Association to sponsor a "Bomb Hoax" law which made even the threat of a bombing a felony punishable by a mandatory prison sentence in Florida. This law was passed unanimously by both houses of the Florida Legislature and is credited with stemming the tide of such threats in our State.

Back in 1953 he prevailed upon the local legislative delegation to introduce a bill which would abolish the fee system for the sheriff of Hibbsborough County and be placed on the budget system. This fee system had made the sheriff and his department dependent upon fees from those arrested to provide funds for operation. Since then, 60 other Florida counties have followed suit in abolishing the fee system.

Today Sheriff Blackburn serves as president of the Florida Sheriffs Association, a recognized leader of the sheriffs of Florida.

He was first elected Hillsborough County Sheriff in 1952 and has served with distinction since.

He is another of that dedicated corps of men who make up the Nation's sheriffs. They are vital to the well being of this democracy as they conduct a never ending battle against crime and corruption, and you need only to stop for a moment to realize that hundreds of such men give their lives annually in this battle against crime.

I believe that the work that Sheriff Blackburn has done for the Florida Sheriffs Boys Ranch has been to a large extent responsible for its inception and its success. Nothing as large and complex as this operation has been could be accomplished without work and leadership. Sheriff Blackburn has given both.

This is the reason that I salute him here today on the floor of the House of Representatives of the United States, believing sincerely that he stands as an outstanding example of the modern law enforcement officer—skilled, intelligent, humane, sincere, and dedicated.

THIRD ANNIVERSARY OF ALLIANCE FOR PROGRESS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the President of the United States, the great Lyndon B. Johnson, today delivered an epochmaking address on the occasion of the third anniversary of the Alliance for Progress at the Pan American Union.

Those of us having the great fortune of coming from Texas long have known of the greatness of our President; we have for a long time been the recipients of his tremendous genius for service and creative action. Therefore, the fact that he made a great speech today is no more than what we knew he would do.

But for those fellow-Americans less fortunate than ourselves who are from Texas, I offer for the record these memorable expressions:

REMARKS OF THE PRESIDENT, THIRD ANNIVERSARY OF ALLIANCE FOR PROGRESS, PAN AMERICAN UNION, MARCH 16, 1964

Thirty-one years ago this month Franklin Roosevelt proclaimed the policy of the good neighbor.

Three years ago this month John Kennedy called for an Alliance for Progress among the American Republics.

Today, my country rededicates itself to these principles and renews its commitment to the partnership of the hemisphere to carry them forward.

We meet as fellow citizens of a remarkable hemisphere. Here, a century and a half ago, we began the movement for national independence and freedom from foreign rule which is still the most powerful force in the world. Here, despite occasional conflict, we have peacefully shared our hemisphere to a degree unmatched by nations anywhere. Here, and in this very room we have helped create a system of international cooperation which Franklin Roosevelt called "the oldest and most successful association of sovereign governments in the world." Here, there are 20 nations who, sharing the traditions and values of Western civilization are bound together by a common belief in the dignity of man. Here are 20 nations who have no desire to impose a single ideology or system on anyone else—who believe that each country must follow its own path to fulfillment with freedom—who take strength from the richness of their diversity.

It is on this—this history and accomplishment, these common values and this common restraint—that we base our hope for the future. Today these hopes center largely on the Alliance for Progress.

John F. Kennedy has been taken from us. The Alliance remains a source for our faith, a challenge to our capacity. The Alliance for Progress owes much to the vision of President Kennedy. But he understood that it flows from the desires and ideas of those in each of our countries who seek progress with freedom. In its councils all nations sit as equals. That is the special significance of CIAP—the organization we honor today. Through it the Alliance will now be guided by the advice and wisdom of men from the entire hemisphere. It needs and is getting the best leadership our continents have to offer. It has such leadership in Carlos Sanz de Santamaria—one of our most distinguished Americans.

In the last 3 years we have built a structure of common effort designed to endure for many years. In those years much has been accomplished. Throughout Latin America new schools and factories, housing and hospitals have opened new opportunities. Nations have instituted new measures of land and tax reform, educational expansion and economic stimulus and discipline.

We are proud of these achievements. But as we take pride in what has thus far been done, our minds turn to our great unfinished business. Only by facing these shortcomings by fighting to overcome them, can we make our Alliance succeed in the years ahead. Let me make clear what I believe them to be. They are not failures of principle or of belief.

The Alliance's basic principles of economic development, of social justice, of human freedom are not only the right path, they are the only path for those who believe that both the welfare and the dignity of man can advance side by side. To those who prize freedom there is no alternative.

There is no magic formula to avoid the complex and sometimes painful and difficult task of basic social reform and economic advance. There is no simple trick to transform despair into hope, turn misery and disease into abundance and health. Those who think that the path of progress in this hemisphere will be easy and painless are arousing false hopes and inviting disappointment. The criticism, which can give us new vigor and which must guide us, is of those who share our beliefs, but offer us better ways to move toward our goals. We have learned much about the difficulties and flaws of our Alliance in the past 3 years. We must now profit from this experience. With faith in our principles, with pride in our past achievements, with the help of candid and constructive criticism, we are now prepared to move ahead with renewed effort and renewed confidence.

The first area of emphasis is increased cooperation—among ourselves, with other nations, and with private and public institutions. We will continue our efforts to protect producing nations against disastrous price changes so harmful to their economies, and consumers against short supply and unfair price rises. We will intensify our cooperation in the use of our resources in the process of development.

CIAP itself is an important step in that direction, and it has our full support. But other institutions as well—the Inter-American and World Banks, private foundations and cooperatives, savings institutions and sources of agricultural credit—must, in every country, focus their energies on the efforts to overcome the massive difficulties of capital shortage, hunger and lack of adequate educational facilities.

So that my own country's participation in this cooperation might receive needed leadership and direction, I have given Secretary Mann, who enjoys my highest confidence, broad responsibility for our role in the Alliance. His appointment reflects my complete determination to meet all the commitments of the United States to the Alliance. Our pledge of substantial external help has been met in the past. My administration will spare no effort to meet it in the future. And my confidence is reinforced by my knowledge that the people of the United States also support that commitment to our fellow Americans.

But public funds are not enough. We must work together to insure the maximum effective use of private capital—domestic and foreign. Without it, growth will fall behind. Such capital will respond to a stable prospect of fair earnings and a chance to create badly needed industry and business on a responsible basis. Those who destroy the confidence of risk capital or deny it a chance to offer its energy and talent endanger the hopes of their people for a more abundant life.

The second area of emphasis is the area of self-help: Progress cannot be created by international organizations. It cannot be imposed by foreign countries. It cannot be purchased with large amounts of money or large amounts of good will. Progress in each country depends upon the willingness of each country to mobilize its own resources, inspire its own people and create the conditions in which growth can flourish. For although help may come from without, success can only come from within. And those who are not willing to do that which is unpopular and difficult, will not achieve that which is needed and lasting.

This is as true in my own country's fight against poverty and racial injustice, as it is in the fight of others against hunger, disease, and illite acy. By broadening education we can liberate new talents and energies, freeing millions from the bonds of illiteracy.

Through land reform, aimed at increased production—taking different forms in each country—we can provide those who till the soil with self-respect and increased income, and each country with increased p oduction to feed the hungry and strengthen the economy. Fair and progressive taxes, effectively collected, can provide the resources needed to improve education and public health conditions and the social structure needed for economic growth. Measures ranging from control of inflation and encouragement of exports, to the elimination of deficits in public enterprise, can help provide the basis of economic stability and growth on which the Alliance can flourish.

The third area of emphasis is the pursuit of social justice: Development and material progress are not ends in themselves. They are the means to a better life and increased opportunity for all. They are the means for each to contribute his best talents and his desires. They are the means to the full dignity of man.

For the Alliance for Progress is a recognition that the claims of the poor and oppressed are just claims. It is an effort to fulfill those claims while—at the same time—strengthening democratic society and maintaining the liberty of man. No matter how g eat our progerss, it will lack meaning unless every American, from the Indian of the altiplano to the impoverished farmer of Appalachia can share in the fruits of change and growth.

Land reform, tax changes, educational expansion, the fight against disease, all contribute to this end. Everything else we do must also be shaped by this guiding principle. In these areas—cooperation, self-help, social justice—new emphasis can bring us close- to success. At the same time we must protect the Alliance against the efforts of communism—to tear down what we are building. The recent proof of Cuban aggression in Venezuela is only the latest evidence of those intentions. We will soon discuss how best we can meet these threats to our independence. But I now assure you that the full power of the United States is ready to assist any country whose freedom is threatened by forces directed from beyond the sho es of our own continent.

Those of us gathered here are among the principal guardians of the Alliance. But the Alliance is not here, or in office buildings and meeting rooms and presidential mansions throughout the hemisphere. The Alliance is in the aspirations of millions of campesinos and workers—of men without education and men without hope—of poverty-stricken families—whose homes are the villages and cities of an entire continent. They ask simply the opportunity to enter into the world of progress and growth. From their leaders, from us, they demand concern and compassion and dedicated labor.

I am confident we will be able to meet those needs. It will not be an easy task. The barriers are huge. The enemies of freedom seek to harass us at every turn. We are engaged in a struggle for the destiny of the American Republics. But it was a great poet, William Butler Yeats, who reminded us that there was "doubt if any nation can become prosperous unless it has national faith."

Our Alliance will prosper because we do have faith—not idle hope, but the same faith that enabled us to nourish a new civilization in these spacious continents. And in that new world we will carry forward our Alliance for Progress in such a way that men in all lands will marvel at the power of freedom to achieve the betterment of man.

ARE AMERICAN SERVICEMEN IN TIME OF PEACE EXPENDABLE?

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, on March 10, 1964, we learned through the newspapers, radio, and TV of the downing of another American plane in East Germany. We later learned through the newspapers, radio, and TV that the Soviet Union admitted the shooting down of the American RB–66 jet reconnaissance bomber by one of its own fighters. Then we learned through the newspapers, radio, and TV that this time the crew of three parachuted to safety and are alive. They are being held prisoners in East Germany, and we do not know whether we will get them back, but they are alive.

It is indeed fortunate for the American people, who spend a good portion of their hard earned money to support their Government, that there are such things as newspapers, radio, and TV; for in our so-called open society, where the Government likes to admit that the people have a right to know, the people cannot depend on their elected Representatives to keep them informed about the affairs of this Nation. The reason, of course, is that their elected Representatives do not have the information to give out.

How is it that Members of Congress have to depend on the newspapers, radio, and TV to keep themselves informed about the actions of the Federal Government? In my opinion the answer is simply this: The appointed members of the Government are not elected by the people or by the Congress. Therefore, they feel responsible to neither in the sense of having to report, to advise, to inform, nor to account to the people or the Congress.

I have long been deeply disturbed by this situation. We all recall the incident of January 29, 1964, in which an American T–39 was shot down over East Germany. The recollection may be faint and fading fast, in view of the fact that it has ceased to be of interest to the newspapers, radio, or TV. But I think we can all remember at least dimly the fact that an American plane did get shot down and that three Americans were killed. On February 4, I delivered a speech on the floor of this House on the subject. In that speech, I raised this question: How are Members of Congress supposed to learn the facts concerning incidents in different parts of the world in which American citizens are involved? That question still needs to be answered, because the people rightly make numerous inquiries to their elected Representatives who meet in the Nation's Capitol and presumably are knowledgeable about the affairs of government. When an American plane gets shot down the people want to know about it. They want to know why it happened and whether it will happen again. It is a time of peace and their sons and loved ones are getting shot out of the skies and are being killed.

Yet, their elected Representatives can tell them only what they themselves can find out in the newspapers, radio, and TV.

Mr. Speaker, what is going on in Germany? Why are our planes getting shot down? Why are our sons getting killed? Are we sending spy missions over Communist countries? If so, the people have a right to know it. Are Americans getting killed for making honest mistakes? If so, the people have a right to know that. But until some procedures are established whereby the Members of Congress can learn from the State Department and the Defense Department and whatever Federal arm of Government is involved what the facts are, the people and the Members of Congress will have to continue to look to the newspapers, radio, and TV for their information. Those stories may be slightly inaccurate, slanted, and in conflict with one another; but apparently, that is the best the Government can do—or wants to do.

ED NEILAN, BANKER-PRESIDENT OF THE U.S. CHAMBER OF COMMERCE AND GREAT CRUSADER AGAINST GOVERNMENT SUBSIDIES, DISCLOSED AS RECIPIENT OF U.S. DEPARTMENT OF AGRICULTURE SUBSIDIES

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, in New Castle County, Del., on Route 1 near the town of Bear, is a farm listed by the Department of Agriculture as farm 223. It covers 207 acres of which 104 are crop land.

But this, my colleagues, is no ordinary farm. It belongs to the president of the U.S. Chamber of Commerce, who is also head of the Bank of Delaware. It belongs to a man who most of the press and public no longer takes seriously. It belongs to a man who for a while fooled a lot of people. It belongs to Ed Neilan, better known as the Scrooge of Wilmington.

From Neilan's own mouth on numerous occasions, we have learned that he is against anything the Government might do for people—provided the people are not big bankers. He likes to pose as a country banker but this is as phony as—let us say—his crusade against Government subsidies. Not long ago, speaking to a Delaware audience, Neilan said:

> There are at least a few businessmen in the front ranks of the subsidy grabbers, and they deserve to be dragged out into the public spotlight along with the politicians with whom they make their corrupt deals.

Remember that quotation as we reveal another facet of the life of Ed Neilan. We will note that he seems to embrace some of the qualities of the "Great Imposter."

Now, my colleagues, if a man is elected to head a large, national business organization or to be president of a good-sized bank in a good-sized city, he is supposed to be a responsible citizen. When he says something people generally pay attention. And they think, "If he holds those important jobs and he speaks out, he must be forthright and honorable in what he has to say. He could not afford to be otherwise." But let us see if this is true in the case of Mr. Neilan who is president of the Chamber of Commerce of the United States and head of the National Bank of Delaware and who owns what the Department of Agriculture calls farm No. 223 in New Castle County, Del., on route No. 1 near the town of Bear.

Bear in mind, my colleagues, that this barefoot country banker from the duchy of Dupont has spoken with a righteous unctuousness against Government subsidies from one end of the Nation to the other—they are wicked, he asserts—they destroy the national fiber. But he is not against subsidies to banks like his National Bank of Delaware—where he was caught with his Federal deposit slip showing—to the tune of a monthly average running to almost $10 million of Uncle Sam's money last year. This money—I informed the Congress a couple of months ago—cost Ed Neilan and his bank nothing. But they loaned the money out at the "going commercial rate" in the State of Delaware, and thus received a handsome subsidy because the taxpayer paid interest on the money that Ed Neilan and his bank rented out to the people of Delaware.

But now I am going to prove that Ed Neilan is even phonier than I have previously reported to you. What I am about to say is even more shocking than many of the misrepresentations of fact that Neilan, the Delaware banker-farmer, has made around the country.

Here are some facts that have come to me through the courtesy of the U.S. Department of Agriculture. I have a rundown from the Agriculture Department that farm No. 223 in New Castle County on Route No. 1 in Bear, Del., owned by Ed Neilan, and operated by a tenant farmer named Delaware E. Laws, has been, since 1959, receiving Government subsidies.

Not for one moment do I want you to believe that I am opposed to farm subsidies. If any group in America has needed assistance in the more than three and a half decades that I have been in the House of Representatives, it is the American farmer. No, my friends, I am not opposed to farm subsidies, but I am against frauds like Ed Neilan, who silently accept farm subsidies while at the same time they scream from one end of the country to the other about the horrors of Federal subsidies.

Ed Neilan made not only one but two speeches in Indianapolis, railing against Federal appropriations and subsidies, which he assured the citizens were ruin-

ing their way of life; but I am certain that he did not tell them that he, himself, was receiving bounteous largess from Uncle Sam's Department of Agriculture.

Down in my State of Texas, Neilan was telling the good folks how horrible Federal subsidies are, what damage they do to the American way of life and free enterprise, and I am sure he didn't tell the citizens of Bay City, or Tyler, Houston, or Dallas, Tex., that he was receiving his bounty from the U.S. Department of Agriculture. Instead he told these audiences with a dramatic tremor in his voice how much he was against Federal aid of any kind to any segment of the American society, how much he was against helping the sick, the aged, how we must avoid doing anything for the farmer or businessman or for the unemployed laboring man, and above all, how the U.S. Government must by all means stop any assistance to the American veteran, particularly those who fought for their country in World War I, many of them now approaching the end of the road and need the aid of the very Government they rallied behind in 1917–18.

In Oklahoma, Oregon, and points North, East, South, and West, subsidies were bad for everybody except bankers, but he never said that he was receiving money from the U.S. Department of Agriculture.

Now let us be specific about what he has been receiving: In a Federal feed grain program, the Agriculture Department has on file for 1961, 1962, 1963, applications and receipts signed by Ed Neilan as a participant in this program which was created by the Congress in 1961. In 1961, Ed Neilan's farm received a total of $547.72. Ed Neilan's 50 percent of this particular agricultural subsidy amounted to $273.86. Then in 1962, Ed Neilan's farm, farm No. 223, received a total of $605.14. The banker-farmer-businessman, who hates Government subsidies, received as his 50 percent share, $302.57. In 1963, Ed Neilan's farm received $481.74, his personal share was $240.87. So far as I have been informed, there is no application yet for 1964, but over the 3-year period I have just noted, Neilan's farm No. 223 received $1,634.60 in the feed-grain program.

But I have only told you part of the story. The Department of Agriculture issued purchase orders to a lime seller in Delaware who delivered 28.7 tons of lime in 1959 which cost the Government and saved Ed Neilan, $104.40; in 1961, 54.2 tons of lime which cost the Government and saved Ed Neilan, $200; in 1962, for the delivery of 41.2 tons of lime, $126.89. All this money Ed Neilan saved, thanks to Uncle Sam's subsidies. As his share of the Agriculture Department's conservation program in 1963, he accepted a $92.92 gratuity from Uncle Sam for 28.7 tons of lime.

All told, Ed Neilan's farm has received in Government cost-share payments for lime a total of $524.21, and for his feed grain program a total of $1,634.60, which adds up to $2,158.81. Now I ask you: Do you suppose Ed Neilan told any of the dozens of audiences that he has addressed as head of the U.S. Chamber of Commerce that he, himself, was receiving Government subsidies that I have just enumerated? He did not. He was just against Government subsidies verbally. This venal man is never against a buck for himself or his big banker friends.

Early this year, he told the Wilmington, Del., Junior Chamber of Commerce:

> Whatever their excuse, the subsidy seekers betray the whole American community. The consequences of their guilt, of their connivance in this seduction by subsidy, are the corruption of our political system, the decline of public morality, the further centralization of Government, and the loss of that local initiative on which this country once flourished.

Then on February 28, Neilan told a group of Delaware chicken farmers:

> I think all of you already know that it was the farmers who fired the shots heard "round the world at Lexington and Concord."

But sadly Neilan warned:

> Over the last three decades there has been a definitive effort on the part of the Socialists to control agriculture.

He was happy, he said, that the Delaware poultrymen had achieved success because of "hard work" and "no Federal aid" or "subsidies."

The time is now right, said our hero, when the agriculture portion of our economy is in a position to do a better job if it is released from artificial controls and restrictions.

This brought to my mind that old saw about the man who "never went against his principles because he didn't seem to have any."

MATTHEW FONTAINE MAURY: AN OUTSTANDING MEMORIALIZATION

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 60 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, one of the finest compensations for service in the Congress is the increased understanding it gives of basic American history. In this, the great and manifold contributions of the vast regions of Virginia in building our Nation are preeminent.

VIRGINIA'S GREAT CONTRIBUTIONS

As the first permanent English settlement in North America, projector of the wedge of civilization westward, leader in the War of Independence, conqueror of the Northwest Territory, and colonizer of Kentucky; as the principal architect of our Federal Constitution and our Union of Sovereign States; and as a major influence in the expansion of the United States to the Pacific, Virginia has served as the mother of States and statesmen, and supplied the Father of Our Country and its first President—George Washington.

The roster of her illustrious sons includes some of the most eminent soldiers, jurists, historians, scientists, Governors, and Senators and administrators in history, with seven of them since Washington becoming the Chief Magistrates of the Republic, thereby making Virginia the mother of Presidents.

Because of her truly wonderful and outstanding contributions, the Commonwealth of Virginia has become luminous in American history and, indeed, in the history of constitutional liberty. It may be likened to a fountain with streams flowing in many directions to diverse areas in our country, including my own State of Texas.

It was his profound knowledge of our constitutional history that enabled Daniel Webster, in an address in the U.S. Senate on March 12, 1838, to describe the passage, on January 21, 1786, by the House of Delegates of Virginia, of a resolution calling for the appointment of commissioners to meet with representatives of other States to discuss matters of trade as the first act in a train of events that resulted in the adoption of the Constitution.

In an eloquent tribute to Virginia, Webster said in part:

> I here acknowledge the Commonwealth of Virginia to be entitled to the honor of commencing the work of establishing this Constitution. The honor is hers; let her enjoy it; let her forever wear it proudly; there is not a brighter jewel in the coronet that adorns her brow. Let this resolution stand, illustrating her records, and blazoning her name through all time!

STATE CAPITOL IN RICHMOND SYMBOLIZES VIRGINIA'S LEADERSHIP

Mr. Speaker, the capitol of Virginia in Richmond symbolizes that which is great in her history. Designed by Thomas Jefferson after the Maison Caree at Nimes, France, a Roman temple built 2,000 years ago by Augustus Caesar, and completed in 1788, it is one of the most stately and famous of all capitols in the United States.

In the rotunda of the capitol, stands Virginia's most cherished possession—the Houdon statue of Washington. Set up in its present position in 1796 and viewed on this spot by Washington himself, who approved it, the statute is surrounded by busts, in niches on the walls, of seven other illustrious Virginians who have served as Presidents of the United States: Jefferson, Madison, Monroe, William Henry Harrison, Tyler, Taylor, and Wilson.

The most beautiful, as well as historic, room in this famous building is the old Hall of the House of Delegates, which adjoins the rotunda. Notable for its architecture, balconies and stairways, this hall is rich in traditions as the scene of many dramatic events.

The House of Delegates of the Virginia Legislature, the oldest legislative body in North America tracing back to the formation in 1619 of the House of Burgesses, held its meetings there from 1788 to 1906; and the Confederate Congress, during 1861–65. General conventions of the Commonwealth have conducted their sessions within its sacred walls. In the hall in 1807, Chief Justice John Marshall presided over the trial of Aaron Burr on the charge of treason. It was there, on February 13, 1861, that the general convention of Virginia met and, in an effort to prevent the Civil War,

voted against secession but, after Fort Sumter, it took the momentous action, on April 17, 1861, of voting for secession and, on April 23, confirmed the appointment of Gen. Robert E. Lee, as the commander in chief of the land and naval forces of Virginia.

On the spot in front of the rostrum, where General Lee stood and accepted his appointment following an eloquent and moving address by President John Janney of the general convention, stands a statue of Lee. Inscribed on its base are his brief and dignified words of acceptance, which have won the admiration of students of military history.

Around the walls of the old hall are busts of some of Virginia's greatest sons; Patrick Henry, Richard Henry Lee, and George Mason; John Marshall, Henry Clay, and Cyrus H. McCormick; Joseph E. Johnston, Thomas J. Jackson, J. E. B. Stuart, and Fitzhugh Lee; Jefferson Davis and Alexander H. Stephens; Sam Houston and Matthew Fontaine Maury, the last being the celebrated naval scientist.

HISTORIC SETTING FOR JANUARY 19,1964, COMMEMORATION

It was in this historic setting that the Stonewall Jackson chapter, United Daughters of the Confederacy, on the afternoon of Sunday, January 19, 1964, commemorated the birthdays of Lee, Jackson, and Maury in what was another historic occasion, especially honoring Maury.

Specially set up as illustrations for the principal address was an exhibit of charts and maps, among them reproductions of some of his originals. These included pilot, wind and current, whale, North Atlantic Ocean depth and two-way steamer traffic lane charts; also one showing the "telegraphic plateau" in the North Atlantic, discovered and named by Maury, on which he recommended the location of the first transatlantic cable.

On each side of the speaker's stand was a greatly magnified photograph of Maury taken in 1853 at the height of his physical and mental powers. In front of the rostrum was a reproduction in color of the well-known Hergesheimer portrait of Maury.

DISTINGUISHED GUESTS AND CULTURAL ORGANIZATIONS PRESENT

The distinguished guests in the memorable scene included:

Honorable Lucas D. Phillips, member of the House of Delegates of the Virginia Legislature and well-known constitutional authority, and Mrs. Phillips, of Loudoun County.

Rear Adm. Robert O. Glover, former hydrographer of the U.S. Navy, and Mrs. Glover.

Chalkley DuVal, chief engineer of the city of Richmond.

Mrs. W. Herbert Knowles, registrar-genealogist of the Jamestowne Society.

Mr. and Mrs. Greenhow Maury, Jr., representing the Maury family.

Cultural organizations represented in the gathering were the Daughters of the American Revolution, the Virginia Civil War Centennial Commission, the Virginia Historical Society and the Virginia Museum of Fine Arts.

MATTHEW FONTAINE MAURY: PROTEGE OF SAM HOUSTON

Because Matthew Fontaine Maury was appointed as a midshipman in the Navy in 1825 by Representative Sam Houston of Tennessee and thus became a protege of him who later became the greatest leader in the history of my own State of Texas, I shall mention some highlights of Houston's extraordinary career.

Born in Rockbridge County, Va., he moved to Tennessee in early life, and was a Representative in the Congress from Tennessee, 1823–27, when he appointed Maury; Governor of Tennessee, 1827–29; commander in chief of the Texas Army in the war for liberation from Mexico, and hero of the decisive Battle of San Jacinto, 1836; and the first President of Texas, 1841–44; a Senator in the Congress of the United States from Texas, 1846–59; and, finally, Governor of Texas, 1859 until he was deposed because of his refusal to take the oath of allegiance to the Confederate States. Sam Houston always viewed the epochal achievements of Maury with pride, a fact that will be of the greatest interest to all Texans.

HIGHLIGHTS OF MEMORIALIZATION EXERCISES

The principal speaker for the program was Capt. Miles P. DuVal, Jr., distinguished naval officer, historian of the Panama Canal, and a leading authority on interoceanic canal problems. His well-known writings and other notable contributions in this field have been of the highest importance to the Panama Canal, the Congress, the Nation and, indeed, the world at large.

The preparation of Captain DuVal's address required a long period of the most intensive research. He obviously recognized the opportunity afforded in making the address on Maury and set out to perform the greatly needed, long delayed and important public service of vitalizing and evaluating his life and accomplishments. He also deplored the failure to assemble and publish the collected writings of Maury.

That he succeeded in bringing the contributions of Maury into historical focus is shown by the prolog of his paper, which, though not included in his spoken address, will be found immediately preceding the text. Its factual appraisal and interpretation of Maury's career will be invaluable for those who wish to honor this long neglected but great figure in the history of science, the Navy, and the United States.

The proceedings were characterized by grace and dignity. Called to order by Mrs. Francis Edward Carter, the second vice president, substituting for the chapter president, Mrs. Herbert C. Hord, the exercises were opened with prayer by the chaplain, Mrs. D. T. Sutherland.

The exercises featured the bestowal of crosses of military service by Mrs. Albert Lee May, the recorder of crosses, and Mrs. Carter, on Col. William Wirt Brock, Jr., and Pvt. Flavius Burfoot Walker, Jr., for meritorious service in World War II and on A2c. Pleasants Parsons Pilcher, Jr., for similar service in the Korean war.

Appropriately, there was a program of southern music provided by the orchestra of the Thomas Jefferson High School of Richmond.

Mr. Speaker, in order that the entire proceedings may be suitably recorded in the permanent annals of the Congress, I now quote the roles of the participants:

REMARKS OF VICE PRESIDENT CARTER, INTRODUCING JUDGE WILLIAM OLD

Members of the Stonewall Jackson Chapter, distinguished guests, ladies and gentlemen, because of the scope of today's exercises, next in importance to the choice of the principal speaker is that of the one to introduce him.

We are fortunate in having secured for this service one of Virginia's most distinguished lawyers.

As judge of the 37th Virginia Judicial Circuit, consisting of Chesterfield County and the city of Colonial Heights, he has served with distinction. An eminent authority on constitutional law, he has been a consultant of lawyers and judges, lectured and written extensively.

He was the principal leader in bringing about the restoration of Fort Darling at Drewry's Bluff about 8 miles below Richmond on the James River, the Gibraltar of the South during the Civil War, and its designation as a national monument under the National Park Service.

For his many meritorious labors for people in all walks of life, he has been acclaimed as a great humanitarian. It is my privilege to call upon Judge William Old of Chesterfield, who will introduce the speaker.

REMARKS OF JUDGE WILLIAM OLD, INTRODUCING CAPTAIN DUVAL

Madam President, members of the United Daughters of the Confederacy, ladies and gentlemen, when searching for a suitably qualified speaker for today's program to honor one of Virginia's most illustrious sons who served with great distinction in the Navy of our country from 1825 to 1861, it was decided that the person selected should be not only a Virginian but also should have the special background afforded by a career in the Navy. The search was rewarding.

Our speaker today was appointed to the U.S. Naval Academy by Representative A. J. Montague of Richmond and was a member of the class of 1919. This class graduated a year early in 1918 because of the urgent need for young officers for World War I. What in his subsequent career qualifies him to address us on this occasion?

Afloat, he has served on various types of vessels in the water washing four continents—on the three coasts of the United States, in the Caribbean and Central American regions, in Alaska and Hawaii; in Europe and South America; and, during World War II, in the Canal Zone, the southwest Pacific, and the Far East. His assignments have included the command of three naval vessels, with participation in the 1933 naval demonstration off Cuba and various peacetime exercises with the U.S. Fleet, combat operations during World War II in the Far East, and the occupation of the Japanese Empire and China.

Ashore, he has had postgraduate training at the Naval War College, the Naval Post Graduate School, and Georgetown University, as well as responsible positions in the Navy Department, and in the Canal Zone Government during the crucial period prior to and after Pearl Harbor.

In addition to his regular duties in the Canal Zone, he made extensive studies of the marine operations of the Panama Canal out of which he developed the first comprehensive plan for its operational improvement and increase of capacity—a plan that has attracted worldwide attention among maritime nations.

An author of distinction, he has written two important books on Panama Canal history. He has also delivered important addresses and written basic articles dealing with interoceanic canal problems for professional society periodicals and reference works, republished in the CONGRESSIONAL RECORD. In so doing, he has contributed greatly to the literature on these vital subjects.

Thus, in our speaker today, we have one whose broad background of naval and Panama Canal experience, and intensive studies of interoceanic canal history and problems, eminently qualified him to address us on this auspicious occasion. Since he is not here in an official capacity, he wishes to stress that the assertions and opinions that he will express are his personal ones and are not to be contrued as official or as necessarily reflecting the views of the Navy Department or of any other agency.

It is my great privilege and honor to present Capt. Miles P. DuVal, Jr., of the U.S. Navy, retired, who will address us on the most timely subject: "Matthew Fontaine Maury: Benefactor of Mankind."

MATTHEW FONTAINE MAURY: BENEFACTOR OF MANKIND

(By Miles P. Duval, Jr.)

"To the youth of the Nation."

PROLOGUE: "EVALUATION OF CAREER" OF MATTHEW FONTAINE MAURY

(Born January 14, 1806, died February 1, 1873; appointed February 1, 1825, resigned April 20, 1861)

Author: First Book on Nautical Science by an American Naval Officer, 1836.

First Superintendent: U.S. Naval Observatory, 1844–61.

First Hydrographer: U.S. Navy, 1844–61.

Precursor: U.S. Weather Bureau, 1843–57.

Founder of the science of oceanography.

Father of world meteorology.

Pathfinder of the seas.

Locator of the first transatlantic cable.

Advocate of naval reform and reorganization.

Champion for establishment of the U.S. Naval Academy.

Prophet of the Panama Canal.

Planner for Amazonian, Mississippian, and Antarctic explorations.

Leader for international cooperation in Antarctic research.

Inventor of the first electrically controlled submarine mine successfully used in warfare.

Introducer of cinchona cultivation into Mexico.

Author of public school geographies.

Father of the Virginia Polytechnic Institute.

Madam President, members of the United Daughters of the Confederacy, distinguished guests, ladies and gentlemen, it is indeed a great privilege to address this fine gathering of traditional Americans in this historic hall. Within these walls one can almost hear the echoes of long ago when Virginia, in a proceeding of the utmost solemnity on April 23, 1861, confirmed the appointment of Gen. Robert E. Lee, as the commander in chief of its land and naval forces.

Among those in that memorable scene was the man whose memory we, as fellow Virginians, honor today: Matthew Fontaine Maury. Who was he and what was the story behind his presence?

EARLY YEARS, 1806–25

Born on a farm in Spotsylvania County, Va., near Fredericksburg, on January 14, 1806, he was of distinguished mixed Huguenot, Dutch, and English ancestry, with traditions of culture and scholarship, and with lines tracing to early Jamestown. From his father, Richard Maury, he inherited much of his amiability and high-mindedness; from his mother, Diana Minor Maury, he derived the qualities of great decision and strength of character.

In his fifth year, the Maury family, like so many others of that period, moved to Tennessee and established a new home near Franklin in Williamson County, south of Nashville. Working on the farm and attending an "old field" school, where young Matthew took part in "singing geography" with pupils ranged around the room to chant geographical facts, he seemed destined for a life behind the plough but, when he was 12 years old, something happened. In the exercise of his boyish instinct for adventure, he climbed a tree and fell 45 feet to the ground. Taken up apparently lifeless, he was found to have injured his back so seriously as to unfit him for farm work. This resulted in his father deciding, because of his son's high aptitude for study, to send him to Harpeth Academy near Franklin, then headed by Rev. James H. Otey, afterward the first Anglican bishop of Tennessee.

At Harpeth, Maury's active mind and studious habits quickly attracted the notice of its capable teachers who encouraged him. In the study of Latin, he covered the grammar in 7 days, making a record for the academy and demonstrating high capacity for learning languages. Moreover, he helped to support himself by assisting his instructors and coaching pupils. His greatest interest became science.

The inspiration for this ambition was a shoemaker, an old Mr. Neal, who was a mathematician. He worked his problems with an awl on leather and returned repaired shoes with soles covered with X's and Y's. "The example of that man," Maury later wrote, "first awakened in my breast the young spirit of emulation; for my earliest recollections of the feelings of ambition are connected with the aspiration to emulate that man in mathematics."[1]

CHOOSING A NAVAL CAREER, 1825

When the time came for further education, young Maury, sufficiently recovered, considered going to West Point but his father did not approve. Inspired by the adventures of his oldest brother, John Minor Maury, who had served under David Porter on the famous cruise of the Essex in the Pacific during the War of 1812, Matthew determined to enter the Navy and secured an appointment as an acting midshipman from Representative Sam Houston of Tennessee.

Faced with the opposition of his father who wished his son to be a physician, Matthew proved resourceful. He arranged for the purchase of a horse for $75 to be paid on reaching his destination and was given $30 by one of his most admired teachers, William C. Hasbrouck, for his services in coaching young pupils. Then, on a Sunday morning in the spring of 1825, the 19-year-old Maury set out alone on the long ride to Washington to start his career with the determination to succeed by following the old maxim, "Make everything bend to your profession."[2]

Stopping by the Spotsylvania home of an uncle by marriage, Edward Herndon, to whom he sold the horse, Maury immediately sent the money to the owner in Tennessee. But more important, he met Ann Hull Herndon, daughter of Dabney Herndon, of Fredericksburg, who, though only 13, recognized his quality and evinced an affectionate regard for him that the young midshipman never forgot.

FIRST CRUISE ON THE "BRANDYWINE," 1825–26

Reaching Washington penniless, Maury received 15 cents per mile travel allowance, which was ample for his needs. He was ordered to the new frigate *Brandywine* then at anchor in the Potomac and reported on board on August 13, 1825. His first assignment proved a stroke of fortune. The *Brandywine*, named for the Battle of Brandywine Creek in which Lafayette was wounded, had been selected to return the distinguished soldier to France. As an honor to him, her officers had been selected from as many States as possible and, where practicable, from descendants of persons who had distinguished themselves in the American Revolution. Thus Maury had an opportunity not only to make new friends from different parts of the Nation, but also to converse with the wartime associate of Washington.

After Lafayette departed, the *Brandywine* underwent repairs in England and in early November joined the U.S. squadron at Gibraltar. She cruised in the Mediterranean and returned to New York in May 1826.

Right from the start of this assignment, Maury impressed his superiors and fellow cadets as one resolved to master the theory and practice of the naval profession. To this end he resorted to various artifices. While on watch he would chalk problems in spherical trigonometry on round-shot mounted in racks so he could ponder them while pacing the deck. When going below for a moment, he would get hold of a book or dictionary, note a word or a sentence and reflect upon it on deck. Required to study navigation, he used a Spanish textbook so as to learn a new language at the same time.

Having crossed some of the paths of Columbus, Magellan, Drake, and Nelson, seen new countries and peoples, and applied himself assiduously, Maury completed his first cruise with his education advanced, his vision broadened, and his ambition spurred by the leadership of such men as Capt. Charles Morris, who, as a midshipman, had served under Stephen Decatur in Tripoli, and Lt. David Glasgow Farragut, who later became the first admiral of the U.S. Navy.

AROUND THE WORLD, 1826–30

After receiving his official warrant as midshipman dated back to February 1, 1825, Maury took leave in Fredericksburg and was again ordered to the *Brandywine*, then fitting out at New York for a 3-year cruise in the Pacific. Sailing from the outer harbor on September 3, 1826, the vessel arrived at Rio de Janeiro on October 28—a voyage of 55 days. After cruising in Brazilian waters, his ship went to Montevideo at a time of war between Brazil and Argentina. There Midshipman Maury was able to observe history in the making and to record his experiences and impressions of people.

Rounding Cape Horn into the Pacific in late 1826, the *Brandywine*, after a stay at Valparaiso, Chile, went on to Peru, arriving on February 9, 1827, at Callao. There, on March 10, Maury was transferred to the *Vincennes*, a sloop of war then patrolling the west coast of South America.

For more than 2 years in this area, Maury was thus able to view the matchless Andes while his vessel was at sea until their peaks became familiar landmarks, observe volcanoes in thunderous eruptions, and when ashore in Ecuador, to witness fighting at Guayaquil.

After hostilities ended, the *Vincennes*, on July 4, 1829, sailed from Callao toward the Far East. The first stop was at Nukahiva Island in the Marquesas, the island where Maury's oldest brother, John, had been marooned for 2 years and later rescued.

To learn the story directly from the native chief, Midshipman Maury studied the native language and, within a period of 3 weeks, became able to converse with the man who had saved his brother's life.

The next visit was at Tahiti, after which the *Vincennes* sailed to the Hawaiian Islands. On Hawaii, Maury saw the Cascade of the Rainbow and, no doubt, visited the volcano of Kilauea; on Oahu, he saw Diamond Head and enjoyed Honolulu.

Setting sail for China, the *Vincennes* passed between Formosa and Luzon and, on

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[1] Lewis, p. 5.

[2] Ibid., p. 9.

January 3, 1830, anchored in Macao Roads—the second American man-of-war to visit Chinese waters. Promptly sailing for the Philippines for a stop at Manila, the *Vincennes* started on her homeward voyage through the Straits of Sunda between Sumatra and Java, thence across the Indian Ocean and around the Cape of Good Hope to Capetown, thus retracing some of the trails of the great Portuguese navigators, Vasco da Gama and Bartholomew Diaz.

The next port was at St. Helena where Maury saw the temporary tomb of Napoleon, who had died 9 years previously after 6 years as a prisoner of war.

Arriving in New York on June 8, 1830, nearly 4 years after he had sailed from New York on the *Brandywine*, during which he had circumnavigated the earth, Midshipman Maury returned as an experienced young officer of unusual promise and a wealth of knowledge.

PREPARATION FOR SCIENTIFIC INVESTIGATIONS, 1831–34

In the months on shore following his detachment from the *Vincennes*, Maury studied for promotion examinations. After passing them he had the rank of past midshipman. During the next winter spent in Washington, Ann Hull Herndon, then a charming young lady, also happened to visit relatives in Georgetown; and again they met. They became engaged and Maury considered resigning from the Navy but his hope for employment as a surveyor did not materialize.

Assigned at the age of 25, after 6 years' service, to the responsible position of sailing master on the sloop of war *Falmouth*, bound for the Pacific, Past Midshipman Maury wished to make a speed record for the voyage. A diligent search by him for information about the winds and currents that would be encountered and the best routes to follow, proved fruitless. Thus the *Falmouth* had to depart in June 1831 without the advantage of the navigational experience of others in recorded form. Because of this obvious need, young Maury determined to be the one to supply such information and, on the way to Rio, conceived the idea of his wind and current charts and began to collect data from every available source.

When rounding Cape Horn, he observed its dangers of navigation and investigated the "curious" phenomenon of "low barometer" there. Arriving at Valparaiso in October, the *Falmouth* tarried for about a year and went on to Callao. There Maury made a survey of San Lorenzo Island just outside the harbor.

Landing on some rocks to the westward of the island to take the necessary observations at a time when the sea was smooth, Maury went ahead with his work while his assistant, Midshipman William B. Whiting, stood by in a boat. A wind arose and the sea roughened to the point that the boat could not land.

Maury climbed to a high point on the rock, removed his jacket, wrapped up his sextant and watch with it, tied the pack with a string he had in his pocket, and threw the roll into the water near the boat, where it was picked up with a boathook. Then, when the water rose to a favorable height, he leaped into it, and swam to the boat. No wonder Midshipman Whiting after return from the outing asserted to his shipmates that there was in Maury something that "could not be kept down" and that he "would be a distinguished man."[3] As could be expected of young officers, they ridiculed this prediction of future greatness.

Maury was transferred from the *Falmouth* at Callao on August 20, 1833, to the schooner *Dolphin*. After a few weeks on routine duties he was ordered to the frigate *Potomac*, which started upon its long voyage home, arriving at Boston in the early summer of 1834.

This cruise, 1831–34, which was his last, had not only enabled Maury to start his scientific investigations in meteorology and oceanography, supplied data for his first writings and provided a solid foundation for his later contributions, but also had afforded an opportunity to read many classics of literature during long hours at sea. His favorites were the Bible and Shakespeare, which he constantly read and frequently quoted, and which are reflected in the philosophy and clarity of his writings.

EARLY SUCCESS MARRED BY CALAMITY, 1834–39

Obtaining leave, Maury went to Fredericksburg and, on July 15, 1834, he and Ann Hull Herndon were married in nearby Spotsylvania County in the same house in which the two first met, and then established their home in the city. Also in this July were published in the American Journal of Science and Arts, Maury's first two scientific articles, both in the same issue. The first, "On the Navigation of Cape Horn," described the dangers of passage around that cape and the peculiar rise and fall of the barometer that he had observed there. The other, on a "Plan of an Instrument for Finding the True Lunar Distance," concerned an instrument that he had invented.

Thus encouraged, past Midshipman Maury, then only 28, decided to prepare a textbook on navigation. Assembling his notes, written mostly on board men-of-war "in the midst of the various calls of duty, and the thousand interruptions incident to such a place," he prepared the manuscript for his book, "A New Theoretical and Practical Treatise on Navigation," published in 1836. This was the first book on nautical science by an American naval officer. It was immediately adopted for the instruction of young officers at sea and was later used at the Naval Academy.

Among its reviewers was Edgar Allan Poe, who stated: "The spirit of literary improvement has been awakened among the officers of our gallant Navy. We are pleased to see that science also is gaining voteries from its ranks. Hitherto how little have they improved the golden opportunities of knowledge which their distant voyages held forth, and how little have they enjoyed the rich banquet which nature spreads for them in every clime they visit. But the time is coming when, imbued with a taste for science and a spirit of research, they will become ardent explorers of the regions in which they sojourn."[4]

While in Fredericksburg, Maury lectured on science, studied minerology, geology, and drawing, spent the summer of 1836 qualifying himself to superintend a nearby U.S. gold mine, and was offered a position as mining engineer. His appointment on June 10, 1836, as lieutenant caused him to decide to remain in the Navy and he became interested in the naval south sea exploring expedition, which, in the fall of 1836, was fitting out at Norfolk under Capt. Thomas Ap Catesby Jones. Failing to secure command of one of the ships, on March 18, 1837, he was attached temporarily to the *Macedonian*.

In September, Lieutenant Maury joined the exploring expedition as "astronomer" and "hydrographer"—its two most significant positions. In preparing for this assignment, he went to Philadelphia, and studied and worked at a small astronomical observatory on Rittenhouse Square and there obtained invaluable scientific knowledge and experience.

When Capt. Catesby Jones' health failed and he was succeeded in command of the expedition by Lt. Charles Wilkes, the only officer in the Navy with whom Maury would not cooperate. In the spring of 1838 Maury requested to be detached and was assigned duty on the steamboat *Engineer* to assist in surveying our southern harbors.

In the summer that followed, Maury published an interesting series of articles in a Richmond newspaper under the pen name of "Harry Bluff,[5] U.S. Navy." Highly critical of the previous Secretary of the Navy, they called upon his successor, Secretary Paulding, to restore the prestige of the Navy. In December, he published three more for the same paper giving detailed information on the inefficiency of the Navy which were inscribed "From Will Watch, to his old messmate, 'Harry Bluff.'"[6]

Stressing the importance of better training for officers, he stated: "There is not, in America, a naval school that deserves the name, or that pretends to teach more than the mere rudiments of navigation. * * * Why are not steps taken to have our officers educated and fitted for this high responsibility? The idea of a naval academy has been ridiculed."[7]

Again Maury toyed with the idea of leaving the Navy and, in February and August 1839, offered his services as head of a triangulation party to Ferdinand R. Hassler, the Chief of the U.S. Coast Survey, but Hassler did not accept them.

Detached from the *Engineer* in August of 1839, Maury took leave to spend some time at his home in Fredericksburg and to visit his parents in Tennessee. Leaving Harpeth by stage coach to join the brig *Consort* at New York to continue his survey work, he gave up his seat inside to an aged Negress and rode on the outside with the driver. On a rainy night at 1 o'clock in the morning, on October 17, 1839, near Lancaster, Ohio, the coach was upset, and Maury, who was the only person seriously hurt, sustained a severe dislocation of the right knee joint and a fracture of the right thigh bone. These injuries, at the time, seemed to him as the great calamity of his life endangering his naval career.

CALAMITY FORCES CONCENTRATION ON SCIENCE, 1839–42

Maury's recovery, complicated by the necessity of rebreaking and resetting the bone at a time when there was no anesthesia, was slow and painful. He managed, however, to keep up his courage during 3 long months at the Hotel Phoenix, in nearby Somerset, by studying French. Sufficiently recovered by January 1840 to travel, he went to New York to join his ship but, finding that she had sailed, he made his way to his home in Fredericksburg to recover his health and strength.

The compelled physical inaction forced Maury to focus on the scientific aspects of the naval profession and gave him an opportunity to write a series of remarkable articles, published in Richmond during 1840–41 under his previous pen name of "Harry Bluff." He called them "Scraps From the Lucky Bag."[8]

Elaborating on the ideas presented in his earlier "Harry Bluff" and "Will Watch" writings, Maury urged reform of the Navy, which was then in a condition of dry rot. He advocated steam for ship propulsion, the importance of the Northwest in developing trade with the countries on the rim of the Pacific, the improvement of the promotion system for officers to spur their ambition, and the founding of a naval academy with a 4-year course, followed by 2 years at sea, to replace the ineffective schoolmaster system then obtaining on ships. His strong

[3] Ibid., p. 23.

[4] "Southern Literary Messenger," vol. II, No. VII (June 1836), p. 454.

[5] Richmond (Va.) Whig and Public Advertiser, Aug. 10–28 and Sept. 4, 1838.

[6] Ibid., Dec. 21, 25, and 28, 1838.

[7] Lewis, p. 34.

[8] "Southern Literary Messenger," vol. VI (April, May, December 1840) and vol. VII (Jan., May, June 1841).

leadership for the last was probably the greatest single factor in bringing about, in 1845, the creation of the Naval School at Annapolis and has won Maury wide acclaim as "Father of the Naval Academy."

Even more significant, however, was his pleading for distribution of the work of the Navy Department among bureaus on functional lines, with officer specialists heading these bureaus and responsible to the Secretary of the Navy. He even envisioned assignment of an experienced officer as the principal naval adviser of the Secretary to coordinate the work of the bureaus.[9]

As Maury's writings aroused high enthusiasm among naval officers, some of them arranged for large editions of the "Scraps From the Lucky Bag" for free distribution. Finally, in July 1841, Maury was identified as the real author.[10] Congress jumped into the fray, and many of the naval reforms that Maury advocated were effected immediately or eventually adopted. There were also demands for the President to appoint Lieutenant Maury as the Secretary of the Navy, but this did not appeal to him for he was already dedicated to science.

Feeling sufficiently recovered to perform light duties at sea, Maury, in November 1841, requested assignment in the Pacific squadron under Commodore Thomas Ap Catesby Jones, but his physicians in Fredericksburg opposed and he was retained on the "waiting orders" list.

He did not have to wait long. The publication of his book on navigation in 1836 and his "Scraps From the Lucky Bag" in 1840 and 1841 had already laid the foundation for his future. On the recommendation of other naval officers, Lieutenant Maury on July 1, 1842, at the age of 36, was designated by Secretary Upshur as officer in charge of the Depot of Charts and Instruments of the Navy Department. For one of his intelligence, vision, and drive, this was the challenging opportunity for which he had been waiting and he undertook the task with the zeal and abundance of genius.

SETTING THE COURSE FOR THE NAVAL OBSERVATORY, 1842–47

When Maury assumed control of the Depot of Charts and Instruments, it was already planned that its functions would include four important fields related to the problems of navigation: astronomy, hydrography, magnetism, and meteorology.

When new buildings, which included an astronomical observatory, were completed, Lieutenant Maury, on October 1, 1844, was ordered to take charge of all astronomical operations as the first superintendent of the Naval Observatory. In assuming this responsibility, Maury was no mere figurehead administrator but an inspiring leader. Working at times from 8 or 9 in the morning until 11 at night, he was effective in obtaining and installing new instruments until the Observatory became one of the best equipped in the world. As a principal observer of celestial bodies during his first years as superintendent, his name is recorded in published abstracts of observations. That he found such work stimulating is shown by this description in an 1849 address before the Virginia Historical Society: "To me the simple passage through the transit instrument of a star across the meridian is the height of astronomical sublimity.

"At the dead hour of the night, when the world is hushed in sleep and all is still; when there is not a sound to be heard save the dead beat escapement of the clock, counting with hollow voice the footsteps of time in ceaseless round, I turn to the Ephemeris and find there, by calculations made years ago, that when that clock tells a certain hour, a star which I never saw will be in the field of the telescope for a moment, flit through and then disappear. The instrument is set; the moment aproaches and is intently awaited—I look—the star mute with eloquence that gathers sublimity from the silence of the night, comes smiling and dancing into the field, and at the instant predicted even to the fraction of a second, it makes its transit and is gone. With emotions too deep for the organs of speech, the heart swells out with unutterable anthems; we then see that there is harmony in the heavens above; and though we cannot hear, we feel the 'music of the spheres.' " [11]

Understanding the function of time in the determination of longitude, Maury recognized the value of the electrochronograph when it was invented and arranged for its installation at the Observatory—the forerunner of daily time signals.

Starting in 1845 a major project of cataloguing the stars, this work reached the total of 100,000 in 1855, but the results were not published until 1873. Nevertheless, his 1846 report, which Maury described as the "first volume of astronomical observations that has ever been issued from an institution properly entitled to the name of an observatory on this side of the Atlantic," [12] won wide approval.

Deploring the fact that, if not supplied with nautical almanacs by foreign countries, American vessels of war could not navigate on the high seas, Maury planned to make the preparation of an American Ephemeris and Nautical Almanac as prime functions of the Observatory. Because of the eminent professors at Harvard, the Nautical Alamanac Office was initially established there in 1849 but many years later was moved to the Observatory. The first nautical almanac was published in 1852 for the year 1855.

In 1847, while Maury's scientific endeavors were being acclaimed, a young astronomer in France, aided by another in Germany, discovered the planet Neptune, hailed by astronomers as "one of the proudest triumphs of the age." [13] Because of its apparent slow movement, the calculation of its orbit would have required many years.

Maury, realizing that data which the "tedious future is sure to supply" might be obtained from the records of the past, in the fall of 1846, assigned the task of searching earlier observations to one of his astronomers, Sears C. Walker. On February 2, 1847, after months of work, Walker discovered that the planet Neptune had been erroneously identified in 1795 as a fixed star. Maury, in a letter on February 9, 1847, to the Secretary of the Navy reporting the discovery, commended Walker for his service. This identification saved astronomers more than 50 years in determining the orbit of Neptune.

It was by such leadership that Lieutenant Maury launched the Observatory on its path to greatness in the course of which he never failed to give full credit to his able assistants.

Many have wondered how Maury, who was not a professional astronomer, should assume the responsibility of heading the Observatory. He later explained that he wished to prove "that Navy officers are fit for something else than scrubbing decks at sea and tacking ship." [14]

CHARTING THE WINDS AND CURRENTS OF THE SEA, 1842–51

Soon after taking charge of the depot, Maury started examining old log books then treated as little more than trash and discovered that they contained useful information for plotting winds and currents encountered by ocean navigators. By 1847 his researches had reached the stage where he was able to publish his first "Wind and Current Chart" of the North Atlantic.

Accompanied by special logs with forms to be filled and instructions, copies of these charts were distributed to mariners who would agree to cooperate. Interest spread rapidly and by 1851 more than 1,000 vessels in all oceans were sending him reports. From these were constructed track charts, trade wind charts, pilot charts, thermal charts, and whale charts, in addition to the wind and current charts. Moreover, Maury was the first to make a comprehensive study of the Gulf Stream.

How well did Maury's plan for taking advantage of winds and currents work? Previously the average passage from New York to San Francisco required 188 days but in 1851 the *Flying Cloud*, one of the famous Yankee clippers of that era, made this voyage in 89 days and 21 hours. The voyage to Australia, previously requiring 120 days each way, was reduced by one-third and that to the Equator by 10 days. Such savings in sailing time meant many millions annually to ocean commerce and won the praise of the world, especially from mariners, one of whom wrote Maury that "until I took up your work, I had been traversing the ocean blindfolded." [15]

In examining Maury's carefully drawn original charts, made clear by the use of colors, one is impressed by the depth and scope of Maury's vision, by the magnitude of the task, and by the tremendous drive required to see it through to completion; by the trade routes clearly defined and by the intense concentration of sailing observations around key points, such as Cape Horn and the Cape of Good Hope.

There is no wonder that he developed a keen strategic insight and, when commenting on the ultimate result of constructing the Panama Railroad, he could write: "The railroad across the Isthmus of Panama will speedily lead to the construction of a ship canal between the two oceans, for a railroad cannot do the business which commerce will require for it; and by showing to the world how immense this business is, men will come from the four quarters to urge with purse and tongue the construction of a ship canal." That was a century and a quarter ago.

Even more gratifying, however, when examining Maury's original charts, is to see how he unfailingly allowed his subordinates who did the laborious work to take full credit by inscribing their names on charts prepared under his guidance. Not only that; he knew the value of praise. No wonder Maury was able to attract and to hold men of capacity to help in a work that revolutionized navigation and established Maury as the founder of the science of oceanography.

The navigational investigations of Maury were not limited to the oceans. In 1843, he published an article advocating systematic observations of the rise and fall of water on the Mississippi and its tributaries. A naval lieutenant, selected for this purpose, was directed by Maury to make an accurate cross section of the river off Memphis and observe the velocity of the current at the bottom and near the surface so as to obtain data for calculating the volume of flow; to take daily samples of river water, evaporate it, and determine the amount of silt; and to make daily observations of air and water temperature, evaporation and rainfall.

These carefully made observations, later digested by Maury, formed the foundation for all subsequent research and study of that great river.

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[9] Furer, p. 197.

[10] "Southern Literary Messenger," vol VII, No. 7 (July 1841), p. 560.

[11] Ibid., vol. XV, No. 5 (May 1849), p. 307.

[12] U.S. Naval Observatory, "Astronomical Observations," vol. 1, Appendix, p. 118.

[13] G. E. Brandt, "Maury's Genius Shown in Old Letter." U.S. Naval Institute Proceedings, vol. 51, No. 7 (July 1925), p. 1198; See also, Williams, p. 167.

[14] Corbin, p. 50.

[15] Maury, "Physical Geography of the Sea, and Its Meteorology" (1868), p. xiii.

Appreciating the needs of river navigators, Maury originated the plan for placing watermarks or gages at principal towns on the Mississippi so that captains of riverboats could be informed by telegraph to the stages of the water. He foresaw that the data supplied by these gages would enable the determination of the effects of upstream freshets on the lower sections of the river.

No wonder that his daughter, Diana Fontaine Maury Corbin, could write: "Every feature and lineament of his bright countenance bespoke intellect, kindliness, and force of character. His fine blue eyes beamed from under his broad forehead with thought and emotion, while his flexible mouth smiled with the pleasure of imparting to others the ideas which were ever welling up in his active brain." [16]

DRIVE FOR A COMPREHENSIVE WEATHER SERVICE, 1843–57

The full organization that Maury hoped to create was to include a comprehensive weather service as well as astronomy and hydrography. Having started small scale meteorological work, he sent his first "weather journal" [17] for the week ending January 14, 1843, to a Washington paper for publication, and before 1851 conceived the idea of a universal system of meteorological observation on both land and sea.

Understanding that weather activities then "under the control of the different States, of the institutions, and of the private citizens" [18] of the Nation amounted to several hundred and that the United States had "no control whatever" over their "time for observation, their mode and means for observing, and their method of recording results", Maury sought to create under his direction a "telegraphic meteorological bureau" [19] to receive and evaluate reports and formulate weather forecasts.

Viewing the atmosphere as an "ocean of the air" enveloping the earth, in many addresses he urged the farmers of the Nation to do on land what ships had done on the seas, as they would be benefited in respect to their crops as had been navigation and commerce. Blocked by official obstructions, he revealed this difficulty in 1856 before the North Alabama Mechanical and Agricultural Society in fighting words: "Take notice now, that this plan of crop and weather reports is 'my thunder'; and if you see someone in Washington running away with it, then recollect, if you please, where the lightning came from." [20]

Although an 1857 bill to create the telegraphic meteorological bureau as part of the Observatory and Hydrographical Office was reported favorably, the Congress did not act and Maury was diverted from this great objective by mounting domestic tensions.

Nevertheless, by planting the seeds for what later transpired, he was the precursor of the Weather Bureau.

LOCATING THE FIRST TRANSATLANTIC CABLE, 1849–58

So well did the oceanographic researches of Maury progress that by March 1849 he could state that "some new discovery, some new fact or law of nature is constantly starting up before us as we proceed with our investigations." [21] One of his objectives was exploration of the ocean bottoms and he started taking soundings of the Atlantic—a necessary prelude for locating the first transatlantic cable.

By the fall of 1852, Maury constructed a contour map of the North Atlantic Ocean bottom with a profile on latitude 39°, off the coast of New Jersey to Europe as a preliminary survey essential for making a sound recommendation on so important a matter and to show that some of the deepest water was along this parallel.

Aided by a deepsea sounding apparatus designed at the Observatory, he was able to secure the first specimens from the ocean bottom in 1853, to determine their composition, and to establish the existence of a submarine plateau. In a letter to Secretary of the Navy Dobbin on February 22, 1854, he described it as having been placed especially for the purpose of holding the wires of a submarine telegraph and of keeping them out of harm's way. It is neither too deep nor too shallow.[22] He called it the "telegraphic plateau."

Thus, it was only natural that Cyrus W. Field, the able leader for the trans-Atlantic cable, should consult Maury. Their close association lasted until the cable was laid from Newfoundland to Ireland along the line on the telegraphic plateau as recommended by Maury. The first official message over it was sent on August 16, 1858. Field, Maury, and others who contributed received the praise of the world.

In the light of the facts now available, it is clear that it was Maury's knowledge that made this great achievement possible and established him as the locator of the first transatlantic cable.

STARTING WORLD METEOROLOGY, 1853

In the course of his work on wind and current charts, Lieutenant Maury saw that there were vast areas of the world for which he had insufficient data on weather as well as on ocean currents and that other nations could aid in gathering information. By 1851 he was striving for a world meteorological organization.

Drawing up a proposal for an international maritime conference as the first step, he was able to arrange for the United States to send out official invitations for a meeting convened on August 23, 1853, at Brussels, Belgium. This was one of the first, if not the first, international scientific congresses devoted to consideration of one scientific subject ever to be held.

Invited to preside, Maury declined, but he did make the opening address outlining the purposes of the congress. Adopting the program for standardizing forms and instructions on reporting meteorological observations by vessels at sea, the conference served to spread Maury's ideas, and other nations joined the original 10 for putting them into effect.

Adjourning on September 8, the Brussels Conference was a huge success, and Lieutenant Maury, age 47, returned to Washington laden with honors. These include recognition by Alexander von Humboldt, the great German scientist, who declared that Maury had founded a new science, the "physical geography of the sea."

Resuming his work with renewed confidence and enthusiasm, Maury, when describing results of conference, wrote: "Rarely has there been such a sublime spectacle presented to the scientific world before: all nations agreeing to unite and cooperate in carrying out according to the same plan one system of philosophical research with regard to the sea. Though they may be enemies in all else, here they are friends. Every ship that navigates the high seas with these charts and blank abstract—logs on board may henceforth be regarded as a floating observatory—a temple of science." [23] Moreover, the conference served to hasten the day for extending the uniform system of weather observations to the land as well as the sea, making Maury the father of world meteorology.

What were the physical characteristics of Maury at this time of his prime? As described by his daughter, he was "a stout man, and about 5 feet 6 inches in height; he had a fresh, ruddy complexion, with curling brown hair, and clear, tender, blue eyes. His massive head and strong neck surmounted broad and square shoulders, and a chest deep and full. His arms were long and strong, with hands small, soft, and beautifully formed—he was apt to use them in graceful gestures while conversing." [16] His striking countenance clearly revealed great strength of character, tireless energy, high purpose, and decision.

PHYSICAL GEOGRAPHY OF THE SEA, 1855

In the sixth edition of his "Sailing Directions" of 1854, Maury included 90 pages of new information under the title suggested by Von Humboldt, "The Physical Geography of the Sea." His publishers in Philadelphia, recognizing its value for publication as a book, promptly warned Maury that some other publisher might "steal his thunder and reap a fortune on it." [24]

Thereupon, Lieutenant Maury, in the spring of 1854, started preparing what he thought would be his "great work." Published in 1855 under the title of "The Physical Geography of the Sea," the volume proved immensely popular and went through eight editions in the United States. The last, published in 1861 under the title of "The Physical Geography of the Sea, and Its Meteorology," was dedicated to William C. Hasbrouck, his former teacher at Harpeth Academy, in grateful appreciation of instruction accorded in earlier days, and as "a token of the friendship and esteem, from boyhood until now, of his former pupil." In Europe, the book was published in several languages and went through nine editions.

Its first paragraph is dramatic: "There is a river in the ocean. In the severest droughts it never fails, and in the mightiest floods it never overflows. Its banks and its bottom are of cold water, while its current is of warm. The Gulf of Mexico is its fountain, and its mouth is in the Arctic Sea. It is the Gulf Stream." [25]

While this volume was significant for many reasons, it is notable for it contained the "first satisfactory general circulation theory of the atmosphere." [26]

This success did not divert Maury from other tasks. Aroused by a dreadful collision in October 1854, in the North Atlantic, between the U.S. mail steamer *Arctic* and the French steamer *Vesta* in a thick fog 40 to 50 miles east of Cape Race, when some 300 persons were lost, Lieutenant Maury studied the benevolent suggestions that were made with the view of prevention rather than cure. The result was publication in 1855 of a chart double tracking the North Atlantic for steamers—a lane for westbound traffic and another for eastbound.

While in the midst of his constructive program and at the height of his fame, Maury received, without warning, a letter from the Secretary of the Navy dated September 17, 1855. This advised him that the President had approved the recommendation of the Board of Naval Officers, created under the act of Congress to promote the efficiency of the Navy, for the transfer of Maury from the active service list to the Reserved list on leave-of-absence pay. It is significant, however, that the Secretary did not detach him from the Naval Observatory but directed that he continue his duty there.

Shocked by such treatment from a Board engaged in implementing reforms for which

[16] Corbin, p. 147.
[17] "Army and Navy Chronicle and Scientific Repository," Jan. 19, 1843, p. 58.
[18] Maury, Letter of Nov. 21, 1851, p. 5.
[19] Corbin, p. 275.
[20] Caskie, p. 75.
[21] Corbin, p. 51.
[22] Quoted in "Atlantic Cable," the New Electric Magazine (Baltimore), vol. VIII (July 1870), p. 95.
[23] Corbin, p. 72.
[24] Lewis, p. 68.
[25] Maury, "Physical Geography of the Sea" (1855), p. 25.
[26] Beall, p. 6.

Maury had worked so hard, he was severely wounded but fought back. Eventually, under the leadership of Senator Sam Houston, of Texas, who, over the years, had watched his protege's career with pride, the Congress set aside the action of the Naval Board responsible for Maury's forced retirement and, by special act, reinstated him on the active list with promotion to the rank of commander.

Few of the members of this Board are known today except in connection with the attempted retirement of Lieutenant Maury.

EFFORTS TO SAVE THE UNION AND RESIGNATION, 1855–61

Long before 1855, Maury had discerned "tendencies toward disunion" of the United States and sought to avoid that catastrophe. Deploring slavery as a curse and knowing the Amazon from the 1853 report of its exploration by Lt. William Lewis Herndon, he saw the fertile valley of that mighty and unmatched stream as offering a possible means for saving the Union. Urging an agreement with Brazil to open the Amazon for free navigation for merchant vessels of all nations, he proposed the purchase and transfer of surplus slaves from the South to Brazil, then a slave country, but events were moving too rapidly for the plan to succeed.

Recalling how Virginia in 1832 had stepped forward as mediator in the time of nullification in South Carolina, in 1860 Maury addressed appealing letters to the Governors of Pennsylvania, New Jersey, Maryland, and Delaware urging them "to stand in the breach and stop this fratricidal strife." [27]

Notwithstanding the mounting domestic crisis in the United States, Maury, on March 31, 1860, wrote Secretary of the Navy Toucey urging an expedition to the South Pole. To his scientific colleagues abroad, he addressed many letters promoting "international cooperation" in Antarctic research. This campaign culminated on April 10, 1861, in official U.S. Government letters to European nations and Brazil, with detailed discussions for "international investigation" of Antarctica based upon Maury's experience over the two previous decades with many nations in ocean wind and current researches.[28]

Meanwhile, struggling heroically to avoid war between the sections of our country, he urged the "barrier States," including Virginia, to remain in the Union, opposed coercion of the seceded States, and advocated making the 1864 Presidential issue one for reannexation for a union that would be "happier and greater, and more glorious than ever." But all his efforts were in vain. The first shot of the Civil War was fired on April 12, 1861, at Fort Sumter, when he was working on plans for an expedition to the South Pole. Maury, forced by Virginia's secession to choose between participation in an invasion of his homeland or defending it, for better or worse, decided to share the fortunes of his State.

Working as hard as usual until 3 in the afternoon on April 20, the same day that General Lee resigned from the U.S. Army, Maury called in his secretary of 20 years' service, Thomas Harrison, and requested him to write his resignation from the U.S. Navy. This loyal secretary, like the disciples of Socrates when the time came for that philosopher to drink the fatal cup of hemlock, felt that Maury's resignation would cause the death of the scientific career of his illustrious superior and was overcome. He said, "I cannot write it, sir." [29] Maury then wrote his own and left for Richmond, apprehensive of the tragedies that the war would inevitably bring.

[27] Corbin, p. 182.

[28] American Geophysical Union Monograph No. 7, p. 3.

[29] Corbin, p. 190.

WAR, BANISHMENT, EXILE, AND DEATH, 1861–73

Commissioned by Governor Letcher on April 23, 1861, as a commander in the Navy of Virginia, Maury was made a member of the Governor's executive council to prepare plans for defending the State in the shortest time. He assisted in fortifying Jamestown Island on the James River and Gloucester Point on the York to defend Richmond and sat with the council almost daily.

After the Virginia Navy was consolidated with that of the Confederacy, Maury was made a commander in the Confederate States Navy. Appointed as chief of the Naval Bureau of Coast, Harbor, and River Defense, Maury, worked in his residence at 1105 East Clay Street in Richmond on developing the first electrically controlled submarine mine "successfully used against an enemy in warfare," which eventually caused the loss of more vessels than from "all other causes whatever." He supported the raising and rebuilding of the *Merrimac* and personally led a night attack by small craft on Federal vessels in Hampton Roads.

Conscious of the lack of a Navy by the South, Maury campaigned in the press for building one. As a consequence, demands grew for him to be appointed as Secretary of the Navy of the Confederate States. The end result was that in September 1862, Maury was ordered to England on "special service," partly because of the need for the Southern cause of a man of his stature in Europe and partly to banish him because of the jealousy of superior officials.

Arriving in England in November, Maury's activities included the purchase and fitting out of vessels for raiding Federal commerce, writing letters to newspapers, assisting in organizing a society for promoting the "cessation of hostilities," and drawing up petitions to the people of the United States for peace. He established relations with Emperor Napoleon III of France and Archduke Maximilian of Austria, who, on April 10, 1864, was proclaimed Emperor of Mexico, and devoted much time and attention to the development of mine warfare.

Sailing on May 2, 1865, to return home ready to assist in the war, Maury learned on reaching the West Indies of the collapse of the Confederacy and, on the advice of General Lee and other friends, decided not to return to Virginia. Instead, he sent a letter of surrender to the commander of the United States Forces in the Gulf of Mexico and went into voluntary exile to Mexico where he entered the service of Maximilian as Imperial Commissioner of Colonization.

Maury's plan was to encourage Virginians to migrate to Mexico and to establish a new Virginia. On learning of the proposal, General Lee wrote Maury: "The thought of abandoning the country, and all that must be left in it, is abhorrent to my feelings, and I prefer to struggle for its restoration, and share its fate, rather than to give up all as lost." [30] The plan did not win popular support and failed.

Maury returned in March 1866 to England where his family was waiting to greet him. So changed in appearance had be become from the anxieties and hardships that he had experienced during the long separation that his children did not know him.

Maximilian, forced by a mounting opposition to his rule, soon abolished the immigration scheme but offered to make Maury the director of the National Observatory, which was declined.

Maury never returned to Mexico but was able to make one lasting contribution to that country. Studying the climate of the area in South America on the eastern slope of the Andes from Colombia to Bolivia where the cinchona tree is native, he found a comparable climate in the State of Vera Cruz. Obtaining seeds through British friends, he introduced the cultivation of this medicinal tree, from the bark of which quinine is obtained.

Engaged while in England by a New York publisher to write geographies for public schools, Maury started upon a series that proved a tremendous success. Finally, offered an appointment at the Virginia Military Institute as professor of physics, he took advantage of a general amnesty and returned to New York in July 1868 to resume his life in his homeland, adjacent to Washington College in Lexington, Va., where General Lee was the rector. While there Maury undertook the preparation of the "Physical Survey of Virginia" and lectured extensively, resuming his campaign for a universal system of telegraphic meteorological observations. In addition, he urged the creation of a State agricultural college as an adjunct to the Virginia Military Institute. This led to the establishment in 1872 at Blacksburg of the Virginia Agricultural & Mechanical College. Approached to see if he would accept appointment as its first president, Maury, because of his advancing years, declined.

After a strenuous lecture tour, Maury became ill, returned to his home at the Institute and died on February 1, 1873. Honored as one of Virginia's most illustrious sons, he was finally interred at Hollywood Cemetery in Richmond close to the graves of Presidents Monroe and Tyler.

[30] Ibid., p. 238.

SUMMATION OF ACHIEVEMENTS

Many have theorized as to the explanation for the greatness of Maury's career in achievement but no explanation is so satisfying as that written on August 31, 1840, by the young Maury soon after the serious injury that changed the current of his life and caused him to focus on science: "When I became old enough to reflect, it was the aim at which all my energies were directed to make myself a useful man. I soon found that occupation, for some useful end or another, was the true secret of happiness." [31]

The strength of his youthful self-dedication is best shown by his sustained activities and achievements.

He was the author of the first book on nautical science by an American naval officer, the first Superintendent of the U.S. Naval Observatory, the first Hydrographer of the U.S. Navy, and precursor of the U.S. Weather Bureau.

He was the founder of the science of oceanography, father of world meteorology, pathfinder of the sea, and the locator of the first transatlantic cable.

He was an effective advocate of naval reform and reorganization, champion for establishment of the U.S. Naval Academy, supporter of the construction of the Panama Railroad—prophet of the Panama Canal, planner for Amazonian, Mississippian, and Antarctic explorations, and leader for international cooperation in Antarctic research.

He was the inventor of the first electrically controlled submarine mine successfully used in warfare and introducer of cinchona-quinine cultivation into Mexico.

He was the author of public school geographies and father of the Virginia Polytechnic Institute.

No wonder Maury has been acclaimed as having left his mark on every organization with which he worked and on every country in which he lived.

IN PERSPECTIVE

Were it possible for Maury to return to earth today, he would find that he had built far better than he realized, for the seeds he planted took root, sprouted, and developed

[31] Ibid., p. 33.

into vital organizations and scientific activities.

At the Naval Observatory, he would see today one of the greatest astronomical organizations in the world, providing the essentials for safe navigation on the sea, in the air, and in space, in the form of accurate time and astronomical data. In its library he would find one of the finest collections of scientific literature. His bust in thoughtful expression looks over researchers as if to encourage them in the quest for knowledge.

At the Hydrographic Office, now renamed as the Naval Oceanographic Office, he would find it engaged in extensive research and worldwide surveying of the oceans, on and beneath the surface of the sea, publishing improved versions of his "Sailing Directions," still receiving reports that he initiated, from thousands of cooperating merchant vessels, and distributing modern editions of pilot charts, inscribed as being "founded upon the researches made in the early part of the 19th century by Matthew Fontaine Maury, while serving as a lieutenant in the U.S. Navy."

At the Weather Bureau, he would see the full realization of his plan for a "telegraphic meteorological bureau" in the form of highly effective weather services for the entire Nation, on land and sea, and in the air, utilizing the reports of thousands of volunteer observers as was urged by him as well as of regular stations and meteorological satellites, and engaging in vast research programs for bettering these services.

At Geneva, Switzerland, he would find the World Meteorological Organization, with its 120 member nations, which traces its origin to the 1853 Brussels Conference led by himself, engaged in standardizing weather observation methods for all nations and encouraging reports from areas insufficiently covered by observers, and at Monaco, he would see the International Hydrographic Bureau where 41 maritime nations pool their hydrographic and oceanographic knowledge for the benefit of the world.

At the Naval Academy, he would find a vigorous institution for instructing young naval officers, capable of adjusting its curriculums to the demanding needs of modern science.

At the Navy Department, he would see it organized into bureaus along functional lines headed by officer specialists responsible to the Secretary, with a Chief of Naval Operations as the Secretary's principal naval adviser and executive, as originally advocated by Maury.

As to the oceans, he would see vessels in the North Atlantic using "double-track" traffic lanes along the lines designed by him. Beneath its surface he would discover communication cables traversing all the seas, and his pioneer ocean-bottom investigations expanded into major activities for securing food and minerals. Even more satisfying, he would see republished in 1963 the eighth edition of his 1861 great work, "The Physical Geography of the Sea, and Its Meteorology."

In Mexico, he would find the cinchona-quinine tree still in cultivation; in Brazil, he would find free and open navigation of the Amazon to ports in Colombia and Peru; in Virginia, he would see a flourishing agricultural college at Blacksburg, known as the Virginia Polytechnic Institute; and in the United States and other countries, he would find electrically controlled mine fields protecting harbors during war.

In science, he would find that, during the International Geophysical Year 1957–58, some 70 nations had pooled their resources in a vast cooperative effort to study the earth and the sun and that 12 of these participated in Antarctic research, unbarring, as Maury had predicted, the "gates of south" and becoming "fellow citizens in the great republic of knowledge." He would also find that the 10th Pacific Science Congress, at Hawaii, August 21–September 6, 1961, had signally honored him by dedicating this Congress to his memory and by designating the published volume of its scientific papers as the Matthew Fontaine Maury Memorial Symposium.

Notwithstanding the magnitude of Maury's achievements and the wealth of individual honors that his works received during his life and thereafter, including election in 1930 to the Hall of Fame for Great Americans, the full significance of Maury's contributions has remained clouded, caused primarily by the passions of 1861–65 and the failure to collect in convenient form his extensive writings, which still remain diffused among the libraries of our own and foreign countries.

Now, the significance of Maury's benevolent achievements and what grew out of them can be evaluated objectively. They transcend the boundaries of Virginia and Tennessee, the United States, Mexico, and other countries, the naval profession, and even the oceans. Indeed, his mighty achievements and scientific impulses may be likened to the great ocean currents themselves, carrying beneficence to all lands and peoples. Thus, his influence has become universal, and places him in the galaxy of the Nation's immortals as a benefactor of mankind.

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Epilog

Immediately after the delivery, Mrs. Elwyn R. Burke arose and said: "As appropriate to this occasion, I shall read some lines, in sonnet form, from the gifted pen of Maurice H. Thatcher, of Kentucky, former Governor of the Canal Zone and Congressman, which were inspired by a perusal and study of the magnificant story that Captain DuVal has just brought us."

Matthew Fontaine Maury

(By Maurice H. Thatcher)

Behold how one who was so truly great
In scientific worth and public zeal,
Comes into focus—tho' the hour is late!
Now, after gross neglect did long conceal
Accomplishments so vast and manifold,
They're unified, and with rare skill portrayed.
On every honor list should be enrolled
His name, and just amendment duly made.
The ills that he encountered on the way
Became the rungs of ladders for success.
His life, thus shaped, gave genius its play;
Its mission sealed; and caused science to progress.
Broad visioned, selfless, with bold, creative mind,
He wrought in benefaction for mankind!

Maury Portrait Presentation

After the reading of the sonnet, the presiding officer called upon Captain DuVal, who spoke briefly.

"Madam President, at the request of Vice Adm. John F. Shafroth, president of the Naval Historic Foundation, and on behalf of that organization, I present to the Stonewall Jackson chapter, United Daughters of the Confederacy, this beautiful portrait reproduction in color showing Matthew Fontaine Maury in his maturity.

"The original painting, 60 by 44 inches, by Ella S. Hergesheimer, is at the U.S. Naval Academy, where it was presented in 1923 by the Atlanta chapter, United Daughters of the Confederacy."

Mr. Speaker, this portrait of Maury will be placed in a prominent spot in the United Daughters of the Confederacy Memorial Building in Richmond.

Virginia Legislature Urges Publication of Maury's Collected Writings

As a direct consequence of this stirring commemoration, the General Assembly of Virginia, which was in session at the time, on March 5, 1964, adopted a joint resolution, introduced by Senator Blake T. Newton of historic Westmoreland County, the birthplace of Washington and Robert E. Lee, urging the Secretary of the Navy to authorize and direct the publication of the collected writings of Maury.

Because such publication will be of national and international interest, I quote the text of the resolution as introduced by Senator Newton:

"Senate Joint Resolution 38

"Joint resolution relating to publication of the writings of Matthew Fontaine Maury

"Whereas the mighty achievements and scientific impulses of Matthew Fontaine Maury have been likened to the great ocean currents that he so successfully studied and have become universal in their influence, carrying beneficence to all lands and peoples; and

"Whereas his extensive writings are important parts of the history of the United States and of science; and

"Whereas his writings have never been published in collective form but are diffused in various depositories and thus not readily available to scholars; and

"Whereas the major scientific contributions of Matthew Fontaine Maury in the fields of astronomy, exploration, hydrography, meteorology, and oceanography were made during the years 1834–1861 while serving in the U.S. Navy: Now, therefore, be it

"Resolved by the Senate of Virginia (the House of Delegates concurring), That the General Assembly of the Commonwealth of Virginia urges the Secretary of the Navy to authorize and direct the assembly and publication in collected form of all writings of Matthew Fontaine Maury; and requests the Virginia delegation in the Congress to cooperate with the Secretary of the Navy in any possible way to bring about such compilation and publications; further

"Resolved, That the clerk of the senate is directed to send a copy of this resolution to:

"1. All members of the Virginia delegation in the Congress of the United States.

"2. The Governor of Tennessee and the presiding officers of both houses of the legislature of that State, which act shall be deemed a request to the Tennessee Legislature for appropriate concurring action thereby; and

"3. The Secretary of the Navy of the United States."

VALEDICTORY

Mr. Speaker, progress and civilization move under the inspiration of the lives and deeds of the heroic sons and daughters of the past; and one of these was, indeed, Matthew Fontaine Maury. In view of the comprehensiveness, clarity, and force of Captain DuVal's magnificent address and the prompt action by the Virginia Legislature toward securing the publication of the collected writings of Maury, the January 19, 1964, exercises of the Stonewall Jackson chapter, United Daughters of the Confederacy, were, indeed, historic. They will long endure as a splendid tribute to the memory of the great naval scientist, a reservoir of history, an heirloom for our gallant Navy, a legacy to our people, and an inspiration to the youth of the Nation.

EMPLOYERS TOLD MERIT DOES NOT COUNT; PATTERN FOR FEDERAL REGULATIONS?

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

Mr. ASHBROOK. Mr. Speaker, on March 9, 1964, I brought an Illinois FEPC decision to the attention of the Members of this House. I have subsequently received a copy of the decision which was handed down and will include it with these brief remarks. I was pleased to note that the same concern expressed in my March 9 statement was contained in a New York Times article by the veteran political writer, Arthur Krock, who said:

If Congress approves the pending measure, with title VII included, and the constitutionality of this section is affirmed by the Supreme Court, the way will be open to project the rationale of the Illinois FEPC ruling throughout the free enterprise system of the United States.

Unfortunately, Mr. Krock is completely correct. It is becoming more and more obvious that many other strange theories of this stripe will be perpetrated under the guise of "civil rights." Merit will not count, only the likes and dislikes, the whims of those in authority who feel they are divinely endowed with the wisdom to rewrite the economic, political, and social practices of our society. Unfortunately, the so-called Civil Rights Act of 1964 which is embodied in H.R. 7152 is about the broadest delegation of power that can be imagined. Many of us objected to this bill because it contained little restraint on excessive bureaucratic zeal which in its administering, could bring about many inequities and undesired results.

It is not by accident that the word "discrimination" is not defined in the act now before the Senate. To define it might narrow the interpretations which courts and agencies could give to its radical provisions. Certainly, there would be no difficulty in producing the same results under H.R. 7152 as the Illinois FEPC did in Myart against Motorola, Inc. While this case at this point has not been adjudicated through the courts it is, indeed, as Arthur Krock entitled his New York Times article, "A Pilot Ruling."

Mr. Speaker, I include herewith the article by Mr. Krock and the decision of the Illinois Fair Employment Practices Commission.

A PILOT RULING

(By Arthur Krock)

The Illinois Fair Employment Practices Commission has just furnished a graphic illustration that when a political arm of government assumes jurisdiction over the hiring and firing policies of private business, the tendency is to expand this authority into autocratic control. The ruling of the Illinois FEPC by which this tendency was strongly established has nationwide importance because title VII of the pending equal rights bill proposes to make this jurisdiction a Federal power, exercised by an Equal Employment Opportunity Commission.

If Congress approves the pending measure, with title VII included, and the constitutionality of this section is affirmed by the Supreme Court, the way will be open to project the rationale of the Illinois FEPC ruling throughout the free enterprise system of the United States. Then a Federal bureaucracy would be legislated into senior partnership with private business, with the power to dictate the standards by which employers reach their judgments of the capabilities of applicants for jobs, and the quality of performance after employment, whenever the issue of "discrimination" is raised.

The administration bill of which title VII is a part has never been submitted to either House or Senate committees for the customary and essential hearings and analysis. Consequently, if the Senate motion to send the measure to committee fails of adoption, as is expected, only the Senate rules which permit unlimited debate unless terminated by cloture will expose the bill to the intensive examination made imperative by its vast new donations of Federal power in a domain long established as the private sector.

The assumption of authority by the Illinois FEPC stresses how vital this examination is to the general interest. The State commission ordered Motorola, Inc., to cease subjecting job applicants to its overall ability test on the finding that the test is unfair to "culturally deprived and disadvantaged groups." The test was compiled and copyrighted by Prof. Philip Surrager of the Illinois Institute of Technology in 1949 and, with some revisions, has been in use since then. He defined its objective as "not to exclude Negroes from whites but to help evaluate the trainability of a prospective employee * * * and I know of no way to evaluate that a test in itself is discriminatory toward any group."

Nevertheless, exercising for the first time an authority over the ability tests an employer may use in screening applicants, a State FEPC examiner ordered Motorola, Inc., not only to disuse Surrager's questionnaire, but to offer a job to a Negro who charged he was denied a job because of his race. The Employers Association of Chicago, representing 1,400 companies in the area, challenged the order. And, in announcing that Motorola, Inc., would appeal the action "all the way to the Supreme Court if necessary," its attorney said:

"The question at hand is whether an employer in Illinois is going to be permitted to set the educational, moral, and aptitude standards for its employes, or whether the State will dictate the standards." If title VI survives the Senate debate, the scope of this "question at hand" will spread from Illinois to the Nation. Meanwhile the attorneys for Motorola, Inc., have contended that the company cannot depend on a fair hearing of its rebuttal because the hearing officer designated by the commission is a Negro.

The company's finding that the applicant had not passed the Surrager test is complicated, so far as his particular case is concerned, by the announcement of the Illinois FEPC that he passed it on reexamination in its own offices. But, in commenting on the examiner's order, the Chicago Tribune stated the issue in its broad perspective.

The examiner had also ruled that the questions in the test did not take into account "inequalities and differences in environment," thereby favoring the "advantaged groups." This, said the Tribune, "may be reduced to the absurdity that any test acceptable to the FEPC would be one which brought out no distinction whatsoever among competing applicants. How then is an employer to develop any basis for making a choice? * * * So here the doctrine is enunciated that a political appointee is going to dictate to business (its) standards of selection."

STATE OF ILLINOIS, FAIR EMPLOYMENT PRACTICES COMMISSION

(In the Matter of Leon Myart, Complainant, and Motorola, Inc., Respondent—Charge No. 63C–127)

DECISION AND ORDER OF HEARING EXAMINER

This matter came on for public hearing before the hearing examiner on January 27, 1964, on a complaint issued by the fair employment practices commission on behalf of one Leon Myart pursuant to Illinois Revised Statutes, chapter 48, sections 851–866.

The complaint charges that on July 15, 1963, at Chicago, Ill., the respondent committed an unfair employment practice in that respondent did not hire complainant because of his race.

The complainant is a Negro. The complaint alleges that Myart applied at respondent's place of business in Chicago for the position of analyzer and phaser; that complainant was well qualified for the position for which he applied. The qualifications he cited as relating to said position are these: a 19-month course of study—combination general electrical and radio-television technician course—and another electronics shop course of 432 hours.

It appeared upon the hearing that, in common parlance, an analyzer and phaser is a troubleshooter, checking radio, television, and stereophonic sets for faults as they come off the production line and rectifying.

The complaint further states that after the charge was filed with the commission, one of its employees investigated said charges to ascertain the facts relating to said alleged unfair employment practice and that the commission afterward determined that there was substantial evidence that said unfair employment practice had been committed. The complaint further alleges that pursuant to section 8 of the Illinois Fair Employment Practices Act, a conciliation conference was scheduled and duly noticed and that there was a failure to settle or adjust the charge.

Paragraphs 4 and 5 of the complaint set forth further satisfaction of jurisdictional and procedural prerequisites leading to the instant hearing. At the public hearing no jurisdictional or procedural questions were raised by the respondent, and the hearing examiner holds that all jurisdictional and procedural requirements were satisfied prior to the public hearing.

The relief sought through the complaint is that respondent be required to offer to the complainant employment as an analyzer and phaser, and that his seniority be computed as starting on the date of his application; to wit, July 15, 1963; that respondent be ordered to pay complainant the wages he would have earned after said date down to the date of the order to be entered pursuant to this complaint, less the amount of his earnings meanwhile; that respondent be ordered to cease and desist from committing the unfair employment practice complained of at any place of respondent's business in the State of Illinois; that respondent cease and desist from denying equal employment opportunity to all qualified applicants; that the respondent be required to promulgate a policy statement of merit employment in accord with the Fair Employment Practices Act of Illinois, and that said policy statement be promulgated to all present employees of the respondent and to all places where future employees are recruited, and that said policy be made known to all future applicants for employment with the respondent company.

At the opening of the hearing on January 27, 1964, counsel for the respondent orally moved for the correction of its legal title, and the correction was accordingly made in the heading of this decision and order. The hearing examiner notes that the respondent failed to avail itself of a conciliation conference scheduled by the commission pursuant to section 8 of the act and that the respondent elected not to file an answer pursuant to section C, subsections 4 a, b of the rules and regulations of procedure prescribed by the commission. By subsection 4d, any allegation in the complaint, which is not denied or admitted in the answer, unless the respondent shall state in the answer that he is without knowledge or information sufficient to form a belief, shall be admitted. However, by subsection 4g, the hearing examiner is required to hear the matter and make his findings of fact and enter his order upon the testimony at the hearing, notwithstanding respondent's failure to file an answer. Thus the matter was heard on complaint and testimony and the exhibits produced in connection therewith.

By section 1 of the act, it is declared to be the public policy of this State that equal employment opportunity without discrimination because of race, color, religion, national origin or ancestry should be protected by law; and the legislature found, in part, preliminary to its statement of policy that denial of equal employment opportunity because of race, color, religion, national origin or ancestry, deprives a portion of the population of the State of earnings necessary to maintain a reasonable standard of living, thereby tending to cause resort to public charity.

By article IX of said rules and regulations, they are to be construed to accomplish the purposes of the act and the policies of the Commission.

The complainant, to maintain the issue in his behalf, testified first; and he was followed by Walter J. Ducey, Executive Director of the Commission. The complainant testified that he attended Forrestville Grade School, Dunbar Vocational High School, evening division, from which he received a certificate setting forth that complainant, on June 7, 1961, had completed a prescribed course of 432 hours in electronics shop (exhibit II; Report of Proceedings, p. 14); Academy for Adults, which awarded a diploma on June 17, 1960, and setting forth that complainant had satisfactorily completed a general high school course (exhibit I; Report of Proceedings, p. 15); official transcript of complainant's scholastic record in a combination general electrical and radio television technicians course, dated November 7, 1962, and issued by Coyne Electrical School (exhibit III). This exhibit sets forth that complainant received an average grade of 83.1; that the combined courses included basic electricity and wiring, d.c. power and motor repair, a.c. power and maintenance, industrial electronics, refrigeration and electric appliance repair, basic radio-TV, AM and FM servicing, TV circuits and construction, television service and repair, and TV servicing and color circuits. The electrical course was 6 weeks long in each department or 180 hours. That the TV radio electronics course was 7 weeks long or 210 hours. This transcript contained also a remark relating to complainant's industry and cooperation as above average. In addition to these exhibits offered by the complainant as proof of his academic qualifications, he also offered two diplomas which were awarded him by Coyne Electrical School. The one dated May 5, 1961 (exhibit IV), shows satisfactory completion of a resident course of instruction in general electrical technicians course; the other is dated December 7, 1962, and recites that complainant has satisfactorily completed the resident course of instruction prescribed for television-radio electronics technicians course (exhibit V). All of these schools are located in Chicago, Ill., and one is under the supervision of the Chicago Board of Education.

The evidence shows that complainant attended one or more of these schools while he was working at various jobs not related to his training (Report of Proceedings, pp. 24–26). As proof of his experiential qualifications in the field related to that employment for which he applied at respondent's place of business, complainant testified that he worked part-time with his brother in the operation of Neighborhood Radio-TV Service over a 3-year period immediately preceding his application with respondent. Here complainant performed general service on radios and televisions (Report of Proceedings, p. 27). He also worked at House of Sound which offered a television rental service and kept in stock for this purpose about 30 sets which complainant kept in working order. At both shops, complainant served as "troubleshooter," checking circuits of sets, voltage and resistors; and he read schematic diagrams—localizing faults and balancing voltages of opposite phases, and repairing sets. Complainant's testimony respecting his school attendance and experience substantially supports the allegations of the complaint.

Complainant testified that he was on respondent's premises not more than 15 minutes during the process of his application and his being tested (Report of Proceedings, p. 69). By his complaint complainant claims that he took and passed the company tests, that white persons were hired during this period but that he was not, and that he believes he was not hired because of his race.

At the hearing respondent raised no question regarding the respectability of the schools which the complainant attended, but in seeking to meet the showing made by the complainant, the respondent made a four-point attack.

First, respondent showed that complainant failed to write in on respondent's printed application form the name of one of the schools that complainant attended, namely, the Dunbar High School (Respondent's Exhibit I; Report of Proceedings, pp. 43, 44) and his radio and television experience (Report of Proceedings, pp. 47, 65). Complainant testified that he orally informed the interviewer of both of these items (Report of Proceedings, pp. 65, 70) and showed to the interviewer complainant's certificate from Dunbar (Complainant's Exhibit II), showing completion of 432 hours course in electronics. Respondent's employment interviewer, Jerry Hoelscher, testified at one point that he orally asked complainant for further information relating to his experience or training or background not included on his application and that there was none, "to my knowledge," pages 165, 161. Hoelscher further testified that if complainant had informed the interviewer of complainant's training at Dunbar Vocational School he, the interviewer, would have noted that fact in writing on complainant's application form. Under cross-examination, Witness Hoelscher admitted that he asked complainant no question regarding his training in related work (Report of Proceedings, p. 170).

There is then presented two questions relative to complainant's revelation of his educational and experiential background. The first is whether complainant is to be held responsible for these written omissions, and whether these omissions were decisive to his being hired; secondly, there is a disputed question of fact about complainant's oral communication of his educational and experiential background to the interviewer.

Reviewing the reverse side of respondent's exhibit I, the printed application form, the hearing examiner notes that there are four sections separately titled so that complainant's four last places of employment are educed, without regard to whether any of the four were places engaged in any work related to that for which complainant was applying at respondents. The same must be said of the section headed "List below other

special qualifications you have (machinery or office equipment)."

In the judgment of the hearing examiner no place on the application form was designed to educe the information respecting complainant's particular experience in the related field of work. Moreover, Hoelscher said this omission was not decisive to complainant's not being hired (Report of Proceedings, p. 159). On the disputed question whether complainant orally informed the interviewer of the applicant's educational and experiential background, the hearing examiner holds with the complainant. As the trier of the facts, the hearing examiner is the judge of the credibility of the witnesses and of the weight to be given the testimony of each. That complainant would apply for employment as analyzer and phaser in the radio and television field and then suppress information to the interviewer regarding the applicant's education and experience in the field of which he was applying for employment is improbable.

The second point of respondent's attack upon the case made by the complainant at the hearing consisted of a series of 10 questions put to complainant under cross-examination, questions the answers to which respondent claims an analyzer and phaser at Motorola must know, and which are put to every applicant for employment as analyzer and phaser at Motorola, providing the applicant first passes test No. 10. This latter test will be dealt with during consideration in this decision and order of respondent's attack No. 3. These questions were said by respondent to be a test of complainant's knowledge of the work for which he applied to Motorola.

In the judgment of the hearing examiner this test put upon the hearing came too late and cannot now determine the issue of whether complainant was denied equal opportunity of employment at the time he applied.

Respondent's third point of attack was made in connection with the said test No. 10, which was put to the complainant at the time he applied for employment, and it followed his filling out the written application (respondent's exhibit II). This exhibit was said by respondent to be the same test form containing identical questions as the one complainant took at the time of his application. The test form on which complainant indicated his answers was not offered in evidence and the only reason for not doing so, was that it had been sent to the respondent's test area. Exhibit II was admitted into evidence for the restricted purpose of showing the type of test that had been put to complainant at the time he applied for employment (Report of Proceedings, pp. 175, 169).

It was claimed by the author of this test, who testified at the hearing on behalf of the respondent, that the test is the shortest test of intelligence that has been developed, as far as he knew. It is said to test verbal understanding, understanding of instructions (Report of Proceedings, p. 209). The witness, Dr. Shurrager, developed a series of tests for the respondent including tests of four different kinds of special relations and ability; and he regularly supplies these tests to respondent for a fee (pp. 210, 211). Of the greater number of witnesses testifying in respondent's behalf, only Witness Hoelscher attempted to place himself within the area of having direct knowledge of complainant's score on test No. 10, and he testified that the score was four and that the passing grade at Motorola is six, which Dr. Shurrager says that the mean he set was eight. Inasmuch as Mr. Hoelscher was not the person who administered the test to the complainant, his opportunity for knowing the fact about which he testified falls short of legal requirements. No testimony was offered from the administrator who administered the test and graded it. In the absence of the test which complainant took, his answers thereto, and the overlay key for checking the complainant's answers, the hearing examiner is denied sufficient means for holding with the respondent that complainant was accorded equal opportunity with all other applicants without regard to the complainant's race.

All of the above-mentioned items were at one time, at least, in the possession and under the control of the respondent; and its failure to produce, after the exercise of reasonable diligence, or its failure sufficiently to explain away its inability to produce, if that were the fact, does not convince the hearing examiner of any eagerness on the respondent's part to disclose all the facts in this case.

The hearing examiner is persuaded therefore, that had respondent produced the test administrator to testify, the test No. 10 which the complainant took, his test score, and the overlay key from which comparisons with, and checking of complainant's answers might have been made, the showing would have been adverse to the respondent. These missing items were not equally available to the complainant. A reasonably prudent person, under the same or similar circumstances as the respondent, would have produced these missing matters if he believed they were favorable to him, *Beery* v. *Beery*, 311 Ill. App. 469. Moreover, the complaint alleges that complainant passed the company tests. The Commission investigator testified that when he administered test No. 10 to complainant as part of the investigation about 2 months later, complainant passed with a score of seven, a point above the minimum required by the company (Report of Proceedings, pp. 121, 122). Dr. Shurrager testified that a person retaking the test might improve his first score, but not appreciably (p. 215), that no special training was required and that there is no real difficulty in administering and scoring test No. 10 (Report of Proceedings, p. 210). The hearing examiner cannot, in connection with test No. 10, end the discussion here.

Because of the probability otherwise that respondent may continue to use test No. 10, in its employment practice, without revision, if revised it can be, the hearing examiner makes the following observations, though not necessary to the decision and order in this case: copyrighted as it was in 1949 and used since that time, test No. 10 in the light of today's knowledge, is obsolete. Its norm was derived from standardization on advantaged groups. Studies in inequalities and environmental factors since the publication of test No. 10, have been made with careful equating of such background factors. Dr. Shurrager realizes somewhat the existence of these background variables, but his test No. 10, at the time of complainant's taking it, and at the time of the hearing, had not been revised to meet the acknowledged, current conditions (Report of Proceedings, pp. 215–218). In the light of current circumstances and the objectives of the spirit as well as the letter of the law, this test does not lend itself to equal opportunity to qualify for the hitherto culturally deprived and the disadvantaged groups, Audrey M. Shuey, "The Testing of Negro Intelligence", J. P. Bell Co., Inc., Lynchburg, Va., 1958. See vii. Until test No. 10 is revised, or appropriately replaced, those persons such as the complainant in this case who apply for employment at respondent's company will be at a competitive disadvantage, Paul A. Norgren et al., "Employing the Negro in American Industry" (Industrial Relations Monograph, No. 17, Industrial Relations Counselors, Inc., New York, 1959, p. 25).

The fourth and final attack which respondent made on the complainant's case was to show the company's general hiring practices. The attempt here was to show that the company accords equal employment opportunity to all without discrimination because of race, color, religion, national origin or ancestry.

It is noted that the personnel director, at the hearing, was unable to tell approximately the number of Negro analyzers and phasers that were employed by the respondent except within the last 10 days prior to the hearing; and apparently he learned that fact through looking at pictures of a Negro analyzer in the Courier newspaper. The investigator's charge report in evidence indicates that as of August 22, 1963, respondent employed approximately 25 phasers and analyzers, all being persons of the white race (Report of Proceedings, pp. 233, 234) (complainant's exhibit VI). In this connection, witness Piper testified that Negroes at respondent's have been occupying jobs of technicians and/or analyzers and phasers for at least 3 or 4 years. On this point there is conflict between two of respondent's own witnesses and with the investigator's report. In the light of all the evidence in this case considered together, the hearing examiner accepts the finding of the Commission investigator. (See Report of Proceedings, pp. 281, 282.)

In the consideration of Mr. Piper's testimony with regard to complainant's arrest record. the hearing examiner is not able to say that respondent gave it any weight in denying employment to the complainant. Under direct examination, Mr. Piper stated that had the complainant successfully passed all other tests usually administered for the job applied for, he would still have been denied because of his arrest record (Report of Proceedings, p. 270). Yet, under cross-examination, Mr. Piper testified that, "if we were at a point of seriously considering the hiring of the applicant, we would have undertaken an investigation, as we have done in many cases in the past" (Report of Proceeding, p. 272). Then on page 276, Witness Piper testified that in the final analysis the company would make its decision "based upon the information which we obtained in an investigation," which was not made in this case.

If the Fair Employment Practices Act of this State is effectually to be implemented, personnel executives in the industries covered by the law, have a supreme responsibility to move positively to eradicate unfair employment practices in every department. Somehow, general convictions of economic need and fairness must be acquired, and concerted action made to come into play within each department throughout the plant and with the administrators of this law. There is ample modern authority for this position. The task is one of adapting procedures within a policy framework to fit the requirements of finding and employing workers heretofore deprived because of race, color, religion, national origin, or ancestry. Selection techniques may have to be modified at the outset in the light of experience, education, or attitudes of the group, Francis J. Brown, "Educational Sociology" (2d ed., Prentice-Hall, Inc., 1954, pp. 135–138; Paul H. Norgren et al.), "Employing the Negro in American Industry," Industrial Relations Monograph, No. 17; Industrial Relations Counselors, Inc., New York, 1959 (pp. 4, 5, 8, 10, 11). The employer may have to establish inplant training programs and employ the heretofore culturally deprived and disadvantaged persons as learners, placing them under such supervision that will enable them to achieve job success.

In order to sustain the complaint in this case the hearing examiner must find that the complainant has proved the complaint by a preponderance of the evidence (Smith-Hurd Ill. Ann. Stats. 1963, ch. 48, par. 858

(f)). The examiner, if he finds that the evidence in the case, when considered altogether, preponderates in favor of the complainant, then he must find the issue, or issues in favor of the complainant. The hearing examiner so finds, *Garlinski* v. *Chicago City Ry. Co.* (1930), 257 Ill. App. 414. There is relevant evidence here such that a reasonable mind might accept as adequate to support the conclusion that an unfair employment practice was committed by the respondent against the complainant in the company's denial of employment to the complainant on or about July 15, 1963; that complainant was denied because of his race.

It is therefore ordered as follows:

(a) That respondent, Motorola, Inc., cease and desist in the future from committing the unfair employment practice complained of in this complaint at any place of business of the respondent in the State of Illinois and to cease and desist from denying equal employment opportunity to all qualified applicants.

(b) That respondent cease and desist from the use of test No. 10 within 30 days from the date of this order; or within such further time as may be extended by the Commission upon written request made for good cause shown before the expiration of said 30 days.

(c) That if respondent chooses to replace test No. 10, that it adopt a test which shall reflect and equate inequalities and environmental factors among the disadvantaged and culturally deprived groups, and in this connection, it is ordered that respondent inform the Commission, in writing, of the company decision within 30 days from the date of this order, or within such further time as may be extended by the Commission after written request made for good cause shown before the expiration of said 30 days.

(d) That respondent revise its application for employment form to educe specifically the last places of employment, if any, in the related field for which applicant is applying, and in detail, the experience, if any, which applicant claims, whether inside or outside the related industry. That respondent submit to the Commission a copy of said revised application for employment form within 30 days from the date of this order, or within such further time as may be extended by the Commission after written request made for good cause shown before the expiration of said 30 days.

(e) That the respondent, Motorola, Inc., immediately offer to the complainant employment as analyzer and phaser, and that upon such employment assign him to the company's so-called sponsor program at the current rate of pay paid to all other employees working under the sponsor program in the department, under adequate supervision with the end in view of enabling the complainant to achieve job success as an analyzer and phaser.

(f) That the respondent's intentions to execute this order in good faith be promulgated to the complainant's supervisor and all other employees in the department.

(g) That the respondent report the date of its offer to the complainant in compliance with this order within 7 days from the date hereof to the Commission; and to make such further reports to the Commission as it may inquire.

ROBERT E. BRYANT,
Hearing Examiner.

Dated: February 26, 1964.

CERTIFICATE OF SERVICE

I, Robert E. Bryant, hearing examiner in the above-entitled cause do hereby certify that I have served a copy of the foregoing decision and order upon the complainant and respondent by placing the same in the U.S. mail in an envelope, properly addressed with first-class postage affixed to:

Attorney Robert V. Nystrom, 77 West Washington Street, Chicago, Ill., who is attorney of record for the respondent; and

Attorney Quentin J. Goodwin, 105 West Adams Street, Chicago, Ill., who is attorney of record for the complainant.

This 27th day of February A.D. 1964.

ROBERT E. BRYANT,
Hearing Examiner.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DON H. CLAUSEN (at the request of Mr. HALLECK), for today, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. THOMPSON of Texas, for 1 hour, today; and to revise and extend his remarks and include extraneous matter.

Mr. O'HARA of Illinois, for 30 minutes, on Thursday, March 19.

Mr. PATMAN, for 60 minutes, on Monday, March 23, 1964; and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BALDWIN and to include extraneous matter.

Mr. ALGER.

(The following Members (at the request of Mr. ROGERS of Florida) and to include extraneous matter:)

Mr. KEOGH.

Mr. CAREY.

Mr. HANNA.

ADJOURNMENT

Mr. WHITE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 24 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 17, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1815. A letter from the Comptroller General of the United States, transmitting an audit and examination of financial statements of the Public Housing Administration, Housing and Home Finance Agency, for the fiscal years ended June 30, 1963 and 1962, pursuant to the Government Corporation Control Act (31 U.S.C. 841) (H. Doc. No. 244); to the Committee on Government Operations and ordered to be printed.

1816. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 25, 1963, submitting a report, together with accompanying papers and an illustration, on an interim report on West Harbor, Ohio, authorized by the River and Harbor Act, approved March 2, 1945 (H. Doc. No. 245); to the Committee on Public Works and ordered to be printed with one illustration.

1817. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 1, 1963, submitting a report, together with accompanying papers and an illustration, on an interim report on the Zumbro River, Minn., requested by a resolution of the Committee on Public Works, House of Representatives, adopted March 5, 1952 (H. Doc. No. 246); to the Committee on Public Works and ordered to be printed with one illustration.

1818. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 4, 1963, submitting a report, together with accompanying papers and an illustration, on a review of the reports on the Weymouth-Fore and Town Rivers, Boston Harbor, Mass., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 9, 1957 (H. Doc. No. 247); to the Committee on Public Works and ordered to be printed with one illustration.

1819. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting a copy of the semiannual Statistical Supplement, Stockpile Report to the Congress, for the period ending December 31, 1963, pursuant to section 4 of the Strategic and Critical Materials Stock Piling Act, Public Law 520, 79th Congress; to the Committee on Armed Services.

1820. A letter from the Assistant Secretary of Defense (Installations and Logistics) transmitting a report listing contracts negotiated under authority of title 10, United States Code, for the period July to December 1963; to the Committee on Armed Services.

1821. A letter from the Comptroller General of the United States, transmitting a report relating to the Army and Air Force procurement of DY–107 dynameters, dated September 17, 1963, as requested by Congressman EARL WILSON, of Indiana; to the Committee on Government Operations.

1822. A letter from the Comptroller General of the United States, transmitting report on understatement of claims processed by the Agricultural Stabilization and Conservation Service, Department of Agriculture, against the United Arab Republic and the Federal People's Republic of Yugoslavia for recovery of execessive ocean transportation costs financed by the Commodity Credit Corporation under title I, Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1961), commonly known as Public Law 480, pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

1823. A letter from the Comptroller General of the United States, transmitting report on unnecessary costs to the Government for commercial long-distance telephone calls made by civil agencies in the Washington, D.C., area between cities served by the Federal Communications System, General Services Administration, pursuant to 31 U.S.C. 53 and 31 U.S.C. 67; to the Committee on Government Operations.

1824. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States, excluding Alaska"; to the Committee on Government Operations.

1825. A letter from the Secretary of State, transmitting a report of gifts and bequests received and accepted by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization

for the fiscal year 1963, in accordance with the provisions of Public Law 85-477; to the Committee on Foreign Affairs.

1826. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation entitled "A bill to provide for the restriction of a certain area in the Outer Continental Shelf for defense purposes, and for other purposes (Matagorda Water Range); to the Committee on Interior and Insular Affairs.

1827. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception"; to the Committee on Interstate and Foreign Commerce.

1828. A letter from the Director, Administrative Office of the U.S. Courts, transmitting annual statistical tables reflecting the business transacted by the bankruptcy courts and other pertinent data for fiscal year ended June 30, 1963, pursuant to section 53 of the Bankruptcy Act (11 U.S.C. 81); to the Committee on the Judiciary.

1829. A letter from the Administrator, Housing and Home Finance Agency, transmitting annual report for the calendar year 1963 with respect to tort claims paid within the Housing and Home Finance Agency and its constituents, pursuant to the Federal Tort Claims Act (Public Law 601, 79th Cong., sec. 404); to the Committee on the Judiciary.

1830. A letter from the national president, American War Mothers, transmitting report of the American War Mothers for calendar year 1963; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 12, 1964, the following bill was reported on March 13, 1964:

Mr. KIRWAN: Committee on Appropriations. H.R. 10433. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1965, and for other purposes; without amendment (Rept. No. 1237). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BARRY:

H.R. 10434. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CEDERBERG:

H.R. 10435. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 10436. A bill to impose import limitations on certain meat and meat products; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 10437. A bill to incorporate the National Committee on Radiation Protection and Measurements; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 10438. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 10439. A bill to provide for a comprehensive study and investigation of the adequacy of the present system of compulsory military training under the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. LANDRUM:

H.R. 10440. A bill to mobilize the human and financial resources of the Nation to combat poverty in the United States; to the Committee on Education and Labor.

By Mr. KEITH:

H.R. 10441. A bill to exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KING of New York:

H.R. 10442. A bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 10443. A bill to mobilize the human and financial resources of the Nation to combat poverty in the United States; to the Committee on Education and Labor.

By Mr. MORRISON:

H.R. 10444. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. QUIE:

H.R. 10445. A bill to make bedding subject to the provisions of the Flammable Fabrics Act; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 10446. A bill to permit the use of statistical sampling procedures in the examination of vouchers; to the Committee on Government Operations.

By Mr. STUBBLEFIELD:

H.R. 10447. A bill to impose certain requirements on the acquisition or real property by the United States in connection with the protection or preservation of fish and wildlife; to the Committee on Merchant Marine and Fisheries.

By Mr. WELTNER:

H.R. 10448. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KUNKEL:

H.R. 10449. A bill to prescribe the size of flags furnished by the Administrator of Veterans' Affairs to drape the caskets of deceased veterans; to the Committee on Veterans' Affairs.

By Mr. NORBLAD:

H.R. 10450. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H. Con. Res. 280. Concurrent resolution requesting the President to proclaim April 9, 1964, as Bataan Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States to take immediate action for the minting of an adequate supply of silver dollars; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States to take notice of the request relating to the establishment of a national military cemetery in the State of Alaska; to the Committee on Interior and Insular Affairs.

Also memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States to take favorable action on S. 627, relating to Federal assistance to State fishery research and development of projects; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BENNETT of Florida:

H.R. 10451. A bill for the relief of Betty H. Going; to the Committee on the Judiciary.

By Mr. BURKHALTER:

H.R. 10452. A bill for the relief of Hwang Tai Shik; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 10453. A bill for the relief of Mrs. Chava Mayer; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 951. Joint resolution authorizing the expression of appreciation and the issuance of a gold medal to Henry J. Kaiser; to the Committee on Banking and Currency.

PETITIONS, ETC.

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

790. By Mr. CUNNINGHAM: Petition of the mayor and City Council of Blair, Nebr., urging curtailment of the importation of beef from foreign countries; to the Committee on Ways and Means.

791. By the SPEAKER: Petition of Cliff Karchmer, member, Memphis Association of Student Councils, petitioning consideration of their resolution with reference to expeditious approval of S. 1 (Youth Employment Act), and S. 1321 (National Service Corps Act); to the Committee on Education and Labor.

792. Also petition of the chairman, Okinawa Reversion Council, Naha, Okinawa, Ryukyu Islands, petitioning consideration of their resolution with reference to demanding that both the Governments of Japan and the United States abolish article 3 of the Treaty of Peace with Japan and turn over the administrative power of Okinawa to Japan immediately; to the Committee on Foreign Affairs.

793. Also, petition of chairman, Municipal Assembly, Makagusuku-son, Okinawa, petitioning consideration of their resolution with reference to seeking an early solution of the problem of pretreaty claims; to the Committee on Foreign Affairs.

794. Also, petition of the mayor, Agunison, Okinawa, Ryukyu Islands, petitioning consideration of their resolution with reference to seeking an early solution of the problem of pretreaty claims; to the Committee on Foreign Affairs.

795. Also, petition of the mayor, Nakagusuku-son, Okinawa, petitioning consideration of their resolution with reference to seeking an early solution of the problem of pretreaty claims; to the Committee on Foreign Affairs.

796. Also, petition to the Municipal Assembly of Kadena-son, Okinawa, petitioning

consideration of their resolution with reference to seeking an early solution of the problem of pretreaty claims; to the Committee on Foreign Affairs.

797. Also, petition of the chairman, Association of Owners of Military-used Lands, Kadena-son, Okinawa, petitioning consideration of their resolution with reference to seeking an early solution of the problem of pretreaty claims; to the Committee on Foreign Affairs.

798. Also, petition of the chairman, Association of Owners of Military-used Lands, Ishikawa City, Okinawa, petitioning consideration of their resolution with reference to seeking an early solution of the problem of pretreaty claims; to the Committee on Foreign Affairs.

799. Also, petition of the office of the city clerk, Municipal Council of the City of Bayonne, N.J., petitioning consideration of their resolution with reference to a bill authorizing Federal grants to State, county, and local Governments for construction of facilities for posthospital care treatment and rehabilitation of drug addicts; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, MARCH 16, 1964

(Legislative day of Monday, March 9, 1964)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. METCALF].

The Reverend Paul J. Miklosovic, D.D., professor, Cardinal O'Hara High School, Springfield, Pa.; chaplain, Sacred Heart Convent, Overbrook, Pa.; and representing the Slovak League of America, offered the following prayer:

Almighty God, our Creator and provident Father, in the spirit of Abel of old we adore Thy divine majesty. In Thy hands are the beginning and end of all things. Bless then, we beseech Thee this day, the United States of America and the Senate of the United States here assembled.

Surely long ago our fathers spoke in Thy name when they proclaimed, as self-evident, that all men are endowed by their Creator with unalienable rights. Among these are life, liberty, and the pursuit of happiness. Forgive us where and when, through weakness and ignorance, we have not lived up to our fathers' teaching and Thine.

Give us the grace to know and do Thy will. Unite and strengthen us, grant us wisdom and courage, that we may be fit instruments of peace and joy to all mankind.

On this day we commemorate the 25th anniversary of the independence of the captive Republic of Slovakia, and we pray for this ancient land. Through eleven hundred years Thy people placed their trust in Thee as they struggled and died to keep their heritage of freedom. They were not and could not be the dupes and puppets of Thy proclaimed enemies. They could only be their victims. Misunderstood, often slandered, assailed on all sides, their eyes and hearts were turned to the United States of America—strong, generous, patient, and understanding, but fearless, no enemy to any people anywhere, but in Thy spirit, O God, our Father, the friend of all.

There were and there are among the nations Cains who hate and slay their brothers. We ask Thee, almighty God, to comfort Thy faithful people of Slovakia, who wish to be as Abel, not Cain, among the peoples of the earth. Give them hope. Speedily may the day dawn when the United States of America and ancient Slovakia may greet each other as brothers and Thy sons. Thy will be done. Amen.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, March 14, 1964, was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there may be a morning hour for the transaction of routine business, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and 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 MILITARY PROCUREMENT ACTIONS FOR EXPERIMENTAL, DEVELOPMENTAL, OR RESEARCH WORK

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on military procurement actions for experimental, developmental, or research work negotiated in the interest of national defense or industrial mobilization, covering the 6-month period ended December 31, 1963 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, RELATING TO AUTHORITY OF FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception (with an accompanying paper); to the Committee on Commerce.

REPORT ON BUSINESS TRANSACTED BY BANKRUPTCY COURTS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting, pursuant to law, a report on business transacted by the bankruptcy courts, for the fiscal year ended June 30, 1963 (with an accompanying report); 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 joint resolution of the Legislature of the State of Alaska; to the Committee on Commerce:

"HOUSE JOINT RESOLUTION 48

"Joint resolution relating to Federal assistance to State fishery research and development of projects

"Whereas foreign nations, recognizing the importance of the seas as a prime source of food for their people, having intensified scientific research concerning the conservation, development, harvest, and processing of fisheries resources; and

"Whereas the United States has not kept pace with the changing technology of commercial fishing and, as a result, has dropped from second place to fifth place among the fishing nations of the world; and

"Whereas inadequate knowledge has not only hampered the efforts of American fishermen to develop, harvest, and process fisheries resources but also has contributed to the occurrence of resource disasters, such as the salmon failure in Alaska's Bristol Bay in 1963; and

"Whereas an immediate effort has been made to alleviate this situation in the form of a bill, S. 627, sponsored by U.S. Senator E. L. BARTLETT of Alaska, which would provide funds for State-supervised research and development projects regarding commercial fishing; and

"Whereas S. 627 has been passed by the U.S. Senate and is pending before the House of Representatives: Be it

"*Resolved*, That the House of Representatives is respectfully urged to take favorable action on S. 627; and be it further

"*Resolved*, That copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Carl Hayden, President pro tempore of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Herbert C. Bonner, chairman, House Committee on Merchant Marine and Fisheries; the Honorable Clarence F. Pautzke, Commissioner of Fish and Wildlife, Department of the Interior; and to the members of the Alaska delegation in Congress.

"Passed by the house February 27, 1964.

"BRUCE KENDALL,
"Speaker of the House.

"Attest:

"PATRICIA R. SLACK,
"Chief Clerk of the House.

"Passed by the senate March 4, 1964

"FRANK PERATROVICH,
"President of the Senate.

"Attest:

"EVELYN K. STEVENSON,
"Secretary of the Senate.

"WILLIAM A. EGAN,
"Governor of Alaska."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT RESOLUTION 40

"Joint resolution relating to the establishment of a national military cemetery in Alaska

"Whereas because of the presence in number of members of the Armed Forces in Alaska along with a considerable number of veterans, it would be fitting and proper to have a national cemetery in the vicinity of

Fort Richardson or Elmendorf Air Force Base: Be it

"Resolved, That the Department of Defense is requested to take appropriate action for the establishment of a national cemetery at Anchorage, Alaska, for the final resting place of service personnel and those veterans qualifying for burial in a national cemetery; and be it further

"Resolved, That copies of this resolution be directed to the Honorable Lyndon B. Johnson, President of the United States; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Carl Hayden, President pro tempore of the Senate; the Honorable Robert S. McNamara, Secretary of Defense; and the Members of the Alaska delegation in Congress.

"Passed by the house February 24, 1964.

"BRUCE KENDALL,
"Speaker of the House.

"Attest:

"PATRICIA R. SLACK,
"Chief Clerk of the House.

"Passed by the senate March 6, 1964.

"FRANK PERATROVICH,
"President of the Senate.

"Attest:

"EVELYN K. STEVENSON,
"Secretary of the Senate.

"WILLIAM A. EGAN,
"Governor of Alaska.

"Certified true, full, and correct.

"PATRICIA R. SLACK,
"Chief Clerk of the House."

A resolution of the House of Representatives of the State of Kentucky; to the Committee on the Judiciary:

"RESOLUTION 44

"A resolution concerning prayer in public schools

"Whereas the Supreme Court of the United States has recently decided that the offering of prayers in public schools violated the First Amendment to the Constitution of the United States; and

"Whereas this body, representing all the people of the Commonwealth of Kentucky, favors a return to and a continuation of the heritage and beliefs of this Nation; Now, therefore, be it

"Resolved by the House of Representatives of the Commonwealth of Kentucky:

"SECTION 1. The Congress of the United States is hereby requested to propose a constitutional amendment to the effect that freedom of religion shall include the right to offer prayer in public schools.

"SEC. 2. The clerk of the house is ordered to transmit copies of this resolution to every Member of the Congress of the United States.

"Attest:

"TROY B. STURGILL,
"Chief Clerk, Kentucky House of Representatives."

A resolution adopted by the Long Island Federation of Women's Clubs, Inc., relating to the Panama Canal; to the Committee on Foreign Relations.

A resolution adopted by the Long Island Federation of Women's Clubs, Inc., relating to a commendation of J. Edgar Hoover; ordered to lie on the table.

Petitions signed by Zenei Yamashiro, chairman, Association of Owners of Military-Used Lands, Ishikawa City; Shinei Kyan, chairman, Okinawa Reversion Council; Municipal Assembly of Kadena-Son; Shunsho Irei, mayor, Kadena-Son; and Kasei Kisegawa, chairman, Association of Owners of Military-Used Lands in Kadena-Son, all of Okinawa, praying for a quick solution of the prepeace treaty compensation issue; to the Committee on Armed Services.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JOHNSTON, from the Committee on Agriculture and Forestry, with an amendment:

S. 829. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments (Rept. No. 962).

BILLS INTRODUCED

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

By Mr. MORTON:

S. 2635. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

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

By Mr. HILL:

S. 2636. A bill to amend chapter 35 of title 38, United States Code, relating to educational assistance for war orphans to provide that the Administrator of Veterans' Affairs may afford special restorative training for an additional period of time when he finds such is necessary to overcome or lessen the effects of a physical or mental disability which handicaps the child in the pursuit of his educational program; to the Committee on Labor and Public Welfare.

By Mr. BAYH:

S. 2637. A bill to provide a new program for wheat and to provide a long-range program for the retirement of excess land from the production of agricultural commodities; to the Committee on Agriculture and Forestry.

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

By Mr. YOUNG of North Dakota:

S. 2638. A bill to increase the amount of domestic beet sugar and mainland cane sugar which may be marketed during 1964; to the Committee on Finance.

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

By Mr. YOUNG of North Dakota (for himself and Mr. BURDICK):

S. 2639. A bill to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. MILLER:

S. 2640. A bill to amend the Internal Revenue Code of 1954 to establish prima facie evidence that a corporation which distributes or invests 60 percent of its taxable income is not being availed of for the purpose of avoiding the income tax with respect to shareholders; to the Committee on Finance.

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

By Mr. BEALL:

S. 2641. A bill relating to the carrying out of the national transportation policy as expressed in the Interstate Commerce Act; to the Committee on Commerce.

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

By Mr. McNAMARA (for himself, Mr. HUMPHREY, Mr. WILLIAMS of New Jersey, Mr. DOUGLAS, and Mr. BAYH):

S. 2642. A bill to mobilize the human and financial resources of the Nation to combat poverty in the United States; to the Committee on Labor and Public Welfare.

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

By Mr. BYRD of Virginia:

S. 2643. A bill to amend the joint resolution designating June 14 of each year as Flag Day (37 U.S.C. 157), to provide appropriate recognition of the Pledge of Allegiance to the Flag and its author, Francis Bellamy; to the Committee on the Judiciary.

RESOLUTION

ESTABLISHMENT OF SELECT COMMITTEE ON COMBATING POVERTY

Mr. NELSON (for himself, Mr. HUMPHREY, Mr. METCALF, and Mr. PROXMIRE) submitted a resolution (S. Res. 305) establishing the Select Committee on Combating Poverty, which was referred to the Committee on Labor and Public Welfare.

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

PRIVATE OWNERSHIP OF NUCLEAR FUEL

Mr. MORTON. Mr. President, last year the Atomic Energy Commission unanimously recommended the enactment of legislation to require private ownership of nuclear fuel for use in atomic powerplants, with a 10-year transition period. The Joint Committee held hearings on H.R. 5035 and S. 1160, identical bills introduced at the request of AEC to carry out its recommendations.

During the course of those hearings, the Commission told the Joint Committee that practically all the leaders of the nuclear industry agree that private ownership of special nuclear material is a desirable objective. Commissioner Robert E. Wilson told the Joint Committee:

> Private ownership would facilitate stated objectives of the 1954 act to strengthen free competition in private enterprise and to encourage widespread participation in the development and utilization of atomic energy for peaceful purposes.

In support of mandatory private ownership, Dr. Wilson pointed out that Government monopoly is not required to give adequate protection against unauthorized use of nuclear materials. He also stated that elimination of the Government monopoly would have the following major advantages:

First. It would ultimately eliminate the growing AEC investment in nuclear fuels used by utilities for the commercial generation of electricity.

Second. It would avoid continuation of the distortion of technology.

Third. It would provide the utility industry and the atomic equipment industry greater assurance as to their long-range costs over the economic life of atomic powerplants.

Fourth. It would allow, and eventually require, electric utilities to obtain nuclear fuel under conditions comparable to those for other fuels, and thus permit a more realistic comparison of the true competitive aspects of nuclear and conventional power.

Fifth. It would facilitate the adoption of a uranium enriching service, giving domestic manufacturers of atomic power plants a better chance to compete in foreign markets.

Unfortunately for the taxpayers of this country, the private ownership legislation was not enacted last year. The atomic power industry raised a number of relatively minor problems, including such questions as restriction of imported uranium, argument over the length of time needed for the transition period, and special provisions to continue the subsidy of Government ownership for small processors of fuel.

Since last year's hearings there has been a major breakthrough in atomic power costs—a breakthrough which demands immediate enactment of legislation to end Government monopoly in this field if private enterprise is to maintain its place in the field of electricity generation.

Until a short while ago, the Atomic Energy Commission and the atomic power industry thought conventional fuels would have a cost advantage over nuclear fuels to 15 or 20 years. The capital cost of nuclear plants built in the past has been substantially higher than the capital cost of conventional plants—so much higher that the total cost of power from uranium was well above the cost of power from conventional fuels. The AEC forecast, in its 1962 report to the President, that the cost of nuclear plants would be well above the cost of conventional plants, even as far ahead as 1980.

In December of 1963, General Electric agreed to sell to Jersey Central Power & Light Co. a nuclear powerplant at a cost of $60 million, which, with the cost of land, interest during construction, and reserve for contingencies, will bring the total cost to $68 million. Jersey Central expects this plant to produce more than 620,000 kilowatts of electricity. If it does, this plant will cost $110 per kilowatt, compared to the price of $125 per kilowatt which in 1962 the Atomic Energy Commission thought could be achieved by 1980.

This is a startling breakthrough. The impact can be illustrated in terms of competitive fuel costs. If the Jersey Central plant operates as expected, it will be competitive with coal selling at a delivered price of 20 cents per million British thermal units. In 1961, the latest year for which such figures are available, the average delivered cost of coal consumed by electric utilities throughout the nation was 25.8 cents per million British thermal units.

Mr. President, there is no longer any need, there is no longer any justification, for continuation of this subsidy of atomic power. Continuation of Government monopoly and subsidy in this field can only contribute to the destruction of private enterprise in the energy field; it could eventually lead to the elimination of a large part of the taxpaying investor-owned sector of our electric utility industry.

If the Jersey Central people are correct—and no one in a position to do so has risen to dispute their computations—atomic power has turned the competitive corner. It has reached the stage where it is not only capable of standing on its own feet, but where it also is capable of displacing conventional fuels on a nonsubsidized basis in major areas of the country. It has reached this stage many years in advance of the 1962 projections of the Atomic Energy Commission.

Mr. President, I am today introducing a bill to permit private ownership of nuclear fuel for use in atomic powerplants. In most respects, my bill is identical to the legislation advocated last year by the Atomic Energy Commission. In view of the startling cost breakthrough represented by the Jersey Central development, my bill would make private ownership mandatory immediately, without any transition period. Further, my bill would end Government buyback of byproduct plutonium or any other special nuclear material produced in powerplants.

Until recently the Government was offering $30 per gram of byproduct plutonium, basing this price on two justifications: It was thought that the Government might need plutonium for weapons purposes and it was felt that subsidies should be offered to make atomic powerplants competitive. Last year the Atomic Energy Commission cut the buyback price to $10 per gram, recognizing that there is no longer any foreseeable large-scale need for plutonium for military purposes. The Jersey Central cost breakthrough has eliminated any justification for continuation of the buyback for subsidy purposes and the incentive necessary to find the most beneficial use for this material in powerplants.

Mr. President, last year Dr. Wilson told the Joint Committee that if the Government monopoly is continued, the AEC's investment in fuel inventories for commercial powerplants would exceed $1 billion by 1975 "and would increase rapidly thereafter." Since his testimony, the Jersey Central breakthrough has taken place, and there is every reason to believe that atomic power production will grow so fast that taxpayers will have to invest many, many billions of dollars in nuclear fuel in the next 20 or 30 years, unless we take the Government out of the fuel-ownership business.

On March 4, a representative of the coal industry stated to the Joint Committee on Atomic Energy:

> Elimination of a subsidy is always painful and difficult. It will be easier to eliminate the subsidy of Government ownership of nuclear fuels now, while it is still a youngster, than it will be after it has grown to a multi-billion-dollar adult.

It not only will be easier to eliminate this unnecessary subsidy now than it will be later; it is also essential to do so in order to preserve private enterprise participation in the electric utility field as we know it today.

Mr. President, I urge the Joint Committee on Atomic Energy to schedule immediate hearings on my bill to end this Government monopoly. I ask unanimous consent that the bill be held on the clerk's desk for 7 days, for additional sponsors, and I further ask unanimous consent that the text of the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie on the desk, as requested by the Senator from Kentucky.

The bill (S. 2635) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, introduced by Mr. MORTON, was received, read twice by its title, referred to the Joint Committee on Atomic Energy, 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 section 2 of the Atomic Energy Act of 1954, as amended, is amended by deleting subsection 2b.

SEC. 2. Subsection h of section 2 of the Atomic Energy Act of 1954, as amended, is deleted.

SEC. 3. Subsection c of section 3 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. a program for Government control of the possession, use, and production of atomic energy and special nuclear material, whether owned by the Government or others, so directed as to make the maximum contribution to the common defense and security and the national welfare, and to provide continued assurance of the Government's ability to enter into and enforce agreements with nations or groups of nations for the control of special nuclear materials and atomic weapons."

SEC. 4. Section 52 of the Atomic Energy Act of 1954, as amended, is repealed. All rights, title, and interest in and to any special nuclear material vested in the United States solely by virtue of the provisions of the first sentence of such section 52, and not by any other transaction authorized by the Atomic Energy Act of 1954, as amended, or other applicable law, are hereby extinguished.

SEC. 5. Subsection a of section 53 of the Atomic Energy Act of 1954, as amended, between the words "The Commission" and "such material" is amended to read as follows:

"a. The Commission is authorized to issue licenses to transfer or receive in interstate commerce, transfer, deliver, possess, own, receive possession of or title to, import, or export under the terms of an agreement for cooperation arranged pursuant to section 123, special nuclear material, to make special nuclear material available for the period of the license, and to distribute special nuclear material within the United States to qualified applicants requesting such material—"

SEC. 6. Subsection c of section 53 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"c. (1) The Commission may distribute special nuclear material licensed under this section by sale, lease, lease with option to buy, or grant: *Provided, however,* That after the date of enactment hereof the Commission shall not distribute except by sale special nuclear material for use in a utilization or production facility licensed pursuant to section 103 or 104b, except that distribution by lease shall be permitted to the extent necessary to carry out lawful and binding commitments entered into by the Commission prior to the date of enactment hereof. The Commission shall establish reasonable sales prices for the special

nuclear material licensed and distributed by sale under this section. Such sales prices shall be established on such a nondiscriminatory basis, as, in the opinion of the Commission, will provide reasonable compensation to the Government for such special nuclear material. The Commission is authorized to enter into agreements with licensees for such period of time as the Commission may deem necessary or desirable to distribute to such licensees such quantities of special nuclear material as may be necessary for the conduct of the licensed activity. In such agreements, the Commission may agree to repurchase any special nuclear material licensed and distributed by sale which is not consumed in the course of the licensed activity, or any uranium remaining after irradiation of such special nuclear material, at a repurchase price not to exceed the Commission's sale price for comparable special nuclear material or uranium in effect at the time of delivery of such material to the Commission.

"(2) The Commission may make a reasonable charge, determined pursuant to this section, for the use of special nuclear material licensed and distributed by lease under subsection 53a, unless such material is used for production of power for sale, and shall make a reasonable charge determined pursuant to this section for the use of special nuclear material licensed and distributed by lease for use in a facility producing power for sale to the extent that distribution by lease is permitted in such cases under the other provisions of this Act. The Commission shall establish criteria in writing for the determination of whether special nuclear material will be distributed by grant and for the determination of whether a charge will be made for the use of special nuclear material licensed and distributed by lease under subsection 53a, considering, among other things, whether the licensee is a nonprofit or eleemosynary institution and the purposes for which the special nuclear material will be used."

SEC. 7. Subsection d of section 53 of the Atomic Energy Act of 1954, as amended, is amended by adding the words "by lease" after the word "distributed", and by amending subsection d(5) to read as follows:

"(5) with respect to special nuclear material consumed in a facility licensed pursuant to section 103, the Commission shall make a further charge equivalent to the sale price for similar special nuclear material established by the Commission in accordance with subsection 53c(1), and the Commission may make such a charge with respect to such material consumed in a facility licensed pursuant to section 104."

SEC. 8. Subsection e of section 53 of the Atomic Energy Act of 1954, as amended, is amended by deleting subsection 53e(1).

SEC. 9. Section 54 of the Atomic Energy Act of 1954, as amended, is amended by adding the following sentences at the end of section 54: "The Commission may agree to repurchase any special nuclear material distributed under a sale arrangement pursuant to this section which is not consumed in the course of the activities conducted in accordance with the agreement for cooperation, or any uranium remaining after irradiation of such special nuclear material, at a repurchase price not to exceed the Commission's sale price for comparable special nuclear material or uranium in effect at the time of delivery of such material to the Commission. The Commission may also agree to purchase, consistent with and within the period of the agreement for cooperation, special nuclear material produced in a nuclear reactor located outside the United States through use of special nuclear material distributed pursuant to this section. Under any such agreement, the Commission may agree to pay, for a period not to exceed seven years, the price determined by the Commission to be the estimated value, during the period of the agreement to purchase, of such special nuclear material as fuel in nuclear reactors."

SEC. 10. Section 55 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 55. ACQUISITION.—The Commission is authorized to the extent it deems necessary to effectuate the provisions of this Act, to purchase without regard to the limitations in section 54 and to take, requisition, condemn, or otherwise acquire any special nuclear material or any interest therein. Any contract of purchase made under this section may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing by the Commission that advertising is not reasonably practicable. Partial and advance payments may be made under contracts for such purposes. Just compensation shall be made for any right, property, or interest in property taken, requisitioned, or condemned under this section."

SEC. 11. Section 56 of the Atomic Energy Act of 1954, as amended, is repealed.

SEC. 12. Section 57 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 57. Prohibition.—

"a. Unless authorized by a general or specific license issued by the Commission, which the Commission is authorized to issue pursuant to section 53, no person may transfer or receive in interstate commerce, transfer, deliver, acquire, own, possess, receive possession of or title to, or import into or export from the United States any special nuclear material.

"b. It shall be unlawful for any person to directly or indirectly engage in the production of any special nuclear material outside of the United States except (1) under an agreement for cooperation made pursuant to section 123, or (2) upon authorization by the Commission after a determination that such activity will not be inimical to the interest of the United States.

"c. The Commission shall not—

"(1) distribute any special nuclear material to any person for a use which is not under the jurisdiction of the United States except pursuant to the provisions of section 54; or

"(2) distribute any special nuclear material or issue a license pursuant to section 53 to any person within the United States if the Commission finds that the distribution of such special nuclear material or the issuance of such license would be inimical to the common defense and security or would constitute an unreasonable risk to the health and safety of the public."

SEC. 13. Section 58 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 58. Review.—Before the Commission establishes any criteria for the waiver of any charge for the use of special nuclear material licensed and distributed under section 53 the criteria for the waiver of such charge shall be reported to the Joint Committee."

SEC. 14. Section 105 of the Atomic Energy Act of 1954, as amended, is amended by deleting the phrase ", including the provisions which vest title to all special nuclear material in the United States," from the first sentence of subsection 105a.

SEC. 15. Section 123 of the Atomic Energy Act of 1954, as amended, is amended by adding "53," after the word "sections" in the first sentence.

SEC. 16. Subsection m of section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding the words "producing or enriching of special nuclear material," after the words "to provide for the".

SEC. 17. Subsection t of section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding the words "producing or enriching of special nuclear material," after the words "contracts for the".

SEC. 18. Section 171 of the Atomic Energy Act of 1954, as amended, is amended by deleting the phrase "52 (with respect to the material for which the United States is required to pay just compensation)," from the first sentence; and by adding "55," after "43," in the first sentence.

SEC. 19. Section 183 of the Atomic Energy Act of 1954, as amended, is amended by deleting subsection 183a.

SEC. 20. Section 184 of the Atomic Energy Act of 1954, as amended, is amended by adding the words "or special nuclear material," after "other lien upon any facility" in the second sentence; and by deleting the word "property" in the second sentence and substituting the word "facility" in lieu thereof.

SEC. 21. Nothing in this Act shall be deemed to diminish existing authority of the United States, or of the Atomic Energy Commission under the Atomic Energy Act of 1954, as amended, to regulate source, by-product, and special nuclear material and production and utilization facilities, or to control such materials and facilities exported from the United States by imposition of governmental guarantees and security safeguards with respect thereto, in order to assure the common defense and security and to protect the health and safety of the public, or to reduce the responsibility of the Atomic Energy Commission to achieve such objectives.

NEW PROGRAM FOR WHEAT

Mr. BAYH. Mr. President, I introduce for appropriate reference, a bill to provide a new program for wheat and to provide a long-range program for the retirement of excess land from the production of agricultural commodities. The bill is similar to the amendment which I offered to the farm bill. During the colloquy at that time, following my discussion, the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], kindly agreed to hold hearings on the proposed legislation. It is designed to effect a solution to the farm problem by looking at the long-range approach rather than the year-by-year approach.

I ask unanimous consent that the bill be held at the desk for a week so that other Senators who may wish to do so will have an opportunity to add their names as cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, will lie on the desk, as requested by the Senator from Indiana.

The bill (S. 2637) to provide a new program for wheat and to provide a long-range program for the retirement of excess land from the production of agricultural commodities, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954 RELATING TO INCOME TAX OF CERTAIN SHAREHOLDERS

Mr. MILLER. Mr. President, I introduce a bill, and ask unanimous consent

that it be printed in the RECORD, and appropriately referred. The bill is the outgrowth of colloquy I had with the distinguished Senator from Louisiana [Mr. LONG], which appears at page 2371–2372 of the CONGRESSIONAL RECORD of February 7.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2640) to amend the Internal Revenue Code of 1954 to establish prima facie evidence that a corporation which distributes or invests 60 percent of its taxable income is not being availed of for the purpose of avoiding the income tax with respect to shareholders, introduced by Mr. MILLER, 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 (a) section 533 of the Internal Revenue Code of 1954 (relating to evidence of purpose to avoid income tax) is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

"(b) PRIMA FACIE EVIDENCE OF PURPOSE NOT TO AVOID INCOME TAX.—If, during the taxable year and on or before the fifteenth day of the third month following the close of the taxable year, a corporation (other than a mere holding or investment company)—

"(1) distributes 60 percent or more of its taxable income, adjusted in the manner provided in subsection 535(b), or

"(2) invests 60 percent or more of its taxable income, adjusted in the manner provided in subsection 535(b), in land, or in property subject to the allowance for depreciation, for use in the trade or business of such corporation, or

"(3) distributes or invests, in the manner provided in paragraphs (1) and (2), 60 percent or more of its taxable income, adjusted in the manner provided in subsection 535(b), the same shall be prima facie evidence that any accumulation was not for the purpose of avoiding the income tax with respect to shareholders. The fact that a corporation has not distributed or invested 60 percent or more of its taxable income, adjusted in the manner provided in subsection 535(b), as above provided, shall not be regarded as prima facie evidence that any accumulation was for the purpose of avoiding the income tax with respect to shareholders."

(b) The amendment made by subsection (a) shall apply to taxable years ending after the date of the enactment of this Act.

CARRYING OUT OF NATIONAL TRANSPORTATION POLICY AS EXPRESSED IN INTERSTATE COMMERCE ACT

Mr. BEALL. Mr. President, last year, the chairman of the Senate Commerce Committee appointed a special Subcommittee To Study Transportation on the Great Lakes-St. Lawrence Seaway. I am privileged to be a member of this subcommittee.

Thus far, the subcommittee has held hearings both in Washington and in the Great Lakes area. Additional field hearings are planned, including one in Baltimore, Md.

Mr. President, during the course of these hearings, it has become clear that the St. Lawrence Seaway Development Corporation has been engaging in activities preferential to the Great Lakes ports. I am concerned that efforts are underway to obtain additional Federal funds for promotional activities. It is my considered opinion that the practice of using taxpayers' dollars to promote inland ports at the expense of the coastal ports is contrary to the national interest. However, the special subcommittee has been limited in its hearings to a general study of the transportation aspects of the Great Lakes and the St. Lawrence Seaway. I believe the subcommittee should have an opportunity to consider a specific legislative proposal on the question of promotional activities.

I am therefore introducing, for appropriate reference, a bill aimed at carrying out the national transportation policy as expressed in the Interstate Commerce Act. This act establishes the policy that no mode of transportation shall be preferred above any other. My bill would prohibit the St. Lawrence Seaway Development Corporation from engaging in publicity or promotional activities such as free or paid advertising; solicitations of cargoes; and publication of ocean, rail, port, or motor carrier rate or service comparison.

I hope that the subcommittee will include consideration of this bill in its future hearings. I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2641) relating to the carrying out of the national transportation policy as expressed in the Interstate Commerce Act, introduced by Mr. BEALL, was received, read twice by its title, referred to the Committee on Commerce, 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 for the purpose of carrying out the national transportation policy as expressed in the Interstate Commerce Act, the St. Lawrence Seaway Development Corporation shall not engage in publicity or promotional activities such as free or paid advertising; solicitations of cargoes; publication of ocean, rail, port, or motor carrier rate or service comparison; or other activities that are actually or potentially disruptive to the flow of water-borne trade among ports in the United States or would tend to promote any mode of transportation above another.

SELECT COMMITTEE ON COMBATING POVERTY

Mr. NELSON. Mr. President, I submit a resolution on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. METCALF], and the Senator from Wisconsin [Mr. PROXMIRE]. I ask that the resolution be printed in the RECORD.

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

The resolution (S. Res. 305) establishing the Select Committee on Combating Poverty, submitted by Mr. NELSON (for himself and other Senators), was received and referred to the Committee on Labor and Public Welfare, as follows:

Whereas poverty in the United States is now acknowledged to be a major national problem affecting the lives of millions of Americans; and

Whereas these individuals are often chained to a present and future of poverty by the cumulative effect of inadequate education, limited job opportunities, bad housing, physical and mental illness, and the corrupting influence of delinquency and crime; and

Whereas the complex problem of poverty cannot be fully understood by viewing its various parts in isolation, nor can it be significantly reduced by striking at any one of its tangled roots; and

Whereas for legislative purposes any series of policies to attack the diverse causes of poverty must be separately considered by the respective committees of the Senate; and

Whereas there are a multiplicity of programs at the local, State, and national level, handled by diverse and numerous agencies with no careful evaluation of their total effect and usefulness; and

Whereas the problem of poverty ought to be approached with a broad understanding of all of its facets and interrelationships: Therefore be it

Resolved, That the Senate hereby declares its intention to undertake a comprehensive study of the dimensions and causes of poverty, and to explore existing and proposed programs directed toward its elimination; and be it further

Resolved, That (a) there is hereby established a select committee of the Senate to be known as the Select Committee on Combating Poverty (referred to hereinafter as the "select committee") consisting of fifteen members of the Senate of whom three shall be selected from members of the Committee on Agriculture and Forestry, three shall be selected from members of the Committee on Banking and Currency, three shall be selected from members of the Committee on Interior and Insular Affairs, three shall be selected from members of the Committee on Labor and Public Welfare, and three shall be selected from members of the Committee on Public Works. Of the three members of the Select Committee chosen from members of each such standing committee, two shall be members of the majority party and one shall be a member of the minority party. The President pro tempore of the Senate shall designate one Senator to serve as chairman of the select committee from those Senators appointed from the majority party.

(b) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(c) A majority of the members of the select committee shall constitute a quorum thereof for the transaction of business, except that the select committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The select committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate.

(d) No legislative measure shall be referred to the select committee, and it shall have no authority to report any such measure to the Senate.

(e) The select committee shall cease to exist on June 30, 1966.

SEC. 2. (a) It shall be the duty of the select committee to conduct a comprehensive study and investigation concerning the problem of poverty and programs initiated to combat

poverty, giving special coordination to the consideration of such programs. Such study and investigation shall include—

(1) an analysis of the causes of both rural and urban poverty;

(2) an examination of existing and proposed programs designed to combat poverty;

(3) an analysis of employment opportunities to be created by proposed programs to combat poverty;

(4) an examination of the relationship of industrial technology and the problem of poverty; and

(5) the relationship of State and local programs designed to combat poverty with Federal programs.

(b) On or before January 31 of each year, the Committee shall report to the Senate the results of its studies and investigations, together with its recommendations for legislative or other measures which the Select Committee may deem necessary or advisable. The Select Committee may issue such interim reports as it deems appropriate.

SEC. 3. (a) For the purposes of this resolution, the Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; and (7) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable.

(b) With prior consent of the executive department or agency concerned and the Committee on Rules and Administration, the Committee may (1) utilize the services, information, and facilities of any such department or agency, and (2) employ on a reimbursable basis the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the Committee determines that such action is necessary and appropriate.

(c) Subpenas may be issued by the Committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the Committee or any member thereof many administer oaths to witnesses.

SEC. 4. The expenses of the Committee under this resolution, which shall not exceed $175,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

THE WAR ON POVERTY: CHALLENGE TO THE SENATE

Mr. NELSON. Mr. President, today the President of the United States has submitted to the Congress his message on poverty. It is a creative message which will allow us to begin an all-out attack on the roots and causes of poverty and help each American to achieve that share of abundance which he deserves as his own.

The President has begun his message by reminding us that we are "citizens of the richest and most fortunate nation in the history of the world." It is the mark of President Johnson's leadership, however, that he has not let us forget that, even in the midst of our abundance, more than one-fifth of all Americans live in poverty.

In the President's words, the major American goal can be defined quite explicitly:

An America in which every citizen shares all the opportunities of his society, in which every man has a chance to advance his welfare to the limit of his capacities.

We have come a long way toward this goal.

We still have a long way to go.

The distance which remains is the measure of the great unfinished work of our society.

To finish that work I have called for a national war on poverty. Our objective: Total victory.

The President's battle plan for the war on poverty recognizes at the outset that the problem we face is diverse and gigantic. Perhaps its most important characteristic is the fact that it is not easily seen as one problem: There are many different ways to be poor.

Today poverty in America strikes individuals in haphazard, random, and tragic ways. The poor, as the President's Economic Report has stressed, inhabit a world scarcely recognizable—and rarely recognized—by the majority of their fellow Americans. It is a world apart whose inhabitants are isolated from the mainstream of American life and alienated from its values.

It is a world whose citizens are preoccupied with day-to-day survival—a roof over their heads, where the next meal is coming from. It is a world where minor illness is a major tragedy, where pride and privacy must be sacrificed, where honesty can become a luxury and ambition a myth. Worst of all, the poverty of the fathers is visited upon the children.

These citizens bear the scars of discrimination, lack of education and broken families. A brief look at some of the dimensions of poverty shows the breadth and the depth and the diversity of the tragedy:

One-fifth of our families and nearly one-fifth of our total population are poor.

Of the poor, 22 percent are nonwhite; and nearly one-half of all nonwhites live in poverty.

The heads of over 60 percent of all poor families have only a grade school education.

Even for those denied opportunity by discrimination, education significantly raises their chances of escaping from poverty. Of all nonwhite families headed by a person with 8 years or less of schooling, 57 percent are poor. This percentage falls to 30 percent for high school graduates and to 18 percent for those with some college education.

But education does not remove the effects of discrimination: when nonwhites are compared with whites at the same level of education, the nonwhites are poor about twice as often.

One-third of all poor families are headed by a person over 65, and almost one-half of families headed by such a person are poor.

Of the poor, 54 percent live in cities, 16 percent on farms, 30 percent as rural nonfarm residents.

Over 40 percent of all farm families are poor. More than 80 percent of nonwhite farmers live in poverty.

Less than half of the poor are in the South; yet a southerner's chance of being poor is roughly twice that of a person living in the rest of the country.

One-quarter of poor families are headed by a woman; but nearly one-half of all families headed by a woman are poor.

When a family and its head have several characteristics frequently associated with poverty, the chances of being poor are particularly high: A family headed by a young woman who is nonwhite and has less than an eighth-grade education is poor in 94 out of 100 cases. Even if she is white, the chances are 85 out of 100 that she and her children will be poor.

Because the problem of poverty is so diverse and so huge, the President's proposed attack on poverty has attempted to pinpoint and isolate the many and widespread programs needed to meet the most pressing needs in the war. The six titles of the Economic Opportunity Act of 1964 today submitted to the Congress hit, as much as possible, at the diverse problems we are facing.

Title I gives first priority to helping young Americans who lack skill and who have not completed their education or who cannot complete it because they are too poor. It will create a job corps, a work training program and a work study program. Part of the program will be administered by the Department of Labor, part by the Department of Health, Education, and Welfare, and part by the new Director of the Office of Economic Opportunity, Sargent Shriver.

Title II emphasizes a new community action program intended to strike at poverty at its source—in the streets of the cities and on the farms, among the very young and the impoverished elderly. This title will give us the funds and facilities to mobilize community resources to combat poverty conducted by the local government or by organizations broadly representative of the communities. It will emphasize educational programs, administered by the public school systems and other broad scale social and welfare projects. Various aspects of the program will be administered by the various Federal departments and agencies.

A third title of the program is designed to combat poverty in rural areas. It will authorize grants to low income rural families in order to help these families achieve a permanent increase in their income. It will also authorize loans to help finance nonagricultural income-producing projects in the rural areas. Much of the program will be administered by the Department of Agriculture.

The fourth title is intended to create new opportunities for special hard-hit groups to help them break out of the pattern of poverty. New loans and loan guarantees will help provide incentives to those who will employ the unemployed. Work and retraining programs for unemployed fathers and mothers will help support these families in dignity while the parents prepare themselves for new work.

Much of this program will be administered by the Area Redevelopment Administration, and by the Small Business

Administration, and by the Department of Health, Education, and Welfare.

The essence of the President's program is thus an attempt to use the existing government and community resources with added Federal funds and added Federal assistance to pinpoint the various diverse problems of poverty. But more than this is envisioned, and this is perhaps the most important feature of the bill. The President has established a special office responsible directly to the President to direct and coordinate his entire approach. He has announced that Sargent Shriver will be "his personal chief of staff for the war against poverty."

As the President has stated:

> I do not intend that the war against poverty becomes a series of uncoordinated and unrelated efforts—that it perish for lack of leadership and direction.

In this statement, we see the mark of firm leadership. We see the mark of experience which knows too well that Washington can easily destroy the heart and soul of a program through the pull and tear of the conflicting agencies and groups. The President's strong note of leadership and firmness, and his appointment of Sargent Shriver, emphasize the most important point of all: An all-out war against poverty must be coordinated and directed as a whole. It must be viewed from the outset as an integrated problem. It must be attacked at the outset as a comprehensive issue. Like any war at any time, it cannot fail because this lieutenant or that captain wishes to go his own way.

Leadership begins with understanding and in this case the understanding most important to our problem is that poverty is a comprehensive issue requiring a thoroughly integrated study and a thoroughly integrated attack.

In submitting his program today, the President also stated:

> The Congress is charged by the Constitution to "provide * * * for the general welfare of the United States." Our present abundance is a measure of its success in fulfilling that duty. Now Congress is being asked to extend that welfare to all our people.

The President has laid down a challenge for America. It is our responsibility to extend the general welfare of the United States to all our people. But while we welcome this challenge, I seriously question whether we in the Congress are prepared to meet our responsibilities.

The President has emphasized the need for a coordinated and well-directed attack. Now he has submitted his program and his message. As it reaches us, certainly the message will be read as a unit and a whole. But what will become of the legislation?

I assume and hope that each aspect of this broad and diverse program will be carefully treated by the proper committee of the Senate. Thus, it is proper and just that much of the bill will be considered by the Labor and Public Welfare Committee. Some should be considered by the Agriculture Committee, some by the Banking and Currency Committee, some by the Interior and Insular Affairs Committee.

Because each of the committees has substantial experience in each of the many areas of this legislation, it is their responsibility to consider the legislative problems presented by the President's program. It is their responsibility to study, comment upon, amend, expand or diminish and alter the program as they see fit.

While this is only right, I wonder if it is enough. I very seriously doubt whether in the process of legislation and criticism by each separate committee, we are going to be able to follow the President's lead. I doubt whether we will be able to maintain our eye upon the ball, whether we will be able to keep an overall view of the comprehensive problem, whether we will be able to see the problem of poverty as an integrated whole.

For this, I urge that the Senate declare its intention to view this issue as the President has, as a broad, overall, many-faceted, diverse, national problem which requires one focal point of attention and one standpoint for overall understanding.

Therefore I propose that the Senate establish a new committee dedicated to this task, to be called the Select Committee on Combating Poverty.

I want to emphasize that this committee should not interfere with the legislative process as it is now conducted. This should not be a legislative committee. Rather it should be a committee of investigation and study. It should be a committee which recognizes that the complex problems of poverty cannot be fully understood by viewing its various parts in isolation. Nor can poverty be reduced significantly merely by striking at any one of its tangled roots.

This should be a committee which attempts to view the multiplicity of programs at the local, State, and National levels handled by diverse and numerous agencies both private and public. It should attempt to evaluate their total effect and total usefulness. It should be a committee which attempts to understand that individuals are often chained to a present and future of poverty by the cumulative and interrelated effects of inadequate education, limited job opportunities, bad housing, physical and mental illness, and the corrupting influence of delinquency and crime.

I propose that the Select Committee on Combating Poverty be made up to 15 members, chosen so as to represent the other committees of the Senate which necesarily will legislate on the various parts of the poverty program. I would suggest that the Committee on Agriculture and Forestry, the Committee on Banking and Currency, the Committee on Interior and Insular Affairs, the Committee on Labor and Public Welfare, and the Committee on Public Works all be represented.

I would urge that the committee be directed to—

First. Analyze the causes of both rural and urban poverty.

Second. Examine existing and proposed programs designed to combat poverty.

Third. Analyze employment opportunities to be created by proposed programs.

Fourth. Study the relationship of automation and other technological changes to the poverty problem.

Fifth. Study the relationship of Federal, State, and local problems against poverty.

Mr. President, I have included various committees of the Senate which might not ordinarily have been thought primarily important in viewing all aspects of the President's program. I have done this for a specific purpose. I believe we must begin our view of the problem of poverty with the President's message and his program. But I do not believe we should stop there.

The President has stated today that he is "fully aware that this program will not eliminate all the poverty in America in a few months or a few years." He has gone on to declare, however, that it "will provide a lever with which we can begin to open the door to our prosperity for those who have been kept outside."

All the while, however, the President has made it clear "that this program is much more than a beginning. Rather it is a commitment, it is a total commitment by this President and this Congress and this Nation to pursue victory over the most ancient of mankind's enemies."

It is because the President's message and his program are clearly only the beginning of our commitment and only the beginning of our task, that I have urged that the select committee be made up of representatives from a number of committees whose immediate task is not major in viewing the new legislation we are considering. Thus, I believe we must go to the roots of the agriculture problem and now begin to devise ways in which to pull the more than 15 million Americans, both farm and nonfarm, out of the rural poverty in which they live.

I believe we must direct our attention to the slums. We must look for ways to end the bleakness and futility of our great urban centers. We must turn our attention to the problem of housing for those who are ill housed. And this, as well as area redevelopment problems and small business legislation require the participation of representatives of the Banking and Currency Committee.

Again, I would urge that we broaden our scope of view, that we look into the future and into the past at the roots of poverty. I would urge the necessity of representatives from the Interior Committee. Not only does this committee consider problems of national parks—where many youth conservation corps or job corps programs might be fruitfully conducted—but it is the committee which has the experience of working with one of the most impoverished groups in this Nation. It is the committee which has dealt with the problem of the American Indian. It is the committee which knows, as no other committee does know, how this most impoverished group has been dealt with in the past. Its experience with the recognized means of improving the lot of the Indians—vocational education, voluntary relocation, industrial development, accelerated public works projects, and the use of di-

rect Indian labor on construction projects—all of these will be vital to our study of how to work with other impoverished groups in the Nation. Moreover, the Interior Committee's experience with land reclamation can certainly be of great value.

I do not think I need emphasize the importance of the Labor and Public Welfare Committee. Theirs is the experience of manpower retraining, migratory labor, special, and general education problems, youth conservation corps, and work study programs. Theirs is the understanding which must be brought to bear upon this problem.

Finally, I would urge the overall importance of general public works programs. The problem of poverty is in many ways the problem of jobs. While we must begin our approach as the President has begun it, clearly we must move forward with ways not only to retrain workers for new jobs—but in a nation with 4 million unemployed—to new ways to create jobs for the poor.

A program to end poverty must envision ways in which the Nation's prosperity can be expanded to all its citizens. We are not involved in a program to increase the dole. Inevitably, logically, and morally we must be involved in a program to give jobs to those who do not have them.

The need for specific attention to the specific legislative parts of a poverty program is unquestioned. But today, I urge the equally important need to investigate, to study, and to view the poverty problem as a comprehensive whole. Though I think the case for such an approach is beyond serious question, I would commend to the Senate the words of a recent report of a group under the leadership of Gov. Terry Sanford, of North Carolina, which has gone into the overall problem of poverty in its own community:

> Poverty exists for a number of reasons, and elimination of any one of these reasons will not in itself eliminate poverty. Inadequate education, low or nonexistent income, limited job opportunities, dilapidated and overcrowded housing, poor physical and mental health, and inclination toward delinquency and crime—these and many other characteristics of poverty both cause and are caused by each other, interacting in a manner which renders it virtually impossible for the disadvantaged child, adult, or family to break out of the "cycle of poverty." It is essential, therefore, that any attack on the problem of poverty must be comprehensive, bringing the forces of State and community action to bear on all the characteristics of the problem.

Mr. President, in his state of the Union address, President Johnson declared:

> This administration today here and now declares unconditional war on poverty in America. I urge this Congress and all Americans to join with me in that effort.

It is time that we accept the challenge of the President. It is time that we organize ourselves properly for the battle. It is time that we join full force in the battle against poverty and that we begin where we must begin with a carefully organized and carefully directed study of the comprehensive issue.

Mr. President, the resolution is cosponsored by the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. METCALF], and the Senator from Wisconsin [Mr. PROXMIRE]. I ask that the resolution remain at the desk for 5 days so that other Senators who may desire to do so, may add their names as cosponsors.

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

Mr. HUMPHREY. Mr. President, I commend the distinguished Senator from Wisconsin [Mr. NELSON] for this excellent proposal to establish a Select Committee on Combating Poverty. We will receive President Johnson's poverty message today together with implementing legislation.

The Senate should also prepare itself to initiate a long-range study of the interconnected causes and effects of poverty in the United States. Only through such a select committee could such a study be possible.

President Johnson has dramatically brought the poverty crisis to the attention of the American people. Congress should prepare itself to enlist for the duration of the war on poverty.

I ask unanimous consent that a press release noting my full support of Senator NELSON'S proposal be printed at this point in the RECORD.

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

> WASHINGTON, D.C.—Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, joined today (Monday) with Senator GAYLORD NELSON, Democrat, of Wisconsin, in proposing a full-scale investigation of "the tangled roots of poverty" by a special committee of the U.S. Senate.
>
> "President Lyndon Johnson has dramatically brought the poverty crisis to the attention of the American people,", HUMPHREY said. "Congress should prepare itself to enlist for the duration in the war on poverty."
>
> HUMPHREY noted that no existing committee of the Congress and no single Federal agency is able to deal with the many different causes and effects of poverty.
>
> "Poverty is a problem of inadequate education, limited job opportunities, substandard housing, physical and mental illness, and the corrupting influence of delinquency and crime," HUMPHREY said. "While many standing committees of Congress have jurisdiction in these interrelated areas, there should also exist in Congress a special committee charged specifically with coordinating and studying the many facets of the war on poverty."
>
> The Nelson-Humphrey resolution would establish a bipartisan Select Committee on Combating Poverty composed of 15 members selected from appropriate standing committees of the Senate. Although the select committee would have no legislative authority, it would be directed to (1) analyze the causes of both rural and urban poverty, (2) examine existing and proposed programs designed to combat poverty, (3) analyze employment opportunities to be created by proposed programs, (4) study relationship of automation and other technological changes to the poverty problem, and study the relationship of Federal, State, and local problems against poverty.
>
> The committee would be directed to report its findings to the Senate before January 31, 1965.

Mr. BAYH subsequently said: Mr. President, I take this opportunity to compliment my friend and able colleague, the distinguished Senator from Wisconsin, for his sincere interest in the No. 1 domestic problem facing our Nation. It is typical of his previous public service as Governor of the great State of Wisconsin that he is unable to sit idly by and not take an active part by addressing himself to finding a solution.

I am particularly impressed and want to compliment my colleague for his recognition of the fact that, although poverty is a critical national problem, it cannot be solved by one stroke of the pen, one speech on the floor of the Senate, or indeed the passage of one law. Rather, a final solution to the national problem of poverty will come only after the most comprehensive study and attack has been made. The Senator proposes just such an approach. We cannot overlook the interrelationship between environmental factors, educational opportunity, employment opportunity, and a maze of other factors on the economic well-being of our country. A complete and final solution to this depressing problem facing us today will only be found through a comprehensive and all-out attack on the problem, such as that suggested by my colleague from Wisconsin. Once again, I want to compliment him for his sincere desire to see that the American horn of plenty is available to all of our citizens.

EXTENDED DEBATE IN THE SENATE—CIVIL RIGHTS LEGISLATION AND SENATOR RUSSELL

Mr. STENNIS. Mr. President, the New York Times magazine for Sunday, March 15, 1964, published a most interesting and informative history of extended debate in the U.S. Senate, written by the Senator from Georgia [Mr. RUSSELL].

Senator RUSSELL is highly respected by all of his colleagues, as well as by people in the entire Nation. The Senator from Georgia is one of the most able men of our generation, and is also a profound lawyer and parliamentarian. Senator RUSSELL has as fine a knowledge of the problems of government as any living person, in or out of government.

Senator RUSSELL has written a most forceful statement which points up the continued need for thorough discussion, dialogue, and debate. Senate debate is among our most cherished traditions, and is a safeguard which I hope we shall never allow to pass from us.

I commend this article to the most careful reading by Members of the Senate, by Members of the House of Representatives, and by the people of the Nation. I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

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

RUSSELL DEFENDS THE FILIBUSTER

(By RICHARD B. RUSSELL)

For the greater part of our history, the right of full and free debate in the U.S. Senate has stood as a vital safeguard over the right of the minority to protest against legislation it believes to be injurious or oppressive.

Since 1841, there have been no fewer than 53 occasions on which Senators have exercised the right of extended debate—popularly known as the filibuster—to oppose some measure that was counter to deeply held convictions.

The first filibuster about which much is known occurred in 1841 in opposition to a bill to remove the Senate printers. Most subsequent filibusters have involved more substantive questions.

In 1863, an unsuccessful filibuster was conducted against a bill involving President Lincoln's wartime suspension of the writ of habeas corpus. More successful was the prolonged debate in 1890 that resulted in the defeat of the "force bill," which would have provided Federal supervision of elections. Two other celebrated filibusters were the 28-day battle by Senator Robert La Follette, the elder, against the Vreeland-Aldrich Emergency Currency Act in 1908, and the bitter fight in 1917 that blocked President Wilson's armed ship bill.

In more recent years, Senate liberals resorted to the filibuster in their opposition in 1953 to the so-called tidelands oil bill of the Eisenhower administration and to the communications satellite bill sponsored by President Kennedy in 1962. Southern Senators have exercised the same parliamentary tactic in opposing so-called civil rights bills during the past two decades.

The issues that have generated prolonged debates or filibusters (the term used often depends on which side of the question one is on) cover a vast range of economic, political, and constitutional conflicts. The filibuster is not the exclusive weapon of any philosophy, party, or section; distinguished Senators of both parties, representing every shade of political thought and every area of the country, have taken part on occasion in extended debates in support of a minority position.

Some of the towering giants of the Senate have been the most eloquent champions of the right of full and free debate in that body. These men—and they include many of the greatest liberals as well as conservatives of this century—believed that limitation of free speech in the Senate—gag rule—would undermine the rights and liberties of all Americans.

The late Senator Eugene Millikin, of Colorado, a leading and enlightened spokesman of the Republican Party of a decade ago, looked upon freedom of debate in the Senate as an important check on the excesses of an unbridled majority. In a Senate speech in opposition to one of the periodic attempts to gag the Senate, Senator Millikin declared:

"The majority of any party in power would find the suppression of free speech a convenient method of expediting what it considered useful and urgent legislation.

"It is always annoying to have errors exposed, and it would not be long before a majority of one decided that for political purposes it should retain the illusion of infallibility by preventing exposure here of its errors. And then it would not be long until corrupt and even ominous legislation might be shepherded through this Chamber in enforced silence."

Senator Millikin, of course, was an eminent conservative. But his position on this issue was the same as that held generally by the great school of liberals that held sway in the Senate during an earlier part of this century. Men like William Borah, Robert La Follette, and George Norris were outspoken in support of the filibuster as a perfectly valid parliamentary device for the protection of the just rights of the minority.

La Follette, particularly, was an ardent advocate of unfettered debate in the Senate. He once summed up his position in this ringing statement: "Believing that I stand for democracy, for liberties of the people of this country, and for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any closure that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess."

The present rule of the Senate that allows a high degree of freedom of debate—as will be seen later, it is not absolute—is the natural outgrowth of the peculiar position that the Senate occupies under our constitutional system. Indeed, the right of an individual Senator to insist on full discussion of any question or issue is the essential element which distinguishes the Senate as the greatest deliberative body yet devised.

The unique characteristic and composition of the Senate grew out of one of the most violent controversies to confront the Constitutional Convention of 1787. In fact, the composition of the Senate was the rock that, for a time, threatened to wreck the Convention.

In the Convention, the smaller States of the Confederation were determined that they would not be overwhelmed by the sheer force of numbers involved in the representation based on population as was prescribed for the House of Representatives. Delegates from the smaller States wanted assurance that the individual laws, interests, and customs prevailing in their States would not be placed in jeopardy through the surrender of a great amount of their sovereignty to the the Union of States.

Under the compromise fashioned by the Founding Fathers, every State regardless of size, population, or wealth was accorded equal representation in the Senate. Indeed, such great stress was placed on this principle of equal representation in the Senate that the framers included in the Constitution a provision that no State could be deprived of representation in the Upper Chamber without its consent. This is the only section of the Constitution that can be changed only by the unanimous consent of the States.

The Senate lies at the very heart of the careful division of powers and the delicate system of checks and balances that form the buttress for our constitutional form of government. It is the forum of the States in which each stands on an equal footing with the others.

The principle of equality of representation is protected by the rules of the Senate that enable a Senator from the smallest and poorest State to speak with the same voice and authority as a Senator from the largest or wealthiest State. If the constant campaign to allow a majority to gag freedom of debate in the Senate should succeed, the cherished principle of equal representation would be greatly weakened. In my judgment, such a gag rule would throw the entire system of checks and balances dangerously out of kilter; it would reduce the Senate to little more than an ineffective appendage to the House of Representatives.

PERTINENT

According to a popular misconception, a Senate filibuster consists of long and dilatory speechmaking, wholly irrelevant to the legislative question at hand, designed solely to wear down the opposition.

Sincere advocates of freedom of debate in the Senate reject this notion. The objective of full and fair debate is to inform, to educate, to expose, and—if possible—to convert. It is not an abuse of freedom of debate in the Senate to speak at length, if what is said is pertinent to the issues and if the discussion is serving to enlighten the Senate and the country on the merits or demerits of a proposal.

A check of the pages of the CONGRESSIONAL RECORD will show that this is precisely what the opponents of the civil rights proposals did in 1957 and 1960. I do not recall a single reference to "pot likker" or "hush puppies," and no one read from a telephone book or mail-order catalog.

Under gag rule, Senators would serve little other purpose than to act, in effect, as additional Members of their State's delegation to the House of Representatives. For once the Senate yields the right of its Members to express themselves fully, it undoubtedly would be only a matter of time before Senators would find themselves begging for the privilege of speaking for 5 minutes—as can and does happen under the rules of the House.

It also is probable that the loss of freedom of debate in the Senate would be followed by an attempt to abolish the Senate's time-honored right of amendment, the other principal characteristic that distinguishes the Senate, in Gladstone's description, as "the most remarkable of all the inventions of modern politics."

The right of free speech in the Senate is particularly important because the Senate is the only institution of the Federal system in which the smaller States exercise an equal influence over the conduct of the affairs of the Nation. This is obvious from the make-up of our political and governmental system. It is an elemental fact of political life that the small States are at a disadvantage when it comes to the nomination and election of a President.

As a practical matter, the parties usually look to the larger and pivotal States for their presidential timber. The last President of the United States who was elected from one of the smaller States of the Union was Franklin Pierce of New Hampshire in 1852.

Through the composition of the electoral college, the smaller States have a somewhat larger voice in the presidential election itself than in the nominating conventions. Yet it is possible for as few as 12 of the most populous States to elect a President even in the face of the solid opposition of the remaining 38 States.

The smaller States labor under an even greater handicap with respect to their relative strength in the House of Representatives. The Congressmen from the nine largest States could, by voting as a bloc, pass any bill they might desire, even if it would affect adversely the remaining 41 States and be opposed to a man by every Representative from those States.

I believe few rational thinkers would maintain seriously that, under our system of government, the will of the numerical majority should prevail absolutely and at all times. Certainly this was not the intent of the Founding Fathers—and it is not what the Constitution provides.

Ours is a country of diverse interests as among the several States and the various sections. What may be good for the people of Maine is not necessarily good for the people of California, and what may be right for the people of Georgia may not be right for the people of Hawaii.

The Senate of the United States is the last bastion within our Federal system wherein the rights of the States and the rights of the minorities are protected. Without freedom of debate in the Senate, the United States eventually will go the way of the unlimited democracies; we will reach the stage where a misguided majority can destroy the liberties and rights of individual citizens in the name of some currently popular cause.

It should not be forgotten by those who would suppress and gag freedom of debate, that popular opinion can be a fickle instrument. Causes that may be popular today may very quickly sink into a sea of unpopularity, as the noble experiment of prohibition demonstrated. Those who find them-

selves on the majority side of an issue today may find themselves cast in the minority position tomorrow.

It is surely conceivable, and perhaps probable, that the day will come when, through some fluke of public emotion, the Senate is in the hands of the zealots of the left or the right. Those who shout for giving "the majority its way at once" should ponder the consequences of this if the Senate should come under the control of political extremists of whatever brand.

I cannot, therefore, escape the conclusion that those who advocate restricting the rights of the minority by curtailing freedom of speech in the Senate may be sowing the seeds of their own downfall on some future question of burning national interest.

An untrammeled Senate exercising free and full debate has served this Nation well for 175 years. I do not know of a single piece of legislation vital to the welfare of the country that has been killed by a filibuster. But many bad and vicious bills have been delayed, modified, and sometimes defeated because a Senator or group of Senators possessed the courage and the conviction to talk and talk until they were able to expose the harmful and injurious provisions—even if it meant flying in the teeth of an impatient and wrathful majority.

I would be the last to deny that there have been abuses of freedom of debate in the Senate. There also have been abuses of freedom of speech, freedom of the press, and all other constitutional guarantees. It is an abuse when the press, radio, and television raise the cry of "filibuster" rather than report to the country the valid arguments and position of the minority.

Though few fairminded persons would deny that there have been abuses in the constitutional freedoms enjoyed by all Americans, none would advocate striking these basic guarantees from the Constitution. By the same token, freedom of debate in the Senate should not be destroyed on the pretext that it is sometimes abused.

The present rules of the Senate are wholly adequate to prevent unjustified obstruction of the work of the Senate and the passage of vital legislation. Cloture can be invoked to stop debate on any matter before the Senate by a vote of two-thirds of the Members present and voting.

In recent years, a determined campaign has been waged to descredit the right of full debate in the Senate—and thereby to discredit the Senate as an institution of Government—through the specious charge that the Senate is the "graveyard" for civil rights legislation. This charge is utterly absurd and without foundation on its face. Both the Civil Rights Acts of 1957 and 1960—which have been hailed endlessly by their proponents as the only legislation of this type to pass Congress since Reconstruction—were approved by the Senate after prolonged debate and discussion. Opponents of the legislation were criticized in both years for filibustering.

In 1957 and 1960, the opponents directed their speeches specifically to the issues and questions raised by the legislation. They spoke at length, it is true, but their speeches contained facts and arguments as to why the minority thought the legislation to be in conflict with the best interests of the country and with the Constitution.

It should be recalled that fewer than 20 Senators voted against final passage of both these bills—a number woefully inadequate to have prevented cloture had two-thirds of the Senate desired to close debate.

The plain fact is that a majority of the Senate was not thwarted on these occasions because of determined opposition by a minority of Senators. In 1960, there were almost 30 rollcall votes on various phases of the bill—including final passage—which were decided one way or another by a majority. These votes included an attempt to invoke cloture which failed by a vote of 42 yeas to 53 nays—well below even a majority.

It is true, of course, that the action of a majority with respect to the civil rights bills may not have satisfied either the dedicated advocates or opponents of this type of legislation. But the point is that a majority of the Senate was able to work its will and was able to pass the legislation within the existing rules of debate.

Indeed, these rules have enabled the Senate to function as a legislative body without serious detriment to the welfare of the United States throughout our history. They have enabled the Senate to discourage and prevent excesses by the temporary majority of the moment that may seek drastic change for selfish or partisan gain.

Freedom of debate in the Senate, so long as it is preserved, serves as a protection of the fundamental rights and liberties for which men for thousands of years have fought, sacrificed, and died.

THE OHIO RIVER FLOOD—PRESIDENT JOHNSON'S SUPERB RESPONSE

Mr. PROXMIRE. Mr. President, in the last few days the Ohio River has gone on a rampage that has caused millions of dollars of damage, the loss of some lives, and serious hardship for tens of thousands of people.

The President of the United States has acted with remarkable alacrity and efficiency. I am very greatly impressed with the action taken by the President to meet this crisis. The President called together the Governors of the five States most seriously affected—the Governors of Illinois, Indiana, Kentucky, West Virginia, and Ohio. He called on the principal Federal officials responsible for providing assistance under these circumstances: Director McDermott of the Office of Emergency Planning; Secretary Freeman of Agriculture; Administrator Foley of Small Business Administration; Administrator Whitton of Roads; General Wilson, Corps of Engineers, and from outside government: General Gruenther, president of the Red Cross.

These—the principal men who could act and bring relief—were flown, together with the President, over the flooded Ohio at low levels. They inspected the damage and every Governor was in a position to determine instantly and in detail just what the Federal Government could and would do to help. And the President was right there to back him up.

Those of us who recall President Johnson's remarkable efficiency as majority leader of the Senate can appreciate how swiftly and brilliantly he organized the farflung power and influence of the Federal Government in this flood crisis.

When the President, the Governors, and other officials landed in Cincinnati, Governor Kerner of Illinois said that in all his political career he had never seen an example of greater concern or efficiency.

I think this is an outstanding example of the very great asset the American people have in their Chief Executive. In this nuclear and missile age, this time in which we are challenged by militant world communism, it is most reassuring to know that the American people have a President of such great energy and such great organizational ability, concern, and efficiency, and one who is able decisively and swiftly to focus all the power and ability of this Nation to meet a crisis.

What a great relief to Americans to see this demonstration of the decisive, able, firm hand at the helm of our Nation.

THE PRESIDENT MEETS THE PEOPLE

Mr. MANSFIELD. Mr. President, the President's appearance on national television March 15 reassured and pleased the American people.

He showed himself to be relaxed, confident, and unafraid. What the American people saw was a sound, philosophical statesman, and the kind of President we all hope for—a man who is in tune with the feelings and the aspirations of this total country and who has the courage to make decisions that have to be made.

The New York Times editorially commented on this television presentation which expressed as its theme President Johnson's determination to see that the American people get a "bettter deal."

I ask unanimous consent to have the editorial printed in the RECORD at this point.

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

AT HOME WITH THE PRESIDENT

Meet Lyndon Johnson. Millions of Americans may well have had the feeling last evening that they were doing so for the first time. President Kennedy showed, when this formula was first used, how successful it could be in humanizing an exalted and awesome position. The Presidency of the United States, as many have said, is a lonely eminence. A friendly conversation with three astute and experienced commentators, coming informally through the television screens into every home in the land, is a splendid way of bringing the White House to the people.

If it was an ordeal, President Johnson surmounted and survived it well. He sounded relaxed, and he was reasonably frank in his answers. The public was let in on some intimate history of the dramatic hours and days that succeeded President Kennedy's assassination. The sense of the need for continuity of the constitutional and democratic process that Mr. Johnson showed in November was a great contribution to American history, and a very successful one.

The President might have been more precise, and less political, in his discussion of the need to be better prepared than we are now for a succession to the Presidency. But he did make it plain for the first time that he believes a procedure ought to be devised for replacing the Vice President when he moves up. The fact that this is a presidential election year kept intruding, but an expert like Lyndon Johnson is hardly one to make political indiscretions on or off television.

Some may have found in him a bit too much complacency and self-satisfaction, but if political leaders did not have self-assurance they would not be leaders. As Mr. Johnson said: "I am the only President this country has. I am doing the best I can in it and I am enjoying what I am doing."

He would like to be labeled as "a progressive who is prudent." Nobody can go wrong on that formula, or on the desire to be "a people's President." He was right to say

that we are not living in a world where "all we need to do is smash a button and determine everybody's foreign policy."

No doubt, the real flash of inspiration in the hour's talk was when President Johnson was asked to put "a handy label" on his administration, along the lines of the New Deal, Fair Deal, or New Frontier.

"I suppose all of us want a better deal," he said.

INTER-AMERICAN COMMITTEE FOR ALLIANCE FOR PROGRESS

Mr. MANSFIELD. Mr. President, the Inter-American Committee for the Alliance for Progress was formed last November in São Paulo, Brazil. It is a response to the need to increase the joint action and contribution of the Latin American nations within the Alliance for Progress. It is a forum in which the Latin Americans themselves will analyze and criticize each other's performance. This Committee meets in Washington, today, to inaugurate Carlos Sanz Santamaria, an outstanding former Minister of Finance in Colombia and former distinguished Ambassador to the United States, as Chairman and the seven county representatives. There is every reason to hope that it will strengthen the machinery of the inter-American system.

Experience with the Marshall plan illustrates that self-criticism and joint action within the framework of a group of nations striving to help themselves is a key element in the effectiveness of any general developmental undertaking in which the United States participates. The Inter-American Committee for the Alliance for Progress offers the promise of accelerating the evolution of the Alliance and of making more effective the U.S. contribution to the Alliance.

President Johnson has demonstrated the great importance with which his administration views the creation of the Inter-American Committee by appointing, as the permanent U.S. representative, Ambassador Teodoro Moscoso. By background and experience as well as by the esteem in which he is held in the United States and throughout Latin America, Ambassador Moscoso was an ideal choice. I am confident, Mr. President, that he will continue to serve in this new assignment with the imagination, dedication, and understanding which has characterized his past contributions to the policies of this Nation and to the progress of the hemisphere.

All his energies and abilities, as well as those of his colleagues on the committee will be needed if it is to fulfill its mandate. There is much to be done and vast obstacles to be surmounted. The effect of centuries of economic and social deprivation will not be dispelled in a few short years.

Our support and our understanding, Mr. President, is vital to the Alliance for Progress and it will be a significant factor in the effectiveness of this new Committee as one of its principal instruments. The Committee can be confident of the support of the United States in its efforts to make more effective intensified Latin American efforts for joint action in self-help.

SIX MORE AMERICANS KILLED IN VIETNAM

Mr. GRUENING. Mr. President, today's paper carries the sad news that six more American fighting men have died in battle in South Vietnam.

Each additional loss of an American life in those far-off jungles poses with increased insistence the question: What are American soldiers doing fighting and dying in South Vietnam? Why are we there? Why have we been there for 10 years?

As I have previously pointed out, President Johnson has inherited the mess in South Vietnam. On the basis of the reports brought back by Secretary of Defense McNamara he is now reassessing our position in Vietnam. As I recommended last week, I hope that as a result of his taking a hard look at the situation which he inherited, he will come to the conclusion that since this in reality is a civil war between the South Vietnamese themselves we should withdraw American fighting men from the front lines. If the South Vietnamese have the will and the spirit to fight the Vietcong we can be as effective by supplying them with the materials with which to fight. But we should not waste or risk the life of a single additional American fighting man there.

This morning's paper also brings word of the turning of Cambodia to Peiping. Despite almost half a billion American dollars in economic and military aid, Prince Narodom Sihanouk of Cambodia is veering to Red China. Now South Vietnam has Peiping-oriented neighbors to the north and west. This is an additional reason, if it is needed, for withdrawing our troops from the front.

I ask unanimous consent that news stories from this morning's New York Times dealing with Cambodia and South Vietnam be printed in the RECORD at the conclusion of my remarks.

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

CAMBODIANS GET PEIPING ARMS AID—SIHANOUK TELLS CHINA ENVOY TWO ARMIES "EXTEND HANDS"—DENIES AGGRESSIVE AIMS

PNOMPENH, CAMBODIA, March 15.—Cambodia received a shipment of Chinese Communist military aid today. Prince Norodom Sihanouk said it arrived "at a crucial moment in our national existence."

Government sources reported Prince Sihanouk's acceptance speech at Pochentong Airport, but did not say what the shipment contained.

"Since our liberation from conditional American aid," the Cambodian Chief of State told the Chinese Communist Ambassador, "our two armies have been able fraternally to extend hands."

"This aid is not conceived, as Thailand maintains, to menace the peace and encourage Cambodia to become aggressive," the Prince declared. "Our only worry is to have sufficient military force to dissuade instigators of imperialistic war who menace the Cambodian peace."

He said it was certain that if China, the Soviet Union, France, and Yugoslavia had not helped militarily without conditions after Cambodia renounced U.S. aid, our enemies would already have struck out offensively against Cambodia.

MOST DANGEROUS PERIOD

"We are presently living in the most dangerous period of our contemporary history," the Prince asserted. "Thailand has said cynically that she will never agree to recognize our right to live free, neutrally, and in our territorial integrity."

The Cambodian leader said that Prince Souvanna Phouma, neutralist premier of Laos, "now espouses an aggressive policy in the northern territory."

Prince Sihanouk said a Cambodian delegation would leave soon for Hanoi, capital of North Vietnam, to negotiate frontier accords and establish fraternal relations with the Pathet Lao, the leftist faction in Laos.

A Cambodian military mission has been in Peking. It received assurances yesterday of full support from Communist China should Cambodia "encounter an armed invasion instigated by the United States and its vassal states," in the words of Gen. Lo Jui-ching, chief of staff of the Chinese Communist army.

Prince Sihanouk has had long-standing border disputes with neighboring Thailand and South Vietnam. His resentment at U.S. support for those two countries culminated late last year when he dropped American aid and ordered his Ambassador home from Washington.

Later the Prince proposed a 14-nation conference to guarantee his country's neutrality. Nothing came of that and he later suggested that the United States, Thailand and South Vietnam meet with Cambodia and sign an agreement guaranteeing her frontier.

The four-nation idea was favorably received by the United States and South Vietnam, but Prince Sihanouk withdrew the proposal later. Then he began talking about military alliances with Communist China and North Vietnam.

EARLIER AID RECALLED

In the past, Cambodia has received some aid—none of it military—from the Soviet Union, Communist China, Japan and Yugoslavia.

They sent gifts or made loans that helped Cambodia buy so-called luxury items. The Chinese Communists sent a mission in January to advise in setting up a state import-export company. France offered military aid last month, including tanks, training planes and trucks.

U.S. economic and military aid to Cambodia came to $30 million a year for 8 years until last November.

Prince Sihanouk renounced American assistance after he charged that Washington was supporting Cambodian rebel groups. The United States denied the charges. The friction was made worse by Washington's displeasure over what it considered a derogatory reference on the Cambodian radio to the death of President Kennedy. The Phompenh regime denied any slur.

Prince Sihanouk subsequently insisted he wanted Cambodia's neutrality guaranteed. Prince Souvanna Phouma of Laos said that he thought the Cambodian leader was not bluffing, and that he would turn to the Communist bloc if Cambodia's neutrality was not guaranteed. The Laotian leader said, however, that he was convinced Prince Sihanouk did not want to abandon the non-Communist world.

SIX U.S. AIRMEN DIE AS REDS IN VIETNAM DOWN TWO AIRCRAFT

SAIGON, SOUTH VIETNAM, March 15.—Communist ground fire downed a U.S. helicopter and a spotter plane in separate actions in South Vietnam this weekend. Six American airmen were killed.

Elsewhere, South Vietnamese forces, operating near the Cambodian border, captured about 300 suspected Communist Vietcong

fighters, 35 of whom immediately asked to join Government forces. In this operation, at Cai Cai, 17 Vietcong were killed and a U.S. Army sergeant was wounded by a land mine. Government losses were put at four wounded.

The prisoners were flown to Tan Hiep, 50 miles west of Saigon, aboard U.S. Air Force transport planes. On arrival they were marched off under guard in column formation, hands on their heads.

U.S. ADVISERS PLEASED

American advisers in the area said the operation was the most satisfactory performance by the South Vietnamese Army in months.

"Speed and mobility of armored personnel carrier troops were excellent," one adviser said. "Rangers who rode with them were aggressive, air strikes and air reconnaissance were well coordinated with ground movements, local strike forces knew their area, the airlift moved without prior notice and we caught the Vietcong by surprise."

Nearly all the suspected guerrillas captured were without weapons, and 50 denied in interrogation at Tan Hiep that they were Communists. Hundreds of women and children came into the region later pleading that all the captured men be released.

Some of these women grabbed the legs of soldiers, and others tried to storm a bridge over a canal leading to the Cai Cai outpost.

A U.S. adviser, who speaks Vietnamese, said that emotional outburst might have been inspired by the Vietcong.

Four of the U.S. airmen who were killed were aboard a helicopter that was hit during a Government operation today in Ba Xuyen Province, 100 miles south of Saigon.

The other two airmen were aboard an L–19 spotter plane that was knocked down by guerrilla fire northeast of Saigon, near the South China Sea coast yesterday.

A U.S. spokesman said three men aboard the helicopter were killed instantly and the fourth died while being flown to Saigon.

Government troops in the two operation areas killed 12 Vietcong guerrillas and had captured 2 by late this afternoon.

GIVE THE NEGRO A CHANCE AND HE WILL CONTRIBUTE GREATLY TO AMERICA

Mr. PROXMIRE. Mr. President, one of the far too common and most damaging fallacies in America is that the Negro child has less intelligence and ability than the white child.

Dr. Samuel Shepard, a great man and a great school administrator, has shown the world how very wrong this is.

Six years ago in the Banneker School District—an overwhelmingly Negro school district—the Negro children of the district scored far below the national average; fewer in the intellectually superior classification, far more in the below average classification.

But in the past 6 years Dr. Shepard has succeeded with great ingenuity in instilling drive and motivation into these children and with what magnificent results. Let me quote just briefly from an article in the March issue of the Reader's Digest about what Dr. Shepard accomplished:

Dr. Shepard invited parents to meetings to talk about their children's schoolwork and future. At first there was only a trickle of interest, but he persevered. Making the rounds of his 23 schools, he spoke night after night. He concentrated on dollars-and-cents figures showing that a high school graduate can expect to earn perhaps $4,500 a year, a college graduate $6,300 and up while the unskilled can expect only $2,000 to $3,000—if indeed automation doesn't steal his job. As the Shepard gospel spread, the turnout at these meetings jumped to 400 and 500 persons.

"What do you want us to do?" parents asked.

"See that your children have a time and place to do their homework," Shepard said. "Shut off the radio and TV. Look over and sign homework assignment notebooks each week. And get your kids to school every day, on time. People say the Negro is shiftless. If this is true, the place to cure it is at school."

Such counseling, routine for most children, was unprecedented in the Negro slums. It took hold. Parents eagerly signed a pledge of cooperation. School attendance that first year improved, as well as study habits and scholarship.

Shepard also set about motivating his principals and teachers. "Stop teaching by I.Q.," he said. "You know that Mary tested 119, so you urge her on, draw her out, encourage her. But Johnny tested only 74. So, when he doesn't respond, you pat him on the head and say, 'You've been a good boy, and you can clean the blackboard.' I'm asking you to roll up your sleeves and teach as if every kid had an I.Q. of 120."

The result of all this, Mr. President, has been a dramatic reversal in Dr. Shepard's school district. The children are now scoring as well as all American children throughout the country.

When Dr. Shepard started this drive for incentive and ambition among the Negro pupils, the district had 47 percent below average, 46 percent average, and only 7 percent in the top level. Today those figures have been almost reversed. Only 11 percent are in the low division, and 22 percent are superior.

Mr. President, I ask unanimous consent that this article from the March Reader's Digest entitled "Is the Negro Equal in Intelligence and Ability?" be printed in the RECORD at this point.

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

IS THE NEGRO EQUAL IN INTELLIGENCE AND ABILITY?

(By Paul Friggens)

Mile after mile, the sooty Negro slums, spread out from downtown St. Louis. In the littered yards and dark doorways of rotting, century-old red-brick tenements, idle men sit and talk. In the midst of this blight stands a high-rise housing development, occupied by low-income laborers and domestics and overrun with 7,000 shouting children. With a young teacher from this school district, I knock on the door of a typical apartment in the already run-down-looking development.

An expectant mother, surrounded by her brood of children, answers. The rooms are barren, and devoid of amenities, but there is one surprise. On the table lies a dictionary. "I makes 'em use it when they studies," the mother says proudly. "I want for my children to get an education and grow up and be something."

Behind the dictionary is the story of Dr. Samuel Shepard, Jr., assistant superintendent of St. Louis's Banneker School District, a 15-square-mile area with 23 elementary schools serving some 16,000 culturally disadvantaged children—almost all Negro—and staffed by 500 Negro teachers. Four years ago, when Dr. Shepard discovered that the St. Louis schools were discarding 6,000 used dictionaries for a new edition, he arranged to have them sold for 25 cents each to the families in his district.

TRAINING AND SELF-RESPECT

That secondhand dictionary—for many the first book they ever owned—is a symbol of Dr. Shepard's accomplishment in the slums. And what an accomplishment it is. In only 6 years, the crusading educator has given the lie to the image of Negro inferiority. In his elementary schools he has raised the general achievement level of his Negro pupils to the national norm for whites. Moreover, in attendance, some Negro schools outrank the white in St. Louis.

Dr. William Kottmeyer, deputy superintendent of St. Louis schools, told me, "Dr. Shepard dares to tell Negro boys and girls, 'Quit crying. Rise above your environment.' He is giving the Negro training and self-respect."

One morning I drove out to Dr. Shepard's office at Banneker Elementary School. At the bell, clean bright-looking youngsters marched down corridors whose walls were dotted with colorful posters: "Reading Is the Key That Opens All Locks" and "There's a Place for You in the Community—If You're Prepared."

"We keep driving that home," Shepard said. "The Negro is low man on the totem pole—the last hired, first fired. He has never prepared himself for a job or had much ambition, because he had little opportunity or place to go. But I tell them that it's a new day; with education and preparation, Negroes can take their places with whites."

Colleagues say that 56-year-old Shepard works 14- and 16-hour days and stays with a problem like a dog with a bone. A trim, athletic looking and highly disciplined man, he weighs himself every payday, and keeps 15 years of weight records alongside his deposit records. Until he began coaching and teaching in St. Louis, however, he didn't have much need for a bankbook. Reared in poverty in Kansas City, Mo., he worked his way through high school and educated two sisters as well. Washing pots and pans, he won his bachelor's and master's degrees at the University of Michigan, and 26 years later earned his doctor's degree there.

Shepard's crusade was sparked 6 years ago when the St. Louis secondary schools changed over to the track system of academic rating: Track 1, superior; track 2, average; track 3, below average. When the children of St. Louis were given the Iowa basic skill tests, the results showed that the majority of Negro children ranked low. Only 7 percent of Banneker district schoolchildren were certified to track 1; only 10.6 percent of 6,000 youngsters in the primary grades were reading at textbook level. This simply confirmed what studies elsewhere in the United States had revealed: Negro children score, on the average, 6 months to 4 years behind white children of the same age and grade.

Shepard refused to accept this rating as permanent. "We know there is nothing inherent in the Negro to explain this showing," he told a meeting of school principals. "Given the same opportunities and motivation, our pupils can measure up to the whites. But first we must convince their families that an education is important."

"An impossible task," he was warned. "You can't reach these unschooled parents."

"I don't think we have hard-to-reach parents," Shephard replied. "We have parents nobody ever tried to reach before."

The educator told me about his district. "Thousands of the families are without a

strong father image. Negro men can't get jobs as easily as Negro women, and so they become mere drones in the family or leave them without a father altogether. The result is that a pall of insecurity hangs over the home."

MOTIVATE THEM

Dr. Shepard invited parents to meetings to talk about their children's schoolwork and future. At first there was only a trickle of interest, but he persevered. Making the rounds of his 23 schools, he spoke night after night. He concentrated on dollars-and-cents figures showing that a high-school graduate can expect to earn perhaps $4,500 a year, a college graduate $6,300 and up, while the unskilled can expect only $2,000 to $3,000—if indeed automation doesn't steal his job. As the Shepard gospel spread, the turnout at these meetings jumped to 400 and 500 persons.

"What do you want us to do?" parents asked.

"See that your children have a time and place to do their homework," Shepard said. "Shut off the radio and TV. Look over and sign homework assignment notebooks each week. And get your kids to school every day, on time. People say the Negro is shiftless. If this is true, the place to cure it is at school."

Such counseling, routine for most children, was unprecedented in the Negro slums. It took hold. Parents eagerly signed a pledge of cooperation. School attendance that first year improved, as well as study habits and scholarship.

Shepard also set about motivating his principals and teachers. "Stop teaching by I.Q.," he said. "You know that Mary tested 119, so you urge her on, draw her out, encourage her. But Johnny tested only 74. So, when he doesn't respond, you pat him on the head and say, 'You've been a good boy, and you can clean the blackboard.' I'm asking you to roll up sleeves and teach as if every kid had an I.Q. of 120."

Teachers were also asked to abandon their condescending attitude. "You've earned a degree or two," he said, "and you live in a better part of town. But don't teach as if you pitied these slum kids. They're not stupid."

The assistant superintendent launched his teachers on a program of home visits. Because of the appalling slum conditions, this was not popular at first. But today it is paying great rewards, in insight and sympathetic understanding. At the schools I visited, I sensed a heartwarming rapport between teachers and pupils.

To interest and inspire the children, Shepard inaugurated field trips to radio and television studios, the St. Louis planetarium, the zoo, museums, parks, and city markets. "You wouldn't believe it," a principal explained to me, "but many of these children have never before seen common vegetables—a carrot, for example. They're used to hominy grits and sowbelly. And, except for these school trips, they've never been out of their own neighborhood."

One problem youngster from a broken home—with four different last names in the family—reported on such a trip for the school paper. "We've never had trouble with him since," his principal told me. "He became a reporter for his room, and for the first time in his life he was somebody."

EARLY AND LATE

The schools inaugurated "Reading Is Fun" programs for advanced students, and encouraged the gifted in mathematics science, music, and art. One group of excited eighth graders turned up half an hour early each day for reading class. Every child had a library card, and school libraries stayed open some nights to accommodate avid readers.

Meanwhile, Shepard continued to push his program—Operation Motivation—to convince parents and students that the result of all this study would be a decent job with good pay. He organized teams of successful St. Louis Negroes to make the rounds of the Banneker schools, telling their stories. "Here is evidence of dreams come true," Shepard says in introducing them.

Among these men are Chester Stovall, director of welfare in St. Louis and first Negro in the mayor's cabinet; and Charles A. Brown, design engineer for the Gemini project with McDonnell Aircraft, who recalls that he was the only Negro engineer in his college graduating class. Brown testifies, "A Negro can be a success in science if he's qualified. I had four offers of jobs when I graduated from college, all at better-than-average salaries." There are other testimonials: from a floor sweeper who won his degree and is now technician in charge of quality control for a soft-drink company; a leading millinery designer, who proudly proclaims, "Now I use my own name on the labels"; a securities salesman; an aerial-map maker.

THE PROOF

Sam Shepard clinches each session with this telling argument: "You've seen here tonight what a Negro can do. We don't have to live in a jungle and exist on relief."

After 6 years, Shepard's faith in his Negro pupils has been amply rewarded. In 1957–58, when St. Louis began the track system, the 23 Banneker schools had 47 percent below average (track 3); 46 percent average (track 2); and only 7 percent in the top level, or track 1. Today the Banneker schools have reversed these figures. Only 11 percent are in the low division, and 22 percent are superior. School attendance has jumped from the 80's to 91.1 percent, and 1 school had a 95-percent attendance figure last year. Meanwhile, vandalism in the schools has dropped significantly.

Shepard has received many honors for his achievement, including the Page One Award of the St. Louis Newspaper Guild, which saluted him "for service rendered through the public school system to the cause of democracy in the United States." He disclaims any miracles. The St. Louis work, he knows, has just begun, and he still has two big concerns. One is that the youngsters' interest and perseverance be kept up through high school. Pulled down by his slum environment, the Negro youngster frequently becomes an early dropout and, unemployed, may turn to delinquency and crime.

The second major concern is jobs. "There are still barriers of prejudice, and to overcome them we must have superior training," Shepard says.

Shepard's achievement has significance far beyond St. Louis. U.S. cities are gaining rapidly in Negro population, with increasing unemployment, welfare costs, violence, crime. "We are confronted with an inescapable question," says Sam Shepard. "Is the white man going to abandon these cities to culturally deprived Negroes—with resultant chaos—or is he going to help educate them and save the country from disaster?"

KOSSUTH DAY

Mr. PROXMIRE. Mr. President, March 16 has been accepted by loyal Hungarians and their friends everywhere in the world as Kossuth Day, marking a great event in Hungarian history. In 1848 and 1849 Louis Kossuth led the Hungarian people in a long, and impossible battle against the misery and suppression of centuries. In the magnificent style of Rakoczi before him and Imre Nagy after him, Kossuth gave voice to the pent-up protests of the Hungarian people against foreign imperialism. For the first time in 150 years, the Hungarian love of freedom burst into flame. The fact that that flame was smothered by forces of reaction in Europe, as were so many other freedom movements in those heroic days of 1848, only proved that Louis Kossuth and his followers were far ahead of their time, not that they were wrong.

Throughout 1849 Kossuth at the head of the national government and his generals fought against Austrian invasions. One hundred and fifty thousand Hungarian Honved fought against twice that many better-armed imperial soldiers. But the Austrians were defeated and driven out of Hungary. Emperor Franz Josef, of Austria, had to go to Russia to ask assistance. Finally Russia and Austria together were able to crush the freedom movement. In 1849, just as in 1956, Russia was the oppressor of Hungary, the supporter of an authoritarian order, rejected by the people. Louis Kossuth was one of the original freedom fighters of Hungary. When his compatriots battled Soviet tanks in the streets of Budapest more than a century after his revolution, his spirit must have ridden at their shoulders, hoping still for freedom and happiness for his people.

We Americans must take special note of March 16, Louis Kossuth Day. It marks the best in hopefulness among our fellow Americans of Hungarian origin, and among all Hungarians. If the Communists use the name of Louis Kossuth it will turn to dust in their mouths. For Kossuth Day and all it symbolizes are the very antithesis of Communist dictatorship. On March 16, 1964, we see Hungary still not free, still poor, and suffering under Russian domination. But hope is still alive. As long as Hungarians remember Louis Kossuth and the ideals for which he fought, Hungarian independence is not dead. We join Hungarians in paying tribute to Louis Kossuth's ideals. May they yet triumph.

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

CIVIL RIGHTS ACT OF 1964

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in pubic facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

MILWAUKEE JOURNAL GIVES GOVERNOR WALLACE MAJOR FRONT-PAGE TREATMENT IN WISCONSIN

Mr. PROXMIRE. Mr. President, in about 3 weeks there will be a presidential preferential primary in the State of Wisconsin involving our Governor, John Reynolds, who is running as a favorite son committed to the candidacy of Lyndon Johnson, and the Governor of Alabama, George Wallace.

I suspect that on the morning after that primary, people may be surprised at the result. They may not know that Governor Wallace has been given not only courteous attention but a great opportunity by our media of communication. He has been on our principal television stations at some length. Many, many Wisconsin people have told me that they have heard and seen Governor Wallace at great length.

Governor Wallace has also been given great attention by an extremely influential newspaper in Wisconsin, a newspaper which goes into 90 percent of the homes in Milwaukee, and on Sunday blankets our State like a midwinter Wisconsin snow. That is the Milwaukee Journal.

Yesterday—Sunday—the Milwaukee Journal published on its front page a five-column story about Governor Wallace. I wish to call that to the attention of Senators and the country, because those who have the view that Governor Wallace is given short shrift in our State and is not being given consideration by the media of communication do not know the facts.

Governor Wallace is treated with the greatest consideration in the article, which goes into virtually every area of our State, every town and city. For example, it is said in the article that Governor Wallace has built a reputation for running an honest government, and that his political foes attest to that.

The article states that:

> Wallace is making a sincere effort to get rid of graft. Wallace is intelligent. Wallace is supported by labor unions.

There is a picture of Governor Wallace, together with his wife and his son. It is an attractive family picture.

The article and picture appear in the dominant Sunday newspaper in our State, which has a circulation of 540,000. This story relates about as fair, objective, and balanced a story about the Governor of Alabama as any I have read anywhere. At the same time, in the same paper, way back in the editorial section, deeply buried in the paper, there is the Milwaukee Journal's attitude toward Governor Wallace. I estimate that 10 times as many people would read the article as would read the editorial. The editorial states exactly why the Milwaukee Journal feels that Governor Wallace should not be elected at the presidential preference primary. The editorial makes the statement forcefully and very well.

Now what the Milwaukee Journal has done is in the best traditions of American journalism. This is a shining example of why the Journal should be, as it is, rated as a great newspaper. It tells the big stories fully and honestly in its news columns no matter how damaging that news may be to the paper's objectives. It confines its opinions, its influence to its editorial columns. And it relies on the intelligence of the people to make the right decision when told the truth.

But the point I am trying to make this morning is that I think people should recognize, when they are confronted with the returns that will come in from Wisconsin from our presidential primary, that Governor Wallace has gone into the State of Wisconsin and has been given every consideration. His story has been told fully and fairly throughout the State by our leading publications and over television. The results that the primary will show will be of the votes cast by people who have had an opportunity to hear the full story from Governor Wallace, and who will have been able to give Governor Wallace full, fair, respectful consideration.

I should like to make one further point about the significance of this vote, to put the whole situation in Wisconsin in perspective. Our Governor, who is a fine and able man, and a man who I am proud to support, nevertheless has a problem that all Governors have. In fact, I believe he has quite a few more. He is a Governor who has the rare courage to make some very unpopular decisions. He is a Governor who has the strength and the intestinal fortitude that has made many people opposed to him. I have traveled around the State of Wisconsin a great deal. I have traveled around the State of Wisconsin since the Wallace candidacy was announced. I can say there will be thousands of people who will vote for Governor Wallace in our State. Thousands of people I believe are very badly misinformed on the civil rights bill. Thousands of people will vote against Governor Reynolds because, as I have said, he has chosen the hard but right way instead of the easy, popular, wrong way.

I think the whole situation had better be put into perspective because the U.S. Senate will feel even a great northern State like Wisconsin, which is committed to civil rights, and in which 9 out of 10 of its Representatives voted for the civil rights bill, and in which both the Senators are deeply committed to it, will show there is support for the Governor of Alabama when he comes to Wisconsin.

This is especially true, Mr. President, because every voter, Democratic and Republican, in Wisconsin is given both Republican and Democratic ballots. He can vote on either. The only Republican candidate in the presidential primary is unopposed, and he is a favorite son, not a serious candidate. The only contest is between Governor Reynolds and Governor Wallace and there is nothing to prevent hundreds of thousands of Republicans who voted against Governor Reynolds in November of 1962 to do the same thing again by voting for Governor Wallace. There is nothing to prevent this. Tens of thousands of Wisconsin Republicans may do it. If they do so, many serious misinterpretations will be put on Wisconsin's attitude toward civil rights and the bill now pending before us.

I ask unanimous consent that the article published in the Milwaukee Journal on Sunday, March 15, be printed at this point in the RECORD, and that the editorial entitled "What Does Governor Wallace Want in Wisconsin?" published in the same paper and at the same time, be also printed at this point in the RECORD.

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

[From the Milwaukee Journal, Mar. 15, 1964]

GOOD PRIMARY SHOWINGS WOULD FURTHER WALLACE'S AMBITIONS—SENATE SEAT SEEN AS GOAL—GOVERNOR HAS LARGE FOLLOWING AMONG SEGREGATIONISTS

(By Carl Eifert)

MONTGOMERY, ALA.—Wrapping himself in the Confederate flag, Gov. George C. Wallace is setting out to vanquish the civil rights bill and perpetuate his power in Alabama.

Friends and enemies alike recognize his strength and his determination to keep it. His popularity with the voters, as big as any incoming Governor of Alabama ever had, is increasing.

Wallace must sustain that popularity until 1968 to continue in public office. He cannot succeed himself as Governor, and his term will end in 1966. The next U.S. Senator vacancy will occur in 1968.

His foray into the presidential primaries of Wisconsin, Maryland, and possibly Indiana, Florida, and California is believed to be a move to help him in Alabama, although he figures to be a winner at home whatever happens. It is also believed in Alabama that he will do well in Wisconsin.

DENIES BEING RACIST

Wallace has built a reputation as the leading segregationist in a State where every politician must be one to get the votes of a segregationist-oriented electorate.

But he violently denies being a racist. Some of his enemies who call him a racist are themselves segregationists.

In this atmosphere, the civil rights bill is a dirty word in Alabama. Should Wallace be able to swing what appears to be the impossible—by an impressive vote in the primaries persuade northern Senators to change their minds and kill the bill—he would be on his way to becoming a major national figure.

Even if he merely weakens the bill, his purpose will have been accomplished.

"He might have a large impact on his country before he runs his course," a confidant said.

In his campaign in Wisconsin, Wallace will make learned discourses on property rights, starting with the 10 commandments and tracing the development down through the centuries.

LET STATES RULE

He will continue the theme he has already begun in the State: You know how to run your schools and your State government. I won't tell you how. If you can't run them, tear down the State capitol and put up an office building. Let Alabamians (the people of this State don't call themselves Alabamans) run their own State, too.

State rights will be the cross thread in Wallace's approach in Wisconsin. He insists that Federal power must be controlled. He uses the conservative line.

But Wallace's background is that of a Roosevelt New Dealer. He is a spending Governor in a State that covets Federal money.

The Federal Government is Alabama's largest employer. There are 23,000 jobs at the Marshall Space Center in Huntsville, some with private employers but all made possible through Federal spending. Brookley Air Force Base, Mobile, employs 18,000.

Maxwell Air Force Base and the Air University at Montgomery are other large employers.

Senator LISTER HILL, of Alabama, is the second ranking member of the Armed Services Committee.

TVA HELPS ECONOMY

The Tennessee Valley Authority has extensive operations in northern Alabama and has accounted for an extremely healthy economy in that part of the State. It is estimated that at least $2 comes back to Alabama for every $1 in Federal taxes.

As far as State spending goes, Wallace has been a champion. Spending for education under him has gone up about $50 million a year. He has embarked on a $100 million highway building program. He has increased the State's bonded indebtedness.

At the same time, Wallace has made showy moves toward economy by reducing the fleet of State-owned cars, ordering only regular gasoline for them and cutting the budget for his executive department.

Wallace has built a reputation for running an honest government. His political foes attest to this.

"Wallace is making a sincere effort to get rid of graft," one said. "He's going to do his damnedest to have an honest administration in Alabama."

ABOLISHED LIQUOR AGENTS

Probably the most concrete example of Wallace's drive for honesty was his abolition of liquor agents.

Alabama is one of 17 liquor monopoly States. Liquor is sold through State stores in wet counties.

Former Governors would reward supporters by making it known to distillers doing business with the State that they would have to deal through certain agents. Most of these agents would make a few thousand dollars a year through "commissions." Others made up to $50,000 annually.

Distillers would also provide "samples" to legislators—not miniature bottles, but cases of booze.

Wallace decided to do away with the abuses and, instead, impose a license fee of 3 percent of gross sales on the distillers. He got the bill through the legislature, but the major distilleries have refused to pay the tax. They say it would be a rebate and thus break an agreement not to give any monopoly State a price break.

CONSIDERED INTELLIGENT

Friends and foes consider Wallace intelligent, if not intellectual. His conversation is folksy. But everyone's is in Alabama.

Wallace is sensitive about it. He complained that northern newspapermen have quoted his southern dialect with its dropped endings and slurred pronunciations, and then quoted Negro leaders in perfect English.

The Governor jokes about the bad reputation Alabama has received in the north. He told this visiting northern reporter that he would see to it that State police did not arrest him for being in the State. He did it almost straight faced, laughing only at the end. He likes the "shocker" line as a joke.

In the capitol basement cafeteria, where he almost always eats lunch, Wallace shot out many shocker lines in talking to the reporter.

He said that electrical cattle prods used by police were more humane than clubs in handling demonstrations like those in Birmingham last year. He said the electric canes were harmless. Legionnaires used them for fun at conventions, he said.

Wallace also said more whites than Negroes were injured in 69 days of demonstrations in Birmingham.

PROUD OF MAIL

Wallace is proud of the mail he has received from all over the country. An aid said there have been more than 1 million letters and wires since last year.

All of it is being filed, mostly by state of origin. Wallace opened drawer after drawer for the reporter, reading sentences and paragraphs at random. He savored phrases like "God bless you" and "carry on the fight."

A lot of the mail was from Wisconsin.

More office space is being prepared. An aid told Wallace that a Negro and white man were working in another room and he should take the reporter to see, adding that it was not staged.

Wallace did so and talked to the Negro plasterer, finding out he had been in the trade 50 years. A white carpenter confirmed Wallace's report that Negro and white tradesmen alike get union wages.

SUPPORTED BY UNIONS

The Governor told of his support from local unions. (Wisconsin labor leaders have denounced him.) He was backed up by a representative of the ironworkers, who was in Wallace's office to give a contribution to his campaign. Wallace insisted $10 was ample, although the union leader wanted to give more.

The Governor asked how much money had come in for his primary campaigns in Wisconsin and Maryland. A secretary ran off an adding machine tape—$508 in less than a day.

Wallace, however, dodged questions on how much had come in altogether. It would appear the amount would be substantial, although Wallace said he "won't be overendowed with money."

He pledged at a press conference that he would not spend State money in his campaign. A Montgomery paper, which supports him, has been critical of his use of a State airplane.

"We'll reimburse the State for the gasoline," he said. "I don't believe the people of the State mind my using the State plane."

SPECIAL FUND ON HAND

The Lockheed Lodestar he has used for trips to Wisconsin had been leased. Last week the Alabama State Highway Department bought the $250,000 plane.

Wallace could legally use State funds to run his primary campaigns. The recent legislature appropriated $45,000 a year for a special fund in the Governor's department to be used to preserve the southern way of life ("promote slavery," one Montgomery newspaperman put it), to fight against the civil rights bill and to promote industrial development.

This money has been used to pay the expenses of Wallace's armed bodyguards, pilots and others in his party to go to Wisconsin to file a delegate slate.

The State sovereignty commission—designed to fight for State rights—also has $50,000 a year, which Wallace could tap because he controls the commission.

Wallace presented a $1,000 check from the commission to the Montgomery Jaycees Friday. The group is distributing copies of the civil rights bill. A spokesman said that 110,000 copies had already been sent around the country at a cost of 10 cents each, which recipients are being asked to pay.

Wallace was asked to mention the copies wherever he goes. He will. It's part of his campaign strategy to attack the bill while at the same time presenting a good image.

Grover Hall, editorial page editor of the Montgomery Advertiser, said people in Wisconsin would be surprised to find Wallace "is not sprouting a pair of horns and does not have blue flames shooting from his mouth."

[From the Milwaukee Journal]

WHAT DOES GOVERNOR WALLACE WANT IN WISCONSIN?

Why has Gov. George Wallace of Alabama entered the Democratic presidential primary in Wisconsin and some other Northern States? He is certainly not a bona fide candidate for the Presidency.

Last fall he said he planned such a course, not expecting to win but to hurt President Kennedy. Now apparently he hopes to hurt President Johnson. But how? Conceivably he could corner some Democratic convention delegates if he worked in the South. But he can hardly do that in Wisconsin or Maryland.

Wallace says he is fighting for "State rights." State rights to do what? To disobey the law of the land and Federal authority, as he has consistently done in Alabama? Certainly he does not oppose many kinds of Federal "intervention." Alabama, which ranks 47th in the list of States in per capita income and has very low health and education standards, gets Federal help far beyond average. The State could eventually sink beneath the weight of Federal military installations, public power facilities, dams, forests and many pork barrel projects federally financed, all of which Wallace, no conservative in this respect, fully approves.

Wallace says he is campaigning against civil rights legislation. In Wisconsin, which has been in the forefront of the civil rights struggle for a century? If he seriously desires to campaign against civil rights, the place is in Washington, where the Senate is now considering a civil rights bill. Incidentally, both Wisconsin Senators support that bill, and 9 out of 10 Wisconsin Representatives, representing both political parties, favored House passage.

Wallace says he is campaigning for local government. The kind of local government that runs his State's major city, Birmingham? Birmingham has had 50 racial bombings since 1947, one in which four little Sunday-school girls were killed, and hasn't solved a single one.

Why, then, is Wallace asking votes in Wisconsin? Is it to further a dream of becoming the "big man" in the South—the mid-century Huey Long? That is the opinion of many observers in his own State.

By talking out against civil rights in the North he hopes to increase his popularity in the South. His part of the country loves to see the Yankee beard pulled.

In his forays into Wisconsin, Wallace, a very clever politician, will cloak his racist beliefs and policies under opposition to strong central government. No citizen should be deceived. When he was defeated for Governor in 1958, Wallace said that "they just outsegged me" and that "they're never going to do that again." They never have. Wallace's slogan is "Segregation today, segregation tomorrow, segregation forever."

This took him to the governorship. He is barred by law from two consecutive terms as Governor. Observers think he aims at the Senate seat of LISTER HILL in 1968. The Senate would give him a forum such as Huey Long and Theodore Bilbo used to further their form of greatness, to the harm of the Nation.

Do citizens of Wisconsin, so long steadfast in dedication to law and equality and decency, want to be cat's paws for such a man?

Mr. CHURCH. Mr. President, is the Senate now in the morning hour?

The ACTING PRESIDENT pro tempore. No. Morning business has been closed. The germaneness rule is now in effect.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, notwithstanding the rule of germaneness, the Senator from Idaho [Mr. CHURCH] be permitted to address the Senate.

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

Mr. CHURCH. Mr. President, I ask unanimous consent that I may have 6 minutes.

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

PROGRESS IN VIRGIN ISLANDS

Mr. CHURCH. Mr. President, as a member of the Subcommittee on Territories for the Senate Committee on Interior and Insular Affairs, I have had occasion, since the advent of this administration, to make two inspection trips to the Virgin Islands. So striking is the progress being made there, that it ought properly to be called to the attention of the Congress and the American people. Nowhere under the Stars and Stripes has the New Frontier registered with greater impact.

The credit belongs to our late President, John F. Kennedy, to his Secretary of Interior, Stewart Udall, to Assistant Secretary of the Interior John Carver, and, perhaps, most of all, to the remarkable man in whom they entrusted the reins of the Territorial Government, the Honorable Ralph M. Paiewonsky, a lifelong resident of the islands.

When President Kennedy appointed Ralph Paiewonsky as Governor of the Virgin Islands, the local government of the islands was stalled on dead center. In many respects, conditions still resembled those which earlier had led President Hoover to describe the islands as the "poorhouse in the Caribbean." Living costs were high; per capita income low. Government services in all departments were handicapped by critical shortages of facilities and qualified personnel.

Now, less than 3 years later, when one visits the Virgin Islands, the evidences of progressive and intelligent leadership are unmistakable.

In his first year as Governor, Ralph Paiewonsky moved swiftly into a complete reorganization of the executive branch. Departments were revitalized and set up on a basis which qualified the islands to participate in many federally sponsored programs which previously had been denied them on technical grounds. To expand the talent pool needed for health, education, housing, and other government services, the Governor initiated recruitment programs to attract qualified people from the mainland and, at the same time, set up plans for training native Virgin Islanders in the professional skills required.

A massive assault was launched to solve the critical problems of housing, education, and health. In addition to federally sponsored public housing projects, the islands government initiated its own housing programs. The first urban renewal projects were designed to eliminate blight areas and relocate slum residents in modern, healthy housing. As a result, more than 5,000 Virgin Islanders are now relocated from substandard housing and live in units built by Federal and local public funds. New housing for another 1,200 persons will be available within the next few months.

In the public schools, the Paiewonsky administration has pushed classroom construction and faculty building programs which have reduced the pupil-teacher ratio from more than 65 to 1 to the present 36 to 1. Further expansion of buildings and faculty soon should bring this ratio below 30 to 1.

Governor Paiewonsky's ceaseless efforts in behalf of higher education this year saw the doors open at the new College of the Virgin Islands. The first class of 46 freshmen now is in its second term, and there are some 300 part-time students.

Steady progress is being made in hospital and public health programs. A new alltime low in the death rate, coupled with a new record high in live births, is evidence of the efficiency of health services. However, the rapidly growing resident population and the expanding number of visitors is taxing the capacity of present facilities. The Paiewonsky administration now is planning construction within 5 years of two new multimillion-dollar health centers—one on St. Croix and one on St. Thomas. When completed, these centers will take care of the islands' needs for many years to come.

Simultaneously with the attack on social problems, Governor Paiewonsky opened a new drive for economic development of the islands. The emphasis has been on development which would provide employment at good wages, rather than the low-paid menial labor which was formerly the only job opportunity. The success of this development program is evidenced by the fact that per capita income had almost tripled by December 1963. A reliable estimate is that Virgin Islanders now enjoy a per capita income at the rate of some $1,500 per year. This is the highest in the Caribbean area.

The tourist industry has responded enthusiastically to the development plans of the Virgin Islands government. More than 331,000 people visit the islands annually by air and sea. They now are spending at the rate of some $45 million per year, which makes this the largest single source of income. On one day in December seven cruise ships visited St. Thomas. The island served from 4,000 to 6,000 tourists without incident.

The economic health of the islands under the Paiewonsky administration is evidenced by many indicators. For example, bank deposits last year hit an alltime high of $51,700,000, an increase of almost 50 percent in 2 years. Even more impressive is the fact that bank loans increased almost 100 percent in the same 2 years to reach a new record of $32,200,000.

It is significant that the U.S. Virgin Islands contribute most of their import purchases to the U.S. mainland. Of some $65 million worth of goods imported last year, $45 million was from the States. The Virgin Islands per capita purchases from the United States amount to $1,200, which makes them our best customers in the world. For every dollar a tourist spends in the islands, 75 cents returns to the United States of America.

The measure of an administration cannot be taken from partisan political criticism. It must be taken from the degree of progress made by that administration in the solving of social, economic, and cultural problems. When measured by this yardstick, there can be no question but that the governorship of the U.S. Virgin Islands is entrusted to capable hands under the stewardship of Ralph M. Paiewonsky.

Mr. President, in order that some of the more salient achievements of the Paiewonsky administration may appear in the RECORD, I ask unanimous consent that excerpts from Governor Paiewonsky's January 13 state of the territory message be printed in the RECORD.

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

At this time last year, I reported that the state of the territory was excellent and that there was every promise it would continue so. I am happy to say now that the state of the territory of the Virgin Islands continues excellent. Indeed, there is continued evidence of progress and prosperity never before deemed possible, and this prosperity has a broader base than ever before. The measure of our accomplishments is seen in the breadth and width of our concern with the everyday problems of all our fellow citizens. And, as we appraise the advances made in the past year, we are pleased that this record progress was shared by all our people alike, as we advanced together on the economic, social, cultural, and political fronts.

Let's look at revenues. For the first 6 months of this fiscal year, general fund revenues came to an alltime high of $6,375,000, or an increase of 47 percent over collections for the first 6 months of the last fiscal year.

For comparative purposes, the total general fund revenues collected in fiscal 1961, when I took office, was $8,872,113. Contrast this with the $16 million budgeted for this fiscal year, a 100-percent increase in less than 3 years. This fiscal year alone, we expect to collect in general funds $16 million, or $4 million more than last fiscal year; this increase in 1 year.

Next, let's take a look at housing. We finally have made a real breakthrough in public housing and community renewal. In partnership with this legislature, stepped-up response to housing needs was accomplished by two organizational steps. First, a Department of Housing and Community Renewal was established. Second, the Virgin Islands Urban Renewal Board was set up and recognized by the Federal Government as the local agency for administering federally assisted slum clearance projects. Several housing and community development activities have been initiated, including the Altona, Demerara, and Hospital Ground projects in St. Thomas, and the Estate Profit, Richmond Gardens, and Camporico projects in St. Croix.

In the middle-income housing field, a major problem, 80 acres of land have been acquired in St. Thomas for development into rental apartments. Another middle-income housing development on Government-owned land at Bluebeard's Castle Estate will be financed by a direct mortgage loan from the Housing and Home Finance Agency.

Now, let us turn to education. The College of the Virgin Islands opened its doors to the first freshman class on July 1, 1963.

Starting in July 1963 with 46 full-time freshmen and 142 part-time students, the college now has a total of 314 full-time and part-time students. It is worth noting that half the faculty of the college hold Ph. D. degrees from leading universities.

In our public schools, the teacher-pupil ratio has been reduced substantially to a

systemwide average of about 1 to 36. However, in both elementary and secondary schools, the pressure of growing population continues to cause a classroom shortage which is acute in some areas. This shortage has been greatly alleviated by new construction and remodeling on all three islands, and the situation will be further improved by substantial additions now being planned for this year.

Next, I am happy to report that the state of health in the islands has been generally good. There have been no serious outbreaks of any kind. An overall improvement in mortality statistics was registered, with the death rate reaching a new low of 9 per 1,000 population. Services were expanded and improved as new additions were made to the staff. The cancer detection program was intensified. Clinics were organized to mount a full-scale attack on parasitic infection. A team of Columbia University specialists completed a project for the standardization of intelligence tests.

Turning to the field of industry and commerce, we find a bright picture. Industrial development and trade were at a record high. The tourist industry led the way in fiscal 1963 with a total of more than $41 million brought into the islands. This is an increase of $5,925,000 over the previous year. Bank deposits also reached a new high of $51,700,000, and bank loans shot up to a new record of $32,200,000. It is estimated that 331,000 visitors came to the islands, as compared with 291,000 in fiscal 1962.

Eight new manufacturing industries were established in the islands during the year. Exports scored a phenomenal increase to reach a total of $20 million, up 119 percent in 1 year. Total imports were at the annual rate of $70 million in the first months of 1963, as compared with $61.8 million in calendar 1962, $50.2 million in 1961, $42.3 million in 1960 and $33.6 million in 1959. In 1962, about $42 million worth of goods was imported from the United States and Puerto Rico. Considering the population estimate of 35,000, the Virgin Islands per capita imports from the United States is $1,200, about 3 times that of Puerto Rico.

Per capita income of the Virgin Islands hit a new peak by the end of December 1963 of approximately $1,500 per year—the highest in the Caribbean.

In the field of social welfare, notable progress was made in both Federal and insular activities. There was an increase in scholarships for training professional social workers. Plans were completed for securing Federal public housing funds to construct an aided self-care home for the aged. The local public assistance program still is hampered by the limitation of Federal participation to $330,000, and every effort is being made to get Federal participation in the Virgin Islands on the same basis as in the States. The insular training schools have continued to achieve improvement in services and morale of both the children and staff. A master plan was approved for construction of cottages, one for boys and one for girls, to expand the services of this important facility. Detention centers for St. Thomas and St. Croix are being planned, and funds already are available for their construction.

Throughout the year, the smooth enforcement of our comprehensive civil rights law was aided by the continued efforts of the Human Relations Commission. Where misunderstandings arose, conciliation was used to settle them in an atmosphere of reason, without recriminations. The results of this work are evident in the fair and equal treatment of all citizens without regard to race, creed or color. Our model human relations was a source of comment and admiration from the many visiting dignitaries who came to our shores from other lands under the program sponsored by the U.S. State Department.

Perhaps the most important challenge for the present and the future of our islands is that of providing qualified leadership in both government and private activities. Leadership begins with young people of intelligence and the will to serve. These we have. The second step is to train these young people in the professions and skills they must bring to key positions in our society. My administration believes that this is not just desirable, but an absolute necessity. Hence, we have adopted a program of sending promising young men and women for training in the best universities and colleges on the mainland. We also have encouraged inservice training by bringing specialists to the islands to work with our people, on the job, to improve their professional skills. This program is just beginning. We hope to expand it in the future to assure that we will have the leadership at all levels to cope with the problems which will inevitably arise.

In conclusion, let me say that the Virgin Islands are moving ahead. In some instances we actually are setting the pace for other communities on the mainland. Our resolve to move ahead can never be terminated as long as the will to progress is alive. This continuing process of development will take time, energy and money. The broad majority of our people understands and accepts this responsibility as we move ahead toward higher social, economic and cultural goals far beyond our present achievements.

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

Mr. CHURCH. I yield to the Senator from Alaska.

Mr. GRUENING. I should like not only highly to commend my friend, the senior Senator from Idaho, but also to associate myself completely with his remarks on the subject of the services that Gov. Ralph Paiewonsky has given to the Virgin Islands.

I have been familiar with, and have followed closely, events in the Virgin Islands ever since 1934, when I was appointed as the first Director of the Division of Territories and Island Possessions of the Department of the Interior. It was a new agency created by Executive order of President Franklin Delano Roosevelt to supervise the Federal relations of our outlying areas. One of the responsibilities included in the supervision of our outlying possessions was that for the Virgin Islands. I have known all the Governors who have served there since jurisdiction over the Virgin Islands was transferred from the Navy to the Department of the Interior.

It will be recalled that when President Hoover transferred the jurisdiction of the Virgin Islands in February 1931, from the Navy Department to the Interior Department, he referred to the Virgin Islands as "an effective poor house." This remark which did not sit very well with the people of the Virgin Islands, nevertheless called attention to the fact that we had a problem there—a problem to do something about lifting the standards of living within the Virgin Islands, making them conform somewhat to the aspirations of the American people and to approximate for the Virgin Islanders who are American citizens what we like to call "the American way of life." A good start was made during President Roosevelt's administration but subsequently the interest in the Virgin Islands lagged at the Federal level.

A comprehensive rehabilitation and development program is now being carried out for the first time with a greater effectiveness, dedication, and ability than was ever before shown since the Virgin Islands came under U.S. rule. Governor Paiewonsky is and has been responsible for this great improvement.

Born and brought up in the islands, he is intimately familiar with their people's needs and aspirations. He has had the proper vision and has shown great administrative capacity and determination in materializing his program.

I repeat that I completely associate myself with what the able Senator from Idaho has said. His account of what has been happening in the Virgin Islands shows that this administration which put Governor Paiewonsky in that position was quite right in doing so. When the question of his confirmation came before our Subcommittee on Territories and Insular Affairs. I strongly supported his appointment, because I was convinced that he would be a good Governor. He has been more than that—he has been a great Governor.

Mr. CHURCH. I thank the Senator from Alaska for his statement. No Senator is better acquainted with the history of the Virgin Islands from the time of their acquisition by the United States, or more familiar with the kind of government that has prevailed there through the years. To have the endorsement of the Senator from Alaska added to my remarks is as fine a tribute as can be paid to Governor Paiewonsky and to his program under this administration.

Mr. GRUENING. I thank the Senator.

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

Mr. CHURCH. I yield to the Senator from Minnesota, our assistant majority leader.

Mr. HUMPHREY. I join in the commendation by the Senator from Idaho of our good friend from Alaska. He is indeed a well-informed Senator on matters relating to the Virgin Islands, as well as other subjects. I have often called the Senator from Alaska the Benjamin Franklin of our times. I truly believe he is.

I join the Senator from Idaho in commending Governor Paiewonsky and his administration in the Virgin Islands. I have long been interested in those islands. A gentleman from the Virgin Islands, Mr. Cyril King, was an assistant of mine. He is now the Governor's secretary in the Virgin Islands. There has been great improvement there in the past 3 years as a result of the Paiewonsky administration.

One of the finest things we could do to show we are serious in the war on poverty is to make the Virgin Islands a shining example of what an area or country can be like with helpful administration and programs. This will require the cooperation of the U.S. Government. We are indebted to the Senator from Idaho and other members of the Committee on Interior and Insular Affairs for the leadership shown, but I hope we shall be able to interest all our colleagues

in this area, because so many visitors go to the Virgin Islands, not only from the United States, but from all over the world, and it does not look well when they come to the islands to see slums and poverty and lack of education. It looks much better to see what they are given an opportunity to see now—huge existing programs, cleaning out the dirty old slums of cities and villages and better schools.

I have spoken in the high schools in St. Croix and St. Thomas, and I know the effort that is being made to improve education and public health. It is wonderful that we have such men and women willing to give ceaselessly of their time, effort, and ability to this worthy endeavor. It might be added that Governor Paiewonsky gave up a substantial personal investment in business in order to assume this responsibility. He has rendered excellent service; and I join in commending him.

Mr. CHURCH. I thank the Senator from Minnesota. When I hear criticism of the Paiewonsky administration in Washington, it is in contrast to what I hear from the people on the wharves and on the streets in the Virgin Islands. It should be better known in Washington that there is now in the Virgin Islands the kind of administration that came some years ago to Puerto Rico under that great statesman, Gov. Luis Muñoz-Marín. The progress Governor Paiewonsky has been able to make, in a brief period, has been such that we now take foreign visitors from Africa and other underdeveloped regions of the world to the Virgin Islands to show them what is going on under an American administration. There could be no better testimony as to the creative and constructive reform that is being achieved by Governor Paiewonsky.

Mr. GRUENING. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am glad to yield.

Mr. GRUENING. I can confirm fully what the Senator has said about the appreciation and approval of the plain people of the Virgin Islands with what Governor Paiewonsky is doing. I have talked with the people along the docks, to taxi drivers, and people in the marketplace; and I found enthusiasm in a region where for many years there was considerable skepticism about our Government among Virgin Islanders. They once felt they had been neglected. They do not feel that way now. I am convinced that if Congress were to enact the legislation which has been proposed at various times, to give the Virgin Islands an elective Governor, Governor Paiewonsky would be elected by an overwhelming majority.

The time is at hand when we should seriously consider such legislation. We have taken the necessary preliminary steps, in that three Governors—two before Governor Paiewonsky—have been natives of the Virgin Islands, born and reared there. This is a necessary and desirable preceding step to an elective governorship. I believe the time has come, now that there have been three such Governors, to allow the people of the Virgin Islands to choose their own. I am confident if an election were held today, or in the near future, Governor Paiewonsky would win overwhelmingly.

Mr. CHURCH. I agree wholeheartedly. I thank the Senator very much for his contribution.

VIETNAM NEED: WINNING THE PEOPLE

Mr. CHURCH. Mr. President, Takashi Oka, the east Asia correspondent of the Christian Science Monitor, has long contributed some of the most perceptive reporting on the situation in South Vietnam to be found in the American press. Mr. Oka points out that the Vietnamese conflict is a political war, and that political remedies are needed to win the war against the Vietcong. The primary problem in South Vietnam, Mr. Oka declares, is to win the allegiance of the people in the South Vietnamese countryside.

I ask unanimous consent to have this perceptive article from the March 9 issue of the Monitor, printed at this point in the RECORD.

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

VIETNAM NEED: WINNING THE PEOPLE

(By Takashi Oka)

SAIGON, VIETNAM.—To gain victory in South Vietnam's frustrating war against the Communist guerrillas, there must be a shift in emphasis from killing Communists to winning the people.

This is a view widely shared by Vietnamese and Americans with long experience in combating the Vietcong, the Communist guerrillas.

Trite and worn as the phrase "winning the people" may sound, and as many times as lip service has been paid to this slogan, it is still the irreducible minimum for winning victory, these observers say.

"For 3 years the Pentagon has emphasized military measures—killing the Vietcong," one knowledgeable source commented.

"We've killed thousands of Vietcong, according to our statistics, yet those 45 Vietcong battalions still remain.

"What we have got to do is to get the villagers to defend themselves—motivate them to defend themselves. This will take care of the small unit actions that form the bulk of Vietcong attacks today. Then the regular army can concentrate on the large action—the 300- or 400-men attacks which villagers obviously can't cope with."

The problem is how to motivate the villagers. Some months ago a survey was conducted to determine what a villager actually wanted. The list boiled down to four essentials: First, physical security; second, economic opportunity; third, local self-determination; fourth, the rule of law.

It was obvious that the Communists could not provide any of these four requisites except in a limited degree over limited periods of time. It was clear that the Government of South Vietnam as then constituted also failed to perform this task.

But the Government was and is in a far better position to do this than the Communists. And when and as it does, it has a legitimate claim on the loyalty of the villagers.

In another, more recent survey, 33,000 people in a single critical province near Saigon were interviewed. Many grievances against the Government came to light.

But the surveyors found that the interviewees also had an active antipathy toward the Communist guerrillas in their midst. In some villages, interviewees supplied rosters of resident Communists at considerable risk to themselves.

Potentially, therefore, the villagers were not "attentistes"—fence sitters. They had definite ideas as to how they wanted the Government to function. And to the extent that the Government actually did function in this manner it could begin to regain ground lost during the final years of the dictatorial Ngo Dinh Diem regime.

As for the argument that the war should be carried to the north, thoughtful observers here say that it sounds like a panacea which does nothing to solve the primary problem—winning the allegiance of the people in the South Vietnamese countryside.

The war must be fought and won in the south, whatever may happen in the north, these observers say. And in their view this war is in the highest sense a political war. Military means are useful only as this basic fact is recognized and applied.

TRIBUTE TO LOUIS M. LYONS, OF BOSTON

Mrs. NEUBERGER. Mr. President, this morning's Washington Post carries in its TV column the announcement that Louis M. Lyons, of Boston, has been awarded the Alfred I. du Pont Award for outstanding broadcasting in the public interest.

I am pleased to invite the attention of the Senate to this award, not only because Louis Lyons is a longtime friend of mine, but also because it is the first time the award has been given outside the usual commercial network television routine. Mr. Lyons is chief newcaster and analyst for station WGBH, the educational programing and radio station in the Boston area.

I was pleased to be asked to be a participant on one of his programs several weeks ago, I was urged by friends in the Cambridge-Boston area to accept, because Mr. Lyons was one of the most widely listened to commentators in the entire area.

I have received more mail as a result of that broadcast than from any other broadcast in which I have participated. So I am pleased to see such recognition accorded him.

One of the comments particularly applicable to Mr. Lyons says that his gift of style, his sturdy independence, and his freedom from fashionable cant and his highly personal delivery, make him a rare but winning representative of broadcasting's highest and finest traditions.

I am proud to pay great tribute to Mr. Louis Lyons, and to the integrity and intelligence of the Du Pont Award Committee for making the selection.

BEEF IMPORTS ARE WRECKING OUR LIVESTOCK ECONOMY

Mr. MUNDT. Mr. President, foreign meat products are wrecking our basic livestock economy in the United States. Unless effective action is taken promptly the evil consequences of these imports will have a far greater devastating impact on the overall economy of this country than all of the wars on poverty which this administration may both declare and implement can possibly correct.

Mr. President, it is imperative that corrective action be taken and that this action be fully effective. We are already almost too late on placing the necessary curtailments upon these imports. If we now do too little at this late date we will be guilty of sharply injuring the entire livestock business and its closely associated farming and ranching operations. Many of our businessmen and bankers are also already suffering.

In an effort to be helpful in developing corrective action which will be fully effective, I appeared before the Senate Finance Committee chaired by Senator HARRY BYRD this morning. My testimony will speak for itself, and some of the most important evidence was adduced during the colloquies with various members of the committee during the question-answer period of this morning's testimony. However, since it will be some time before today's committee hearings are printed, I ask unanimous consent that the direct testimony which I presented this morning appear at this point in my remarks.

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

TESTIMONY OF SENATOR KARL E. MUNDT BEFORE THE SENATE FINANCE COMMITTEE ON MARCH 16, 1964, IN SUPPORT OF THE AMENDMENT INTRODUCED BY SENATOR HRUSKA AND OTHERS TO REDUCE IMPORTS OF BEEF, VEAL, MUTTON AND LAMB

Mr. Chairman, members of the committee, I most sincerely appreciate your courtesy and consideration in moving expeditiously to hold hearings on these most important legislative proposals to restrict imports of meat and meat products which are having such an adverse effect on the economy of the American livestock producers. I hope this committee can report this legislation at an early date so that this bill can be brought up on the Senate floor for action at the earliest available opportunity.

Mr. Chairman, this committee is to be commended by the manner in which it has moved through the Congress some of the most important bills of the year. However, I do not feel that any legislative proposal which you have considered or will consider is any more important to the overall economy of all our 50 States than is the proposal which you are considering here today. In fact, Mr. Chairman, I feel that if we are to really wage a war on poverty that an amendment to limit imports of meat and meat products must be considered as a major battle in that war because a sustained continuation of the prevailing, intolerable avalanche of meat imports will create new areas of poverty where none have existed before.

Amendment No. 467, introduced by Senator HRUSKA and others, to H.R. 1839 which is the subject of these hearings today is similar to many other amendments which have been introduced to this same legislative proposal all of which make provision for the placing of limitations on imports of certain livestock products. I am happy to support this amendment since it establishes the year of 1960 as the base for the setting of quotas on these imports. This proposal according to figures which have been made available to me would permit the importation into the country of some 413 million pounds of certain types of meat products. This would be some 510 million pounds below the amount which is now being imported under the Australia-New Zealand agreements formula. Thus amendment 467 is, in my opinion, the most effective and the most desirable of all of the proposals now before you dealing with these emergency conditions created by today's high level of imports.

First of all, let me say I believe that it is unfortunate that this committee must sit here today listening to testimony on legislation to regulate imports of these meat products. I have been deeply disappointed that the administration through the Department of Agriculture and the President have not taken action under authorities at their command to meet this problem head on. I frankly feel that many, many months ago the Secretary of Agriculture should have invoked the emergency provisions of section 22 of the Agriculture Adjustment Act of 1935. For the information of the members of this committee and the record this section contains a provision which reads as follows: "In any case where the Secretary of Agriculture determines and reports to the President with regard to any article or articles that a condition exists requiring emergency treatment, the President may take immediate action under this section without awaiting the recommendations of the Tariff Commission, such action to continue in effect pending the report and recommendations of the Tariff Commission and action thereon by the President."

While I realize that section 22 applies mainly to price-supported crops, I am convinced that with the imagination of this administration they could have, or still could for that matter, determine that livestock imports would come under this interpretation in view of the fact that the Department buys, every year, meat and meat products for the school-lunch program and for distribution under certain welfare programs—and the dairy support program. In fact, I believe statistics would support the fact that the Secretary has had to buy more dairy products because of beef imports.

The Secretary of Agriculture evidently has not made the emergency recommendations for the imposition of such restrictions and the President has not acted and we are here today making a legislative history with the hope in our hearts that this committee in all its wisdom will report H.R. 1839 with an amendment which will impose fully effective restriction on the imports of meat and meat products and thus provide some encouragement for the future of those in this country who are engaged in livestock production.

Mr. Chairman, the record is replete with statistics on the increase of these imports and the effect which they are having on the economy of our livestock people. However, let me point out that on March 11, 1964, in a publication entitled "Farm Income Situation" issued by the Department of Agriculture it states on page 6 that "Receipts from livestock and livestock products dropped about 2 percent in 1963. This decline was due primarily to lower meat animal prices at the farm." This same publication reports that South Dakota income was down 12 percent in 1963 and again indicates the loss occurred because of declining receipts in the livestock industry. Since about 70 percent of the agriculture income in South Dakota comes from livestock production it is most apparent that our farmers in South Dakota have been seriously hurt economically because of the lack of any effective action to curb these imports. In fact, Mr. Chairman, last year in South Dakota livestock producers suffered a $56 million devaluation in their assets in livestock alone.

Mr. Chairman, I believe it is imperative that this committee and this Congress take expeditious action to approve legislation which would impose needed restrictions. According to Assistant Secretary of Agriculture, Roland R. Renne, in an address to the American National Cattleman's Association in Memphis, Tenn., on January 28 of this year he said and I quote: "Today the United States is the only major beef market without any quantitative restrictions and with a very nominal fixed import duty."

Mr. Chairman, here we have an Assistant Secretary of Agriculture saying we are the only major beef market without any quantitative restrictions on imports. We had an opportunity in the Senate on March 5, if we had adopted the Hruska amendment, to have corrected this situation but for reasons which are varied and sundry the Senate failed to adopt that amendment by meager but effective margin of two votes. Had our efforts succeeded then, you would not need to be meeting here today to consider this serious problem which remains unsolved.

We are now taking this route in an attempt to get the job done. The livestock industry is the basic industry of a great segment of our country. The livestockmen are desperate for help against a kind of competition smiled on by the administration which they cannot hope to have corrected without some help from Congress. We who are sponsoring the various amendments providing for these limitations on imports do not ask to have all imports cut off but we do believe that our American producers do have a primary claim on the American market.

Congress in my opinion cannot fail the American livestock producer and I therefore urge this committee to report H.R. 1839 with the necessary amending language such as set forth in amendment No. 467 providing for the imposition of quotas on certain meat imports which will be effective and which will make for an optimistic economic climate in which the livestockmen can operate so that they, too, can then participate in our national economic growth.

Mr. MUNDT. Mr. President, in conclusion, may I urge my colleagues in the Senate generally to support legislation which will eliminate the calendar year 1963 entirely from any computation quotas or averages in determining allowable quantities of meat imports to flow into America. After all, we all know that 1963 was the year of the big flood insofar as the inundation of our American markets by foreign meat imports is concerned. Hence, in solving the problem and in setting allowable quotas we should either take the Hruska formula of using the 5 years preceding 1963 as our guide—eliminating the flood tides of 1963 imports entirely in our considerations—or take some near-normal year such as 1960 to determine the allowable level of imports.

In its defeat by two votes of the Hruska amendment to the farm bill which would have set appropriate quotas without further delay, the Senate has contributed to a continuation of a severe economic problem which must be corrected. Therefore, I hope that action will be taken at the earliest permissible date—even though we are already fearfully tardy about meeting a national problem of the utmost urgency.

SENATOR HUMPHREY'S BRILLIANT EXPOSITION OF CIVIL RIGHTS BILL ON "MEET THE PRESS"

Mr. PROXMIRE. Mr. President, on March 8, Senator HUBERT HUMPHREY appeared on the "Meet the Press" program.

Since Senator HUMPHREY is the floor manager of the pending civil rights bill and March 8 was the eve of the historic Senate debate on the bill, Senator

HUMPHREY was primarily questioned on this bill.

Mr. President, Senator HUMPHREY has many great talents well known to this body. He is certainly one of the most eloquent men in the Nation. Few if any have the remarkable capacity of Senator HUMPHREY to arouse, to inspire, to persuade.

Now most spellbinders trade on dramatic overstatement of their case on exaggeration, distortion.

The unique ability of Senator HUMPHREY is his capacity to make an extraordinarily convincing case without a single overstatement of exaggeration.

Sunday, March 8, Senator HUMPHREY demonstrated what an invaluable asset this is for the cause of civil rights which he leads in the Senate.

Senator HUMPHREY'S exposition of the civil rights bill—what it does and what it does not do, what it means to this Nation's future—provides a superlative and accurate insight into this bill now before the Senate.

I ask unanimous consent that the transcript of Senator HUMPHREY'S brilliant appearance be printed in the RECORD at this point.

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

MEET THE PRESS, MARCH 8, 1964

Guest: Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, Democratic whip.

Panel: May Craig, Portland (Maine) Press Herald; Frank van der Linden, Nashville Banner; Herbert Kaplow, NBC News; Lawrence E. Spivak, permanent panel member.

Moderator: Ned Brooks.

Mr. BROOKS. This is Ned Brooks, inviting you to "Meet the Press."

(Announcement.)

Mr. BROOKS. Our guest today on "Meet the Press" is Senator HUBERT HUMPHREY, of Minnesota, floor leader in the Senate for the civil rights bill which he has called the most important and significant legislation to come before Congress in our lifetime.

Senator HUMPHREY is the majority whip and member of the important Foreign Relations Committee and chairman of the Disarmament Subcommittee.

Sargent Shriver, who was originally announced for today, will appear at a later date.

We will start the questions now with Lawrence E. Spivak, permanent member of the "Meet the Press" panel.

Mr. SPIVAK. Senator, the Senate has never in its history beaten a filibuster over civil rights. Why do you think you can win this time?

Senator HUMPHREY. Well, Mr. Spivak, I believe that we can win this time because there is a time in the affairs of men and nations when an idea comes to its fruition. I really believe that the American public recognizes the need for civil rights legislation. We have had plenty of instances that would tell us that something needs to be done and I sincerely believe in the light of the tremendous vote that we witnessed in the House of Representatives, a vote of 290 to 130, for the civil rights bill, that Congress is ready to act.

Mr. SPIVAK. Now, Senator, you, better than anybody else, know that the House and the Senate are two different bodies. How many votes can you get in the Senate today to bring about cloture to break a filibuster?

Senator HUMPHREY. Well, if we were to be called upon to use the procedure of cloture, which is provided for in our rules, we would of course need two-thirds of those present and voting. The maximum would be 67. The majority leader, Mr. MANSFIELD, has said—and I think correctly so—that we would need something like 24 to 25 Republican votes alongside of those that we could muster on the Democratic side. I was very pleased to note that one of the Senators on the Republican side, very dedicated to the cause of civil rights, Senator SCOTT, of Pennsylvania, said today that the Republicans could muster 25 votes for cloture. Therefore, if we were to have to apply cloture, if the debate necessitated that, I then predict that we could apply it and we could bring this measure to a vote and if we can bring it to a vote, we will have the votes I am confident to pass the civil rights bill.

Mr. SPIVAK. Senator, those who know the workings of the Senate say that Senator DIRKSEN has the power to control the fate of this civil rights bill. Do you go along with that?

Senator HUMPHREY. Well, Senator DIRKSEN surely will be a very key person in this entire historic debate and in a sense I am pleased that he will be because I have a very high regard for Senator DIRKSEN. He is the Republican leader. He is a man who thinks of his country before he thinks of his party. He is one who understands the legislative process intimately and fully, and I sincerely believe that when Senator DIRKSEN has to face that moment of decision where his influence and where his leadership will be required in order to give us the votes that are necessary to pass this bill, that he will not be found wanting.

I would trust Senator DIRKSEN, and I am confident that that trust will not be misplaced.

Mr. SPIVAK. Senator, I am sure Senator DIRKSEN appreciates those kind words, but I am not sure it will win his vote over to your side quite that easily. He has definitely said that he is against the public accommodations section. Now are you going to be able to get his agreement on the compulsory aspect of that section without some compromise?

Senator HUMPHREY. I have watched Senator DIRKSEN in the Senate for some time, and by the way, I didn't say what I said about him to get his vote.

Mr. SPIVAK. I didn't say you did.

Senator HUMPHREY. I said what I said about him because I do have a very high regard for him.

Mr. SPIVAK. I didn't say you did, Senator. I just said it wasn't going to get his vote.

Senator HUMPHREY. Don't be too sure he won't vote with us, Mr. Spivak. I think he shall. The public accommodations section is the one that has caused Senator DIRKSEN some concern. I would say, however, that in examining title II, which is the public accommodations title in the House-passed civil rights bill, that Senator DIRKSEN will find that most of the concern that he had over the original bill, the bill as introduced by the administration, the bill that was originally in the committee in the House and even as it came from the committee in the House to the House floor, that those worries and concerns have been changed, have been altered, and I am quite confident that once the Senator has given his full thought and time to the public accommodations section, that without materially changing that section he will be able to support the bill and help us in its passage.

Mr. SPIVAK. Senator, despite many denials, there has been talk around of a compromise on the civil rights bill. What can you tell us about that?

Senator HUMPHREY. It is nonsense. There is no truth to it at all. I am pleased that you brought it up because it needs to be set at rest. Who would compromise on it? Surely not the President, who has put his whole support behind it. Surely not Senator HUMPHREY or Senator KUCHEL, the Republican leader. There is no compromise and I recall that the Southern leader, a great Senator, Senator RUSSELL, of Georgia, said only last week that he knew of no compromise and there will be no wheels and no deals and no compromise that will in any way fundamentally affect or alter this bill.

Mr. SPIVAK. Would you rather take defeat of the bill than make a compromise of any important nature?

Senator HUMPHREY. I don't expect that this bill will be defeated. This bill is a sensible, fair, moderate, reasonable, well-designed piece of legislation. It is bipartisan, it is directed toward a national problem, a moral issue, and I am positively convinced that when people study this bill as some of us have—and I have put many hours at it—it will be found that it will have great support throughout the Nation and in the Congress.

Mr. SPIVAK. My question, Senator, was, Would you rather take defeat of this bill than compromise on it?

Senator HUMPHREY. I don't want to have an iffy question like this, Mr. Spivak, because we are going to pass this bill.

Mr. BROOKS. We will be back with "Meet the Press" and more questions for our guest, Senator HUBERT HUMPHREY, but first, this message.

(Announcement.)

Mr. BROOKS. And now resuming our interview, our guest today is Senator HUBERT HUMPHREY, of Minnesota. You have just met Lawrence E. Spivak, permanent member of the panel. Our other reporters today are Frank van der Linden, of the Nashville Banner; May Craig, of the Portland (Maine) Press Herald; and Herbert Kaplow, of NBC News. We will continue the questions now with Mr. Van der Linden.

Mr. VAN DER LINDEN. Senator HUMPHREY, Senator HUGH SCOTT, of Pennsylvania, a Republican member of the Senate Rules Committee, which is investigating Bobby Baker, has raised a question in the hearings as to whether Baker, when he was secretary to the Senate Democratic majority, received large campaign contributions for a presidential candidate. This was in 1960, when Baker was working for the now President Johnson.

SCOTT also charges that the Democrats are in a big hurry to close this investigation down without going into campaign spending. I'd like to ask you as the assistant leader of the Senate, do you think the committee should go into the issue of the campaign spending or should they carry this investigation on?

Senator HUMPHREY. Well, if Senator SCOTT has evidence of any wrongdoing, then the committee obviously ought to look at it, but if it is just some thought that may have passed through his mind as a former National Chairman of the Republican National Committee, that we ought to just take a look at how the Democrats spend money and raise money, then I think it is not a fair proposition.

But if there is evidence, evidence that indicates that there is some wrongdoing, then the committee has an obligation; but no evidence has been presented. You just can't go around investigating what little idea or charges someone may wish to make.

Mr. VAN DER LINDEN. Senator, he raised a question when questioning Mr. Baker and mentioned specifically that Fred Black, who is an agent for North American Aviation Corp., reportedly has said he gave the contribution to Baker. And Baker refused to answer any questions. So that leaves the question of whether the hearing should go on now or do you think it ought to be wound up in a hurry?

Senator HUMPHREY. Well, I don't think anything as important as this ought to be done in a hurry and it hasn't been done in a hurry. It seems to me it has been dragging on, almost like the 1st session of the 88th Congress. This whole matter of Mr.

Baker is under investigation from the Internal Revenue Service, from the Justice Department and a committee of Congress. It seems to me it is getting a rather thorough going over.

Mr. VAN DER LINDEN. Looking ahead from the 1960 campaign to 1964, we understand that you might be available for the vice presidential nomination. Could you confirm that?

Senator HUMPHREY. Well, Mr. Van der Linden, no one has really brought this to my attention except reporters, and as much as I admire and respect my friends of the news media it seems to me that that decision will be really in the hands of the President of the United States and the Democratic Convention. I don't like to have to report this to you, and it will be no news flash, but the President hasn't asked me, the Democratic Convention hasn't nominated me and I am very content with being U.S. Senator from Minnesota.

Mrs. CRAIG. Senator, children are being dragged out of their homes and put in buses and taken off to distant schools away from their family neighborhoods to repair what they call racial imbalance. Is there anything in the bill to do that?

Senator HUMPHREY. There is not, Mrs. Craig.

Mrs. CRAIG. I understood the bill forbade it but Congressman HOWARD SMITH, who is pretty familiar with it says that it is in there, but it is covered up.

Senator HUMPHREY. It is not, and I have examined the bill with meticulous care. I have asked attorneys that are competent in this field. It is not there, and I do not believe that we ought to have race as a basis of assignment of students or children or pupils to a school for purposes of segregation or integration.

Mrs. CRAIG. Some of the Negro leaders say that it is all right to break laws which are not right. Do you approve of that?

Senator HUMPHREY. It is always all right to petition, Mrs. Craig, and it is right to speak and it is right to assemble and the law enforcement officials should protect those rights but it is not right and proper to break laws, as such. It is, however, the duty of the Federal Government to protect the citizen's right to assemble, to petition peacefully and if need be to speak freely about any grievance or any injustice that a person might feel. This is the history of the United States. The Declaration of Independence, itself, called for a redress of our grievances. The Boston Tea Party is a part of the history of the United States. We have been a people that have protested against wrong all through our history. We have a sense of social justice and I would advise my good friends wherever they may be that it is good to respect the law but it is also good to ask for redress of laws that are unjust or unfair, and I think this is what the civil rights people, those that are particularly fellow citizens of Negro birth, have been seeking to do.

Mrs. CRAIG. Do you believe in demonstrations such as happened Friday night in New York at the Tri-Borough Bridge where seven sat on the pavement and thousands of people trying to get home at the rush hour could not use the public streets?

Senator HUMPHREY. I do not, Mrs. Craig, and I believe, however, as I said before that the responsibility of the police is to protect the demonstrators as well as the spectators, to maintain law and order, to prevent violence and disorder and injury to property and person, but by the same token the reason for these demonstrations needs to be examined. Why the demonstrations? Because of a longtime—a long history of—abuse, of lack of opportunity, of slums, of poor housing, of inadequate education, of frustration, of hopelessness, and once that you have this long period of history of this kind of collective social injustice you can expect some outbursts. I regret some of the outbursts but I think they are inevitable unless we get at the core of the problem, at the root of the problem which means educational opportunities for the Negro people equal to the other citizens. Which means that he is brought into society as an equal and has the full protection of the laws. Then, may I say, demonstrations, I think, will cease.

Mr. KAPLOW. Senator, what is negotiable on your civil rights package?

Senator HUMPHREY. Mr. Kaplow, the bill that was passed by the House, to my mind, represents an instrument or a document that has already been negotiated. We recall vividly, I am sure—you as an eminent news commentator will recall—in October of last year, how the Attorney General and members of the Justice Department and our late and beloved President Kennedy sat down quietly, effectively and worked with the House Republican leadership, Mr. HALLECK and Mr. MCCULLOCH, as well as the Democratic leadership, to work out truly a compromise bill at the House level. The present bill before the Senate passed by the House was even amended on the House floor. I repeat: It is a moderate bill. It is fair. It is reasonable. It had better than a 2-to-1 majority. It is bipartisan. One hundred and thirty-eight Republicans voted for that bill—152 Democrats. I don't think it needs any modification. It is good legislation and I pay tribute to those who designed it.

Mr. KAPLOW. Well, as a matter of Senate tactics, you don't ever go in with a bill that you say can be negotiated or compromised but as a matter of fact don't you go in in the weeks of debate and occasionally alter sections?

Senator HUMPHREY. We have and most bills are that way, sir, but bills——

Mr. KAPLOW. Why shouldn't it happen this time?

Senator HUMPHREY. Because of the problem we face in the Senate of the United States to pass civil rights legislation. Because a minority can block the opportunity to vote on the bill unless we have unusual strength.

Mr. KAPLOW. Do you mean a minority?

Senator HUMPHREY. A minority. Excuse me if I said majority. A minority. Therefore I think it would be desirable for us to take the work that has already been completed in the House and to pass it in the Senate. This would avoid, sir, going back through the House again, through conference and bringing it back to the Senate.

I have been around the Senate long enough to know that if you try to make two runs at one piece of civil rights legislation in 1 year, you are apt to get nothing.

Mr. KAPLOW. Senator, wasn't it a fact that in the original Kennedy administration civil rights package there was no inclusion of the FEPC provision?

Senator HUMPHREY. That is correct. The President, however, did include in his message such a provision and it was added in the House and I might add that the provision on fair employment practices in the House bill is essentially a Republican designed feature. It is very moderate, it provides for a great deal of voluntary compliance and it has no enforcement powers in the Commission. All enforcement is to be found in the Federal courts.

Mr. KAPLOW. Is it conceivable that the FEPC would be dropped to keep the public accommodations provision in, in substantially the form it now is?

Senator HUMPHREY. Why should we? It is needed. It is helpful. It is a very limited measure. Frankly there are many Members of the Senate who think this bill ought to be greatly strengthened. I am in the position as the floor leader of saying that surely it ought not to be weakened and I believe that if you try to strengthen it you may very well break or destroy the base of support which was developed during that excellent debate in the House of Representatives, and the House was at its finest hour during the debate, title by title, on the civil rights bill. I hope that we can debate it in the Senate the same way, worthy of the position of the U.S. Senator, worthy of the dignity of our body, title by title. Let us debate it that way. And if we do, I think we will find that every title is justified.

Mr. SPIVAK. Senator, am I to understand that you are really going on record as saying that it is going to be either this bill or no bill at all this session?

Senator HUMPHREY. Well, Mr. Spivak, the word "never" is a word that a man in public life seldom or never ought to use. I am saying that the objectives, the basic purposes, the basic provisions of the House bill are sound and solid and reasonable and fair. I have as my objective, sir, as the floor leader for this bill—and I am sure now I speak for my Republican friends, who, by the way, will have equal responsibility since we can't pass legislation unless it is a bipartisan proposal—I go on record as saying that the House bill is desirable. It is what we ought to come out with. This is what we want I hope and pray that we will be able to succeed in it. I am not one person that feels that you take all or nothing, but my objective is the House bill. I see no reason to compromise. I do not intend to compromise and I do not intend, if I can help it, to see the bill altered.

Mr. SPIVAK. Senator, in August of this year you did say in an interview in the Christian Science Monitor that the bill might have to be modified, particularly the public accommodations section. You said it may be limited to certain public places like hotels and motels.

Senator HUMPHREY. Yes.

Mr. SPIVAK. Now can we take it that if it were necessary to modify it that that kind of compromise might still come about?

Senator HUMPHREY. Mr. Spivak, I am pleased that you brought up that August statement of mine because this bill has been modified since August so much on the public accommodations section that it would hardly be recognizable. Actually the bill reported by the Senate Committee on Commerce is a much stronger bill on public accommodations than is the House bill. The House committee modified the original Kennedy proposal on public accommodations, modified it in many ways, liberalized it, included whole areas of voluntarism, limited effectiveness and the application.

The modification Senator HUMPHREY wanted in August has been achieved and then some in the bill passed by the House and the one before us.

Mr. VAN DER LINDEN. Senator, you are a member of the Foreign Relations Committee and very close to the President. You go to the White House quite a bit. So I imagine you have information which other people don't have regarding foreign affairs.

I'd like to ask you, How many Russian troops or so-called technicians are still in Cuba and what is President Johnson doing, if anything, to get them out?

Senator HUMPHREY. Mr. Van der Linden, I do not know. I do not know how many Russian troops are in Cuba. I understand there are fewer there now than there were 6 months ago and I understand that the Soviet Union has been withdrawing some of its troops and some of its technicians but I am unable to give you an adequate and frank answer, and that is what I am trying to do on this program.

Mr. VAN DER LINDEN. You understand the reports are that several thousand still remain there?

Senator HUMPHREY. That is entirely possible, sir. I think that that might be possible.

Mr. VAN DER LINDEN. Do you know of any policy to move them out, any agreements with the Russian leaders, involving the wheat deal or anything like that?

Senator HUMPHREY. No, I don't know of any such understanding or any such agreement. May I say I would hope that our Government would continue to press for the removal of those troops and the technicians and I am hopeful that this will be accomplished. It is the objective of this administration to do so.

Mrs. CRAIG. Senator, the House added an amendment to the bill giving women the same protection in employment discrimination afforded on grounds of race, creed, and other things. That was opposed by the administration in the House. Will you accept it in the Senate?

Senator HUMPHREY. Well, Mrs. Craig, I am all for women and I believe that the provision in all seriousness that is in that bill is acceptable. I have said I am very aware of it; I know it caused considerable debate and discussion but I think we can accept that provision and it is a workable one.

Mrs. CRAIG. Now Negroes are demanding quotas of employment. Do you approve of quotas in employment?

Senator HUMPHREY. I approve of nondiscrimination in employment. That is why I think that the answer to this quota problem, Mrs. Craig, is the fair employment practices provision, particularly as it is written in the House bill.

By the way, I was looking this House bill over just yesterday and then I went back and looked over the proposal that was offered in the Senate in 1949 by the late Senator Robert Taft. It is almost identical. Almost identical. I say this because so many people in speaking of this civil rights bill presume that it has gone way off into the wild blue yonder, radical, far-reaching schemes. To the contrary. We mentioned a moment ago public accommodations. For goodness sakes, 32 States already have public accommodations laws stronger than in this bill. The common law of England prior to Chaucer and the Canterbury Tales provided, for example, that there should be no discrimination on the part of an innkeeper in terms of his guests. We are really just trying to catch up with old Chaucer.

Mrs. CRAIG. Senator, one of the most insulting discriminations in the country are the laws in 19 States forbidding whites to marry nonwhites. Why is that not a civil right in your bill?

Senator HUMPHREY. Well, Mrs. Craig, I am a practical man. Maybe it is because I am getting a little older. I would hope that I have learned something in Congress. This bill doesn't cover everything. This bill is designed for certain limited purposes. This bill will not bring utopia. It will require cooperation at the levels of local and State government and voluntary organizations and individuals.

We don't try to deal with every problem in this bill, and frankly I don't think people know quite how to deal with that problem, and we are not trying to move into that kind of a private relationship in Federal law.

Mr. BROOKS. We have about 2 minutes. Mr. Kaplow——

Mr. KAPLOW. Senator, are you concerned about what will happen after this civil rights debate is resolved? The aftermath? If it is not a strong enough bill for the militant desegregationists and if it is too strong for the people who are starting to react against this desegregation fervor?

Senator HUMPHREY. I think if this bill is passed, Mr. Kaplow, it will be looked upon as the greatest achievement in the field of human rights since the Emancipation Proclamation. It will mean that we have eliminated by law the citizenship gap in this country. The citizenship gap that has weakened America for better than a century—yes, for two centuries.

Mr. KAPLOW. Suppose it isn't passed?

Senator HUMPHREY. I am not worried as to what its effects will be except that it will be good.

Mr. KAPLOW. Suppose it isn't passed essentially the way you have it written?

Senator HUMPHREY. If the legislation is not passed, or legislation very similar to it is not passed, I am afraid there could be grave social and political consequences in America.

Mr. SPIVAK. Senator, if it should become necessary for the war in South Vietnam to be expanded and for us to send more men, do you think the President ought to come to Congress with that and get his approval?

Senator HUMPHREY. I surely do, if that were to become necessary, but I know of no such plan. But I do think he ought to come to Congress.

Mr. SPIVAK. Has he given you any indication that if that should happen he will?

Senator HUMPHREY. None whatsoever.

Mr. SPIVAK. But you believe that he should?

Senator HUMPHREY. I believe not only that he should but I believe that he would, knowing Senator Johnson.

Mr. VAN DER LINDEN. Senator, the Republicans are charging even if a strong bill is passed President Johnson will go easy in enforcing it in the South at least for the first year or so, in hopes of making sure he carries the South. Is there any truth at all to this charge?

Senator HUMPHREY. I think the President will do what is right and may I say our job is not merely to enforce laws, our job is to develop the national consensus, law observance, to try to bring unity to this country, to bring understanding, and that is what a President ought to do and that is what we all ought to do.

Mr. BROOKS. I am sorry to have to interrupt but I see that our time is up.

Thank you very much, Senator HUMPHREY, for being with us. I will be back with you in just a moment. First, this message.

(Announcement.)

The ANNOUNCER. For a printed copy of today's interview send 10 cents in coin and a stamped, self-addressed envelope to Merkle Press, 809 Channing Street NE., Washington, 18, D.C.

Mr. BROOKS. Next week at this time NBC will present a special program: "Conversation With the President," 6 to 7 p.m., 5 central time.

Now this is Ned Brooks saying goodbye for Senator HUBERT HUMPHREY and "Meet the Press."

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

The PRESIDING OFFICER. The clerk will call the roll.

[No. 82 Leg.]

Aiken	Ervin	McGee
Anderson	Fong	McIntyre
Bayh	Fulbright	McNamara
Beall	Gore	Metcalf
Bennett	Gruening	Miller
Bible	Hart	Monroney
Boggs	Hartke	Morton
Brewster	Hayden	Mundt
Byrd, Va.	Hickenlooper	Muskie
Cannon	Hill	Nelson
Carlson	Holland	Neuberger
Case	Humphrey	Pastore
Church	Inouye	Pearson
Clark	Jackson	Prouty
Cooper	Johnston	Proxmire
Curtis	Jordan, Idaho	Ribicoff
Dirksen	Kennedy	Robertson
Dodd	Lausche	Russell
Dominick	Long, La.	Scott
Douglas	Magnuson	Simpson
Eastland	Mansfield	Smathers
Ellender	McClellan	Smith
Sparkman	Talmadge	Williams, Del.
Stennis	Thurmond	Yarborough
Symington	Williams, N.J.	Young, N. Dak.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from North Dakota [Mr. BURDICK], the Senator from West Virginia [Mr. BYRD], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], the Senator from Tennessee [Mr. WALTERS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from West Virginia [Mr. RANDOLPH] is absent because of illness.

I further announce that the Senator from California [Mr. ENGLE] is necessarily absent.

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Hampshire [Mr. COTTON], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. KEATING], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate to attend as Chairman of the Economic Committee of the NATO Parliamentarians' Conference, the 10th Plenary Assembly of Businessmen of the Americas, sponsored by the Inter-American Council of Commerce and Production, in Santiago, Chile.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). A quorum is present.

CIVIL RIGHTS ACT OF 1964

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

AMENDMENT NO. 470

Mr. RUSSELL. Madam President, I have an amendment to H.R. 7152 at the desk which I intend at the appropriate time to offer for myself and the Senator from Mississippi [Mr. STENNIS]. I ask that the amendment may be read, and that it may be considered as having been read for all purposes under the rules of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Reserving the right to object, is it in order to offer an amendment to a bill which is not before the Senate?

Mr. RUSSELL. I have not offered the amendment. I stated this is an amendment which I intend to propose at the appropriate time. That was the language I used.

Mr. MANSFIELD. Would the Senator consider allowing the Senate to vote on the motion to make the bill the pending business, so that the amendment could be offered in the regular order?

Mr. RUSSELL. I cannot do that at this time without consultation. The Senator can object if he wishes. I will read the amendment myself.

Mr. MANSFIELD. No. I merely wished to have the record clear and to ask for information. The information has been forthcoming. I have no objection.

Mr. HUMPHREY. Madam President, may I ask the Senator what his unanimous-consent request is?

Mr. RUSSELL. My unanimous-consent request is that the amendment be read by the clerk and be considered as having been read under the rule, so that when I propose the amendment later, it will not have to be read again.

Mr. HUMPHREY. That is agreeable. I merely wished to be certain.

Mr. SCOTT. Madam President, do I correctly understand that the Senator does not intend to pursue the amendment further at this time?

Mr. RUSSELL. I cannot do so. Under the rules, I cannot propose an amendment to the bill at this time. The bill is not the unfinished business. There is nothing unusual in submitting an amendment to a bill that is not before the Senate. It is done almost daily. Senators submit amendments and have them printed and referred to the appropriate committees. Of course, that cannot be done in this case, because the bill has not been referred to a committee. I ask that the amendment be printed and lie on the table. I am not undertaking to take advantage of any Senator in any way.

Mr. SCOTT. I merely asked the question for the RECORD. I have no objection. I am perfectly content.

The PRESIDING OFFICER. Is there objection to the amendment being read? The Chair hears none; and the amendment of the Senator from Georgia will be read, printed, and lie on the table.

The amendment (No. 470) intended to be proposed by Mr. RUSSELL, on behalf of himself and Mr. STENNIS, was read, as follows:

On page —, line—, insert the following new Title numbered XII to read as follows:

"TITLE XII—TO ESTABLISH A COMMISSION TO BE KNOWN AS THE VOLUNTARY RACIAL RELOCATION COMMISSION AND DEFINE ITS DUTIES

"SEC. 1201. The purposes of this Title are to reduce and eliminate racial tensions, promote national unity and domestic tranquillity and prosperity and aid in the abolition of poverty by improving the economic status of individual American citizens by assisting in the equitable distribution throughout the several States of those citizens belonging to the two largest racial groups included in the population of the United States who, of their own volition and free will, desire to better their conditions by changing their place of residence. A further purpose is to give technical advice and assistance to any commission or other agency which may be created by and within any State for the purpose of securing a more equitable distribution of the two largest racial groups within a State. One of the primary objectives of the program provided for by this Act shall be to improve the annual income and the living standards and the social, economic and employment opportunities of those who may avail themselves of the provisions of this Act, thereby assisting all of the less privileged and likewise improving the economic opportunities and standards of living of all the people of the United States and increasing the national revenues and per capita income of American citizens and the gross national product.

"SEC. 1202. There is hereby established an independent agency to be known as the Voluntary Racial Relocation Commission to be composed of three members who shall be appointed by the President by and with the advice and consent of the Senate; not more than two members of the Commission shall be members of the same political party or of the same ethnic group. The President shall designate one of the members as Chairman, who shall receive compensation at the rate of $22,500.00 per annum, the other two members shall receive compensation at the rate of $20,000.00 per annum.

"SEC. 1203. On the basis of data furnished by the Bureau of the Census, the Commission shall—

"(1) determine the two largest racial groups in the United States having separate and distinct racial characteristics; and

"(2) from time to time determine the number of persons attributable to each of such groups per thousand population of each State, and per thousand population of the United States as a whole.

"The number of persons attributable to either of such racial groups per thousand population of any State shall be considered to be below normal if less than 95 per centum, or above normal if more than 105 per centum, of the number of persons attributable to such group per thousand population of the United States as a whole.

"Powers of commission

"SEC. 1204. The Commission shall formulate and effectuate a program to encourage and assist persons who are members of either of such racial groups and who desire to take advantage of the provisions of this Act to move from States where members of their racial group are above normal and to relocate in States where members of their racial group are below normal. Insofar as may be possible, the Commission shall equalize the number assisted to move from, and the number assisted to move to, each State.

"SEC. 1205. In effectuating such program the Commission shall have the authority, within the limits of funds made available, to—

"(a) make or insure loans for, or otherwise assist in financing, the transportation, subsistence, housing, establishment in business or occupations, acquisition of land, or other costs necessary to the relocation and reestablishment of the persons assisted. Such loans or financing shall be made at such interest rates and upon such security and terms and conditions as will best tend to effectuate such program and will afford a reasonable prospect of repayment;

"(b) make arrangements for, and provide at reasonable rates, suitable transportation, subsistence, and housing for persons assisted;

"(c) make grants, where necessary, for the transportation, subsistence, and temporary housing of persons assisted; and

"(d) provide for the employment of persons assisted in agriculture, industry, commerce, public projects, or in any other business or occupation in which there is a fair likelihood of the person assisted achieving success; and

"(e) on its own account or in conjunction with any other agency of the Federal Government or of any State government train those taking advantage of this program in any skill which may assist such person in securing and retaining employment in the area in which such individual may relocate.

"The Commission shall endeavor to see that the housing and living facilities of any family which may be assisted to relocate are superior to those enjoyed by such family before it availed itself of such program, and that the employment or business opportunities of each person assisted are greater than those available to such person prior to relocation. The Commission is specifically empowered to make contracts with industrial enterprises and other persons, firms and corporations affording employment to persons assisted, and is authorized to make loans to any such employer in an amount not exceeding $20,000 for each such person employed by such employer.

"SEC. 1206. The Commission is authorized to utilize the services of any agency of the Federal Government or of any State government which may assist in effectuating the purposes of this Act, and to make such delegations of its authority as the Commission may deem necessary and desirable. The Commission is further authorized to take all steps necessary or desirable to promote the effective execution of the program provided for by this Act and to protect the health and promote the welfare of persons assisted under such program.

"SEC. 1207. The Commission may, within the limit of funds which may be made available, appoint and fix the compensation of such officers and employees in accordance with the civil service laws and the Classification Act of 1923, as amended, and make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, for lawbooks and books of reference, and for paper, printing and binding), as it may deem necessary to carry out the provisions of this Act. In carrying out the provisions of this Act, the Commission may sue and be sued in any court of competent jurisdiction, State or Federal."

Mr. RUSSELL. Madam President, today our Nation is grappling with a domestic problem which many people believe amounts to a national crisis. Indeed, distinguished Senators have so asserted on the floor of the Senate.

Throughout the Nation we have seen a long series of mass demonstrations, marches, boycotts, picketing, sit-ins, sit-downs, lie-ins, lie-downs, and other acts of civil disobedience designed to protest existing conditions.

These convulsions are generally considered as being aimed at procuring certain rights which, it is claimed, are being denied to some of our Negro citizens.

The objectives of the various demonstrations vary as widely as the methods employed. It has been called a revolution. But a revolution generally has a definite goal. In these incidents there is a wide variance between the demands of the groups in various cities, and between various sections of the country. Thousands of our people seem to think that the so-called civil rights question involved in the bill which is the subject of the motion of the Senator from Montana is a problem affecting only Negroes living in the South, even though demon-

strations rage outside their very doors in cities of the North, the East, and the Far West.

It would appear that the entire revolutionary movement poses a constitutional problem of great magnitude and grave implications. It is noticeable that wherever they may occur, the demonstrations reach their greatest magnitude and violence, generally speaking, in areas in which the percentage of the Negro population is greatest.

The racial issue has been a political football to be kicked from party to party and from opposing candidate to opposing candidate for many years in practically every section of our land. The man who has the quickest answer to define the proper relations between the races under all conditions generally comes from the area that has the smallest percentage of Negro population.

This issue is engendering great bitterness. It is a divisive influence that is causing disunity at a time when the dangers confronting our country from world communism and from incidents which rage throughout the world demand that our country stand united.

A great many so-called civil rights bills have been introduced. They have finally all been brought together in H.R. 7152 in an apparent effort to enact into law a remedy for every complaint that has been made by any minority group in this country in recent years.

I reiterate that the bill, if enacted, would not satisfy the groups it is supposed to assist. Not only would it not satisfy them, but it would so infringe upon the rights of all our people as to cause extreme bitterness and disunity. It is entirely possible that it could result in violence and bloody racial conflict.

Madam President, the bill, if passed, might prove to be a political palliative for a brief period, but it would not solve the basic problem nor long delay greater demands from the leaders of the recent demonstrations and protests from some of those affected.

In the very best faith, and in an effort to take at least a step forward toward a permanent solution of racial differences, I am proposing a workable and realistic means of easing the problem by bringing about a more equitable distribution of the white and Negro populations throughout the United States by a purely voluntary and thoroughly democratic relocation program.

My proposal attacks the two main problems confronting the country today upon a broad front. It would go further to implement President Johnson's campaign to abolish poverty than all the temporary plans and proposals that are now in process. I have not had an opportunity to examine in detail the President's message, which has just been submitted to the Senate, but I understand that the principal purpose of the bill is a retraining program. I suggest that without regard to how many people we may retrain or how intensively we might retrain them, if we do not provide jobs for those people, we shall have accomplished nothing except to carry them on the public payrolls during the process of the training.

In considering the question of poverty we should never overlook the fact that our 18 million Negro citizens are not the most impoverished 18 million people in our country. There are 18 million to 20 million white people at the bottom of our economic heap who have low incomes, poor jobs, and fewer of the good things of our modern day civilization than have the 18 million Negro citizens in our country on an average.

My proposal would get away from all the political implications of the so-called civil rights issue by affording the underprivileged of both races an opportunity to better their lot in life with the aid of their Government by moving to another State with the guarantee that their living conditions and income would be better in their new location than those they now enjoy.

Every thoughtful and objective person who has studied the problem of racial tensions over the past several years has come to the conclusion that racial differences and tensions increase in direct proportion to the percentage that the colored population bears to the white in any given community or State.

I am well aware that anything that I may say in the present atmosphere in any way dealing with the racial problem will be questioned by the reformers who have very few Negroes in their States but who have immediate answers to all racial problems everywhere else.

I have grappled with this problem and studied it, to the very best of my ability, over a long period of years. I realize that it is a problem which somehow, in some way, at some time, may be solved. I do not believe it is going to be solved—indeed, in many instances, it will be aggravated—so long as some people feel that they are being put upon by being compelled to adjust themselves to conditions and to undergo enforced associations that are not required of American citizens in other sections of this country.

There is nothing new in the proposal I am making. Sociologists and others who have studied the racial problem for years have advocated solving the problem by distributing the races throughout the country in such a manner as to more nearly equalize them in numbers. Let me cite the case of Dr. Brewton Berry, a professor of sociology and anthropology at Ohio State University. He has long been recognized as a foremost authority on racial relations and problems that come within the field of sociology and anthropology.

After an exhaustive study of America's racial problems, Dr. Berry concluded that the only hope of a lasting solution lies in relocating a sufficient number of each of the races so as to equalize the problem throughout the country.

I first became aware of Dr. Berry's views by reading a letter which he had published in the New York Times of May 15, 1956. I should like to read two passages from this letter:

It is apparent that the degree of racial prejudice and discrimination which prevails in any region is highly correlated with the relative size of the groups involved. For example, there is more anti-Semitism in New York than Alabama, there is more anti-oriental feeling on the Pacific coast than on the Atlantic, antipathy for French Canadians is greater in New England than in Georgia and hostility toward Mexicans is more conspicuous in Texas than Vermont.

The greatest resistance to school desegregation and extension of the franchise arises in those areas where the size of the Negro population approaches or exceeds that of the white. Therefore, a wider dispersion of the Negro throughout the United States would certainly alleviate the problem of conflict and discrimination which so disturbs our consciences and so injuries our prestige throughout the world.

Dr. Berry's letter proceeded to suggest that Congress enact a program to provide Federal assistance to enable Negroes who desire to do so to migrate to the North and West. In addition to the role of the Federal Government in such a program, Dr. Berry also suggested as follows:

The Governors of the Northern and Western States and the mayors of the cities and towns might appoint commissions (similar to those we now have for the refugee problem) charged with the responsibility of promoting the migration and assisting in the adjustment of the migrants. Voluntary groups (churches, civic organizations, service clubs, etc.) would play the same prominent role under this plan that they currently play in the refugee problem—securing sponsors, assuring housing and jobs, and facilitating the adjustment.

Madam President, I ask unanimous consent to insert Dr. Berry's entire letter in the RECORD at this point in my remarks.

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

[From the New York (N.Y.) Times, May 15, 1956]

TO EASE RACIAL BIAS: PROPOSAL MADE TO AID MIGRATION OF NEGROES TO VARIOUS STATES

(NOTE.—The writer of the following letter is professor of sociology and anthropology, Ohio State University; a member of the Governor's Advisory Committee on Refugee Relief. He is the author of "Race Relations.")

To the EDITOR OF THE NEW YORK TIMES:

A few days ago T. R. Waring, editor of the Charleston (S.C.) News and Courier, proposed in a speech in Cleveland that the explosive race problem, which now threatens to blow up in our faces, might be solved by the migration of large numbers of Negroes from the South to the North. He is, of course, by no means the first to make such a proposal.

So often nowadays, however, those who make such suggestions are regarded with suspicion, since they are already clearly identified with the proponents of white supremacy. Nevertheless, there is considerable merit in the idea, and I am writing, therefore, in hopes of promoting serious consideration of it and also to suggest how it might be carried out.

It is apparent that the degree of racial prejudice and discrimination which prevails in any region is highly correlated with the relative size of the groups involved. For example, there is more anti-Semitism in New York than in Alabama; there is more anti-Japanese feeling on the Pacific Coast than on the Atlantic; antipathy for French Canadians is greater in New England than in Georgia, and hostility toward Mexicans is more conspicuous in Texas than in Vermont.

AREAS OF RESISTANCE

The greatest resistance to school desegregation and extension of the franchise arises in those areas where the size of the Negro population approaches, or exceeds, that of the white. Therefore, a wider dispersion of the Negro throughout the United States would certainly alleviate the problem of conflict and discrimination which so disturbs our consciences and so injures our prestige throughout the world.

How might this be done within the framework of our democratic and humanitarian principles? Needless to say, coercion must be altogether excluded.

The answer is to be found in our experience with the problem of refugees and displaced persons since World War II. Under the provisions of the Displaced Persons Act of 1948 and the Refugee Relief Act of 1953 we in this country have participated in the resettlement of approximately half a million refugees from communism, and the whole undertaking has been eminently successful. We have here, then, both a pattern and a precedent.

PLAN OUTLINED

It is my proposal, therefore, that Congress enact legislation of a similar nature to enable Negroes in the South who wish to do so to migrate to the North and West. Funds ought to be made available to them in the form of loans, and an agency ought to be established to administer the program. The Governors of the Northern and Western States, and the mayors of the cities and towns, might appoint commissions (similar to those we now have for the refugee program) charged with the responsibility of promoting the migration and assisting in the adjustment of the migrants. Voluntary groups (churches, civic organizations, service clubs, etc.) would play the same prominent role under this plan that they currently play in the refugee program—securing sponsors, assuring housing and jobs and facilitating the adjustment.

It is my belief, furthermore, that the South itself, faced with the mass exodus of its labor force, would of its own volition proceed to improve the racial situation so as to make the region more attractive to its Negro citizens.

BREWTON BERRY.

Mr. RUSSELL. In addition to the ways and means that Dr. Berry suggests, I propose to further equalize the balance between the races by encouraging white citizens from States that have an overwhelming percentage of whites to make room for Negro migrants to those States by voluntarily relocating the whites in States which now have a preponderance of Negro population, with the same opportunity to the white migrants for improvement by way of jobs, housing conditions, and location that this measure proposes to extend to Negro citizens who avail themselves of its terms.

I made a speech in the Senate about 14 years ago, in which I pointed out the deep concern over the consequences which many of us even then feared would result from the increasing tempo of the campaign in the rest of the country to enforce its ideas and require of the white southern people something that is not required of the white people in any other section of the Nation.

In addressing the Senate at that time, I stated:

> This concern has engendered great bitterness which might easily grow into racial strife. The campaign for what are euphemistically called civil rights is planting seeds of disunity when our Nation needs to be united. Whether rightly, or wrongly, the people who live where the two races are most evenly divided in numbers are strongly opposed to having imposed upon them the racial pattern which the remainder of the Nation, constituting a large majority of our population, seems determined to fix for the entire Nation by Federal laws.
>
> If the rest of the Nation is determined to force their views upon the southern people and use the Federal power to revolutionize the social and political relations between the races in the South, destroying the social order in which our people believe, common fairness would demand that they assist in equalizing our racial problem with that of the rest of the Nation. This will enable those who believe in the program to make a contribution to its success and fulfillment equal to that which they propose to require of us who oppose it—
>
> By Federal compulsion.
>
> It would be manifestly unfair and un-American for the rest of the country to compel the white people of the South, by Federal fiat, to associate in the most intimate relations of life, with and perhaps eventually absorb, a much higher proportion of Negroes than they themselves will have an opportunity to accept and absorb.

Madam President, the proposal I made at that time was that the Federal Government should provide Federal financial and technical assistance to effectuate a more equal distribution of the races throughout the country, by encouraging the Negro population to move voluntarily from the areas where they have an overwhelming percentage—in my State some 30 counties have more Negro citizens than white—to States where there are practically no Negroes.

Conversely, white persons living outside the South, in areas predominantly or almost solidly white, would be eligible for similar financial and technical assistance to relocate in Southern States. The overall objective, of course, would be to bring about a racial population mix more in line with the overall percentage that the Negro population of the Nation bears to the total population.

There have been significant shifts in our population in the past several years. Nevertheless, a disproportionate number of our Negro citizens still are concentrated in a relatively few States. In view of the increased political and other pressures that are being exerted to force passage of legislation such as that which the Senator from Montana has moved that the Senate consider, I am more strongly convinced than ever that means should be found to alleviate the unequal distribution of the Negro population.

Within the several States and within the cities of the Nation, there is today a great demand on the part of our Negro citizens that the so-called racial imbalance in the schools be eliminated by moving the white children into the schools that have a preponderant Negro attendance, and that the Negro children be moved into the schools that have a preponderance of white attendance.

There have been demonstrations in the city of New York within the past few days to convince the board of education that this imbalance in the schools should be remedied. The amendment which I have proposed would authorize the extension of technical assistance and advice to city or State organizations that are created to correct the imbalance of population within the several States. The commission my amendment would create could extend technical assistance and advice to a city commission or a State commission—say, in the State of Missouri, or New York, or Illinois, or California—which would assist the people of the State to make a more equitable distribution of the Negro citizens within the State. That would be in accord with the demands of the Negro leaders who are today insisting that the imbalance of the races within the States be cured.

It could be done without disturbing the idea of neighborhood schools which has caused many thousands of white mothers to show great concern when they heard about the demands being made of the board of education to transport their children across the city. So by pursuing the purpose and objective of the proposal, the distribution and equalization of the population of our two main racial groups would not be confined merely to adjustments between States, but the "States of their own accord—and as a States righter," I would not have it otherwise—would create commissions that would attempt to cure the imbalance of the population within the States.

Mr. DOUGLAS. Madam President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. DOUGLAS. Is it the aim of the Senator from Georgia, then, to have the Negro population ratio in every State, every city, and every county approximately what it is for the Nation as a whole; namely, 10½ percent?

Mr. RUSSELL. I am practical enough to realize that we cannot achieve exactly 10½ percent, but I believe we can cure some of the conditions in which the imbalance is far out of line.

If the Senator will read the amendment I propose, on the first page, it provides:

> The number of persons attributable to either of such racial groups per thousand population of any State shall be considered to be below normal if less than 95 per centum, or above normal if more than 105 per centum, of the number of persons attributable to such group per thousand population of the United States as a whole.

Mr. DOUGLAS. That would be roughly from 9.9 percent to 11.1 percent, with this zone of tolerance of 5 percent from the average?

Mr. RUSSELL. The last census figure is 10.5 percent.

Mr. DOUGLAS. I understand.

Mr. RUSSELL. The Senator is correct.

Mr. DOUGLAS. So it would be from about 9.9 percent to 11.1 percent?

Mr. RUSSELL. The proposal would not be effective on a Federal basis in the State which the Senator from Illinois represents, because the population ratio is——

Mr. DOUGLAS. About 10.3 percent.

Mr. RUSSELL. Approximately the national average; but it is concentrated within certain areas within the State.

Mr. DOUGLAS. The Senator is correct.

Mr. RUSSELL. There are a number of communities in the State of Illinois with practically no Negro population.

Mr. DOUGLAS. The Senator is correct. This distribution of the population has been achieved voluntarily. It was the result of the voluntary movement of people across State lines. While it has created problems without question, it has nevertheless contributed to the building up of our industries. We are not afraid of this movement. When the Senator from Georgia first advanced this idea in his formal measure, I received a telegram from a community in the State stating:

> So-and-So was coming to live in my block, and we organized a block party to welcome him.

Mr. RUSSELL. At that time, the Senator did not attribute that to my State. He said he received that telegram from somewhere in Alabama. My recollection is fairly good.

Mr. DOUGLAS. We organized a block party to welcome the newcomer. So we are not afraid of this tendency and we are doing our best to practice human friendship.

Mr. RUSSELL. Mr. President (Mr. NELSON in the chair), I am appealing to the sense and fairness of the Senator from Illinois, that he apply to the people throughout the United States generally what he attempts to apply to the people of the South.

There have been incidents, such as the reception that the mayor of the great city of Chicago held at one political meeting, when one of the great divines of the city of Chicago—I believe it was the Reverend Jackson—had to be rescued by the police from members of his own race because he had the courage to speak up and say that he did not believe they should be heckling the mayor of Chicago.

Mr. DOUGLAS. I did not think so, either.

Mr. RUSSELL. But the Senator was not aware of that fact.

Mr. DOUGLAS. Oh, yes; I was aware of it.

Mr. RUSSELL. The Senator did not appear on the platform at the microphone.

Mr. DOUGLAS. I did go before the microphone. I did tell them they should not have heckled their mayor.

Mr. RUSSELL. Then the Senator's press officer must have been off that day, because I did not read anything about that in the press.

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

Mr. RUSSELL. I yield.

Mr. DOUGLAS. The Senator is aware, is he not, that in the bill, on page 13 and on page 14, it does not require the assignment of students to public schools in order to overcome racial imbalance.

Mr. RUSSELL. That is completely non sequitur. It has nothing to do with what I am talking about here.

Mr. DOUGLAS. The Senator was saying that he believed——

Mr. RUSSELL. I said that the States could do it.

Mr. DOUGLAS. The bill is saying that the States need not require white students to go into predominantly Negro schools to correct any racial imbalance.

Mr. RUSSELL. I am not clear at all that that issue is not nullified by another provision in the bill.

Mr. DOUGLAS. Is the Senator proposing a more radical bill than the one on the Senate calendar, which would correct any racial imbalance?

Mr. RUSSELL. It would be very difficult, indeed, to make the bill more drastic than it is.

Mr. DOUGLAS. But the Senator aims to do so. Is that correct?

Mr. RUSSELL. No; I am trying to ameliorate it. If it were possible to make it more drastic than it is, I would suggest that we change the provision to require the correction of the imbalance by bringing the Federal power of compulsion to bear in cities like Chicago. It would be fair to do so because the Senator and his supporters on the bill are proposing to do just that in southern cities, where there are no ghettos—although in Atlanta that situation exists to a certain extent—and where our people of one race are not confined to one area. That is particularly true in the small communities. They have no ghettos. The Senator is proposing the use of compulsion, and I see no reason why it should not be applied to the city of Chicago, for example.

I would favor using Federal power to correct the imbalance, if the bill were to be passed. If the bill is to be passed, let us have the compulsion applied to Chicago as well, and then let the Senator's constituents have an opportunity to show their enthusiasm for such a provision.

Mr. DOUGLAS. The bill does not require the assignment of pupils to schools on other than a geographical basis. It does not require the elimination of the geographical basis.

Mr. RUSSELL. The original bill did. The Senator knows that. The original bill in the House provided for use of Federal power for the correction of racial imbalance in the schools. However, the bill was amended on the floor by the insertion of the provision to which the Senator adverts which says "desegregation" does not mean the assignment of students in schools in order to overcome racial imbalance.

The House had enough interest in maintaining peace and tranquillity in communities by inserting the line on which the Senator from Illinois relies. However, if the Senate is to pass this drastic legislation, I hope it can be amended; I hope that Senators will have enough manhood to face the situation and strike that line, which was added by the House.

Mr. DOUGLAS. Would the Senator vote for such an amendment?

Mr. RUSSELL. For that amendment? Yes.

Mr. DOUGLAS. To strike this provision out?

Mr. RUSSELL. Yes. If the bill is going to pass, I want it to apply equally to all sections. The Senator proposes to apply this bill in the State of Georgia. Under the bill as now drafted, the Attorney General would be required to correct an imbalance in our schools because of the very nature of our population pattern. However, the Senator from Illinois is protected, because the population pattern in his State is not the same. In his State the people do not all live together in the same area, despite the great spirit of fraternity which he claims exists there.

Mr. DOUGLAS. Is not this residential admixture largely true of the rural population, as opposed to the city population? There has been a continuous movement from the country to the cities. In 1910, for example, 73 percent of the Negro population lived in the country. In 1960, 73 percent of the Negro population lived in the cities.

Mr. RUSSELL. The same thing applies to the white population. Everyone who is familiar with the facts knows what is going on. There has been a great migration from farms to cities.

Mr. DOUGLAS. Then, when we come into the northern cities, we do largely find segregated housing, by practice though not by law. As a result, the school districts are laid out on the basis of geography. In that way we get a large degree of de facto segregation. But it is not legal segregation and that is important.

Mr. RUSSELL. That situation exists to the *n*th degree in the Senator's State. There is more racial mixing in Atlanta than there is in Chicago, by far. In the Senator's State the Negroes are herded in Negro ghettos, living under almost indescribable conditions of filth.

Mr. DOUGLAS. They, however, continue to come from the South to Chicago and other northern cities of their own choice. And they like the air of freedom and the greater economic opportunities.

Mr. RUSSELL. More power to them. I hope the Senator's public welfare system holds out. I am sure the Negro population in Illinois will increase whether or not the bill is passed.

Mr. DOUGLAS. The Senator is touching on another point. What the Senator says he would like to do is transport more Negroes into the North and West, but I remember the conditions that existed after World War I, when every effort was made by the southerners to restrain Negro migration from the South to the North, because the white southerners wanted to retain the Negroes as plantation laborers. It will be asked, "Who is going to work in the hot sun?" if the Senator's program goes through.

Mr. RUSSELL. The Negroes in my State no longer work on the farms. Nine-tenths of the farm labor in the area where I live is done by white people with tractors and other machines. The Negroes have moved out of the country and have gone into the smaller communities. I live in a small town, of about 6,000 population. Its Negro population has greatly increased in the last 15 years. The same thing is true in Atlanta. It has a Negro population of almost 40 percent. Negroes are moving from the country and into the cities. They like the cities.

When the plantation pattern was broken up in the South, when the Negroes moved out of the South, not one-tenth of 1 percent went to the

farms. When they went to Illinois or Iowa or someplace else, they moved into the cities. They do not like to live in the country.

Mr. DOUGLAS. Does the Senator believe his program would be popular in the black belt in the counties along the Atlantic coast and the gulf coast and up along the Mississippi?

Mr. RUSSELL. There is no question about it.

Mr. DOUGLAS. Would the Senator's white citizens be eager to have the Negroes go?

Mr. RUSSELL. Yes; they would help them in any way they could. If they had the money, they would be glad to finance them. However, this happens to be a low-income area, and it is in this area that Federal compulsion would be applied in the intermingling of the races, although it would not be applied in cities like Chicago. This area has the lowest per capita income of any section of the country. It has greatly improved. We are trying to better conditions. But we had two strikes against us from the economic standpoint. First of all, we lost the Civil War. Our leaders had deceived our people by telling them that one southerner could whip five Yankees. The people found they could not whip even three, much less five Yankees. One southerner could not whip three Yankees. So we wound up in defeat. As a result, the South was devastated and bankrupt. The rest of the country, at the same time, blossomed like the rose from an economic standpoint. They had the greenbacks and the bonds and the war industries. All we had was a gentleman who was very careless with his fire.

Mr. DOUGLAS. The South has many Army training camps, though.

Mr. RUSSELL. Yes; we have some.

Mr. DOUGLAS. The great Senator from Alabama and the great Senator from Georgia and other Senators from that area have contributed mightily to that end.

Mr. RUSSELL. I assure the Senator that I have contributed to the limit of my ability.

Mr. DOUGLAS. Would the Senator favor a more equal distribution of training facilities, so that there might be more of them in the North?

Mr. RUSSELL. So far as the Navy is concerned, I would strongly favor it. If that were to be done, we would get our share of the Great Lakes installation. The Senator's State has not suffered.

Mr. DOUGLAS. The Army, too?

Mr. RUSSELL. The Senator's State has probably one of the greatest naval training establishments in the world. The Government spends approximately $125 million a year at that one installation in the Senator's State.

Mr. DOUGLAS. We do not have many military installations.

Mr. RUSSELL. The Navy would certainly resent the Senator's statement, that the Navy is not a military establishment.

As a former apprentice seaman, I resent the charge the Navy is not a military establishment.

Mr. DOUGLAS. I know it is dangerous to cross swords with the Senator from Georgia. I was interested to know how far the Senator planned to go. Apparently he wants to assist the equalization of population among the States and also, to the degree that the States consent, within the States. If there were any prospect that the bill would pass, he would favor the compulsory transportation of Negro students into white areas and of white students into colored areas.

Mr. RUSSELL. I favor inflicting on New York City, the city of Chicago, and other cities the same condition proposed to be inflicted by this bill on the people of the community of Winder, Ga., where I reside. I am opposed to the bill. I did not say I would vote for the bill.

Mr. DOUGLAS. Oh, I see. For a moment, I thought the Senator from Georgia had seen the light and was in favor, not only of desegregation, but also integration.

Mr. RUSSELL. Oh, no. Unfortunately for me, the Constitution stands between me and the light.

Mr. DOUGLAS. What about the 14th amendment?

Mr. RUSSELL. As to the 14th amendment, I refer the Senator to the decisions of the Supreme Court, since he relies upon them.

Mr. DOUGLAS. In 1883?

Mr. RUSSELL. In 1883. The Senator says that is an old decision. On that basis, all Bibles ought to have been burned long ago.

Mr. DOUGLAS. Not at all.

Mr. RUSSELL. The Bible is thousands of years old. The Senator says the decision of 1883 is so old that we ought to disregard it. On that basis, the Ten Commandments are so completely out of date that we ought to devote our time to violating them to show how out of date they are.

Mr. DOUGLAS. The Senator is too able a man to believe that that is what I meant. He is caricaturing my position to make it look ridiculous.

Mr. RUSSELL. No.

Mr. DOUGLAS. Is the Senator aware that in 1896 the Supreme Court in the case of Plessy against Ferguson, upheld the statute requiring segregation with only one dissenting voice, that of Justice Harlan? In 1954, by unanimous decision, the Supreme Court reversed Plessy against Ferguson. If the civil rights decision of 1883 is quoted, we can say the Supreme Court acted ultimately with wisdom. Incidentally, all the southern judges on the Supreme Court voted in the Topeka case to reverse Plessy against Ferguson.

Mr. RUSSELL. There are southerners and there are southerners.

Mr. DOUGLAS. The Senator draws a distinction, does he?

Mr. RUSSELL. I do. I draw a distinction. There has never been a greater distinction drawn between people than that drawn between those who came home barefooted from fighting in the Civil War, misguided though they might have been, but who thought they were fighting for the right, and the scalawags who preyed upon the women and children while they were gone.

Mr. DOUGLAS. The Senator would not include James Longstreet among the scalawags, would he?

Mr. RUSSELL. No.

Mr. DOUGLAS. He became a Republican after the Civil War.

Mr. RUSSELL. A Republican, yes. I call James Longstreet a very fine gentleman.

Mr. DOUGLAS. He was called scalawag by other southerners as the Senator remembers.

Mr. RUSSELL. I will not be diverted into the Gettysburg campaign. The Senator knows how that argument arose.

Mr. DOUGLAS. The Senator is advancing a sweeping doctrine. I am not certain that it will be relished in all portions of his own State.

Mr. RUSSELL. I stand for many things that are not relished in a great many portions of my own State. I sometimes marvel at the forbearance of the people of my State who have permitted me to remain in this body up to now.

Mr. DOUGLAS. The Senator is very disarming.

Mr. RUSSELL. I thought the Harlan dissent was in the civil rights case. The Senator says it was in Plessy against Ferguson.

Mr. DOUGLAS. Justice Harland dissented both times; in 1883 and again in 1896.

Mr. RUSSELL. The Senator said he dissented in Plessy against Ferguson.

Mr. DOUGLAS. He dissented also in Plessy against Ferguson.

Mr. RUSSELL. His most eloquent dissent, which he later recanted, was in the civil rights case.

Mr. DOUGLAS. In 1883 he dissented in the civil rights case. In 1896, he dissented again in Plessy against Ferguson.

Mr. RUSSELL. I do not have the decision in my hand. Later, Mr. Justice Harlan changed his mind and decided the case on the other side of the question. It may have been that he was one of those deluded justices who thought the doctrine of stare decisis applied to the case.

Mr. DOUGLAS. He was a former slave owner, who said the Constitution was color blind.

Mr. RUSSELL. He was a great man. I do not challenge the man. He was a great Kentuckian and a great man.

Mr. DOUGLAS. We agree on that point.

Mr. RUSSELL. Yes.

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

Mr. RUSSELL. I yield.

Mr. ERVIN. Did not Justice Harlan's grandson, the present Justice John M. Harlan, make a statement in the case of Peterson against City of Greenville, in May of last year, which shows that he did not agree with his grandfather's interpretation of the 14th amendment and his dissenting opinion in which he overlooked the provision that State action is required to enable Congress to act under the 14th amendment?

Mr. RUSSELL. That is my understanding. I think that is undoubtedly correct.

Mr. ERVIN. Is not the program the Senator is proposing entirely voluntary, so far as individuals are concerned?

Mr. RUSSELL. It is entirely voluntary. In other words, I propose to use the carrot. The bill that is sought to be brought before the Senate uses the harsh lash of Federal power, the threat of U.S. marshals and troops with bayonets. My proposal is wholly voluntary and is designed to palliate the most stringent and compulsory bill that has ever been brought forward in Congress.

Mr. ERVIN. Am I correct in putting this interpretation upon the Senator's proposal: That if a Negro in a State to which some of the zealous advocates of the pending bill point as a horrible place in which people live should conclude that the air of freedom was sweeter in some of the States which some of our zealous friends represent, and he wanted to go where the air of freedom was purer, all he would have to do would be to make the proper application to the Federal Government, and he would receive economic assistance to remove from those benighted portions of the country to areas where he believed the air of freedom was pure and undefiled. Is not that what would happen?

Mr. RUSSELL. It is not quite that simple, but that is the objective. He would apply, and then the Government would have to locate a home and a job for him. I do not propose to have those poor people dumped in other areas without any friends, subsistence, or means of support, whether they are whites coming from the East, the North, or the West to the South, or are Negro citizens moving from other areas.

My amendment is drawn along the lines the Government has already utilized in some programs. I shall demonstrate that later. The Interior Department today has a program for the training and moving of Indians. More than 30,000 families have been trained and moved into the main stream of American life.

Mr. ERVIN. When the bill was originally introduced in the House, and when its companion measure was introduced in the Senate——

Mr. RUSSELL. I did not know a bill of this kind had ever been introduced in the House. I drafted one similar to this.

Mr. ERVIN. I am not referring to the Senator's amendment.

Mr. RUSSELL. Is the Senator talking about H.R. 7152?

Mr. ERVIN. Yes. When the bill was introduced in the House, and when its companion measure, which was identical, was introduced in the Senate, did it not contain two provisions which were directed toward the desegregation of schools? One was a provision which has been left in the bill, and the other was a provision relating to the so-called racially imbalanced schools. The latter provision has been removed from the bill, at least ostensibly.

Mr. RUSSELL. That is my understanding. But I stated in my colloquy with the Senator from Illinois [Mr. DOUGLAS] that I was not sure that the statement to which he referred would absolutely deny the use of Federal power to equalize the racial population in the schools. I cannot recall the section of the bill, but when I read it, I recalled reading a provision that I thought negated, in a measure, the amendment that was offered on the floor of the House.

Mr. ERVIN. I think the Senator is referring to the abdication of the power of Congress to Federal departments and agencies, which title V provides with reference to nondiscrimination in federally asisted programs. Notwithstanding the amendment that was made in the House, does not the Senator from Georgia believe that title VI would authorize the Department of Health, Education, and Welfare, for example, to deny the benefits of the school lunch program or the vocational education program to any State which does not have the races mixed within the schools?

Mr. RUSSELL. It certainly is susceptible to that construction. If the Secretary of that Department were endowed with the power to prescribe regulations, I assume he could undoubtedly do that.

Mr. ERVIN. I should like to ask several other questions on this phase of the matter: Is it not true that in most Southern communities the members of the two races live in the same areas and in the same communities?

Mr. RUSSELL. Yes; and I have so stated. Two of the three families which live nearest to me, when I am in my own home, happen to be fine Negro friends of mine.

Mr. ERVIN. The Senator from Georgia has pointed out, has he not, that most of the Negro population in the North is concentrated in the northern cities and lives in what are correctly called de facto racially segregated communities, due to the residential patterns?

Mr. RUSSELL. Yes; and I have so stated.

Mr. ERVIN. As the Senator from Georgia undoubtedly knows, parents in some northern cities have protested vigorously against having their children transported away from their home community to distant schools through unnecessary traffic hazards merely to mix the races in such distant schools. Does not the Senator from Georgia believe that the zealous advocates of this bill caused it to be amended in the House of Representatives to reduce this opposition among parents in northern cities to such implementation of the racially imbalanced school theory?

Mr. RUSSELL. I understand that situation; and I shall discuss the bill from the standpoint of how it was planned to confine the harsh application of the Federal law to the Southern States. I prefer, however, not to discuss that matter at this time, if the Senator from North Carolina will excuse me, because I intend to make that the subject of an entirely separate speech.

Mr. ERVIN. I understand.

Let me ask whether the Senator from Georgia believes that an effort has been made to delete from the bill the provisions relating to segregation which would have an impact upon northern cities, and to leave in the bill the provisions relating to desegregation in schools which would have an impact upon the South.

Mr. RUSSELL. I think that is a fair statement.

Mr. President, as I have been stating, the agency proposed to be established by this amendment—a voluntary relocation commission—would be responsible for the development of a program to provide Federal assistance to members of either race who might desire to relocate in a different section of the country if their move would contribute to improvement of the lot of the individuals concerned and if it would contribute to a more equal proportion of the white and Negro populations in all of the States.

The ultimate objective would be to achieve a percentage of Negroes among the population of each of the 50 States as near to the national average as practical and feasible, and to come as nearly as possible to equalizing the population of all 50 of the States, as between the two principal races.

As the name of the proposed new Commission plainly states, the relocation program would be entirely voluntary in all respects. A person wishing to take advantage of the opportunity to move himself and his family to another State or section of the country could do so only of his own volition and initiative.

I wish to make perfectly clear that there is no ulterior motive or sinister design in this amendment. I have studied this question for years, sometimes in tears and anguish; and I believe this is the only approach which at the present time could really contribute to a permanent solution of racial tensions and feelings and contribute to a better understanding, on a permanent basis, between the races.

I know the amendment is not a panacea for all problems; but it offers more hope and promise of effecting a permanent solution to this great social, economic, and political problem, which arises out of these racial conflicts all over the land, than does any other proposal which has been brought forward.

Certainly, I believe this proposal is vastly superior to the type of legislation that was passed by the other body. I am seeking to get at the very roots of our racial difficulties, and I propose to attack these problems through democratic and voluntary methods, whereas the so-called civil rights bill proposes to apply Federal force and compulsion to the delicate problem of human relationships—the relationships between individual citizens.

One of the principal reasons why I am offering my amendment at this time is the belief that it will gain some appreciation and some understanding and awareness from thoughtful citizens everywhere—and I hope that they will read this proposal—for the tremendous burden the race problem has placed on the people of the Southern States for a great many years.

Mr. President, we have not been perfect in our racial relations. There have

been many disparities; there have been many inequities; there have been many injustices. But I insist that more of them grew out of economic factors than from any other single factor, and were not due to any hate or to any feeling of prejudice. One can go to any city in this land and find at the bottom of the economic pile people who are whites, not Negroes, and find that they are imposed on, that they have not received a fair deal in the courts, and that they do not have a fair chance in life. That is just as true of a white man at the bottom of the economic heap in New York, Chicago, San Francisco, St. Louis, or wherever one may go, as it is of a Negro at the bottom of the economic heap in a southern city.

Of course, for many generations, the vast majority of the people of the South have held firmly to the conviction that a social order based upon the separation of the races is best and wisest for the welfare and progress of both races. Mr. President, there is nothing immoral about that. It was a reasonable conviction and an honorable conviction which developed over a period of almost a century, through a painful process of trial and error. It had borne the stamp of approval of great judges of the Supreme Court; and it did not wholly result in inequities and injustices, because under that system, in the enjoyment of their constitutional rights, many of our Negro citizens accumulated a great deal of wealth, and tens of thousands of them own their own homes and own their own businesses; and, by and large—although they may not enjoy some of the so-called rights, the right to choose their own associates, that this bill purports to confer—tens of thousands of them in the southern cities are, on the basis of economic standards, better off than many in other areas of the country. This social order was evolved, I may say, under conditions, difficulties, and trials that would be incomprehensible to persons who live outside the South and have no knowledge of the travail and suffering that beset the people of this distressed region when they set out to rebuild their society.

This social order is woven into the very fabric of southern life and has become a permanent part of the mores and attitudes of the great majority of our people. Under this system, both races have lived and worked side by side in a spirit of tolerance, harmony, and mutual respect.

There can be little doubt that some of the provisions of the bill, as I have stated in the colloquy with the Senator from North Carolina, are designed almost to exclude certain parts of the country from the harsh provisions of certain sections of the bill. There can be little doubt that the bill would have a greater impact on the South than on any other section.

I hope that if the bill is enacted—and I pray that it will not be, because I would regret, at this stage of my life, to see such a massive assault on our constitutional system, on the free enterprise system, and upon the right of property in our land—the Attorney General, the Civil Rights Commission, and all the other Federal agencies will be as diligent in enforcing the provisions of the measure in other sections of the country as they are and will be in the Southern States.

Mr. President, the great preponderance of our Negro population, despite the tremendous migration referred to earlier, is still concentrated in the Southern States.

These States are Georgia, Alabama, Arkansas, Florida, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

The most recent official population statistics available—those compiled through the 1960 census—show that these 11 States have a combined population of 43,435,315. This represents 24.2 percent, about one-fourth of the Nation's total population of 179,323,175 persons in 1960.

The total Negro population in the Nation as a whole in 1960 was 18,871,831. Thus, in 1960, Negroes made up about 10.5 percent of our total national population.

Of the Nation's total Negro population, 9,862,361—or 52.3 percent—resided in the 11 Southern States that I have enumerated at the time of the 1960 census.

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

Mr. RUSSELL. I yield.

Mr. DOUGLAS. Is it not true that in the past 50 years the percentage of Negroes in the Southern States has greatly diminished? The proportion used to be approximately four-fifths to nine-tenths in the Southern States. But there has been a great migration North and West.

Mr. RUSSELL. I was not aware it was nine-tenths, but, of course, I knew it was overwhelming. It has been greatly reduced in the past four censuses. There is no question about that. The States of the South have lost population not only among Negroes but among the white people. They have been compelled to move because there is no work for them to do. We have been a poor people, and we have not had enough industry or jobs for all our people.

For many years I sat in the Georgia Legislature which taxed the impoverished people in the State of Georgia to maintain and operate one of the great technological schools of our country—the Georgia School of Technology. Where did its graduates go? To work for Westinghouse, Otis Elevator, General Electric, and other large companies. They went all over the United States. Time after time I felt sick at heart—almost with nausea—that we were taxing the poor people of the State to train fine engineers who were compelled to leave Georgia because there were no opportunities for them there.

Thank God, that situation is changing.

Mr. DOUGLAS. I am merely trying to point out that by the natural operation of forces, what the Senator from Georgia has urged has already been largely accomplished. For example, as I remember the population figures back in 1910, Negroes represented a majority of the population of South Carolina and Mississippi.

Mr. RUSSELL. They certainly did in Mississippi, and I believe the Senator is correct in respect to South Carolina.

Mr. DOUGLAS. The Mississippi average is now down to——

Mr. RUSSELL. Forty-two and a fraction percent.

Mr. DOUGLAS. And the South Carolina average——

Mr. RUSSELL. 34.8 percent.

Mr. DOUGLAS. The Senator is exactly correct.

Mr. RUSSELL. I point out that at one time an effort was made to bring the Federal power down to the South to compel enforced association, which was something new in our country, but the effort was struck down by the Supreme Court. Now it is proposed to accomplish the same result by act of Congress. We all know that the Supreme Court as now constituted would uphold any law that the Congress might enact in that field. At least I am confident in my heart that it would.

Mr. DOUGLAS. In other words, the Senator from Georgia does not feel that the civil rights cases of 1883 would be controlling.

Mr. RUSSELL. I do not believe that the present Supreme Court would pay attention to any precedents anywhere. They do not know anything about the doctrine of stare decisis. Several judges have said publicly that they did not think that the doctrine applied to the Supreme Court. So, the Court writes the law as it sees it and as it fits its convenience. If the Court cannot find any law to sustain its determination, it will go to the psychologists. If the psychologists have not the correct answer, the Court will then go to the anthropologists. If the anthropologists do not have the proper reasoning, the Court will go to the professors of economics.

Mr. DOUGLAS. And it will go to the 14th amendment, which provides for the equal protection of the laws.

Mr. RUSSELL. I hope that the Senator from Illinois does not feel that I have in any wise offended him by placing economists third. But that is true.

Mr. DOUGLAS. No; I am not offended.

Mr. RUSSELL. The Supreme Court goes first to the psychologists and then to the anthropologists. Both of those fields are very vague. If the Supreme Court can find anything in those fields to sustain its decision, it does so. Economists have more disciplines than the sociologists or the anthropologists; therefore, they are not followed by the Supreme Court as much as the Court follows the first two groups named. If there is any discipline which might control the thinking of the Court, the present Court shies away from it.

Mr. President, as I have said, at the time of the 1960 census of the Nation's total Negro population, 9,862,000—or 52.3 percent—resided in the 11 Southern States that I have enumerated. I believe that when we consider percentages on the basis of the total population of the United States, the percentages given by the Senator are not as compelling as they

were at the time that those censuses were taken. In other words, the population of the country has expanded greatly, and to a much greater extent in other areas than in the Southern States.

Taken on an average, Negroes made up 22.7 percent of the individual population of the 11 Southern States in 1960. This ranged from a high of 42 percent in Mississippi to 12.4 percent in Texas. My own State of Georgia lies somewhere in between with the Negro population making up 28.5 percent of the total.

Mr. President, the statewide population figures I have presented do not reveal the full impact that the great concentration of Negroes in the South has on the southern life, southern customs, and southern attitudes. Within each of the 11 Southern States, there is a wide range in the relative Negro-white population among its counties.

According to the 1960 census, there were 138 counties—more than 10 percent of the total—in which the Negro population was numerically greater than the white.

Practically every one of those counties is a rural county. In my own State, there are many counties that have no towns of any considerable size.

Mr. DOUGLAS. Mr. President, if the Senator will yield, he is approaching the point I was trying to make; namely, that there was and is a very large rural Negro population in the South, in the so-called black belt, which runs along the coast from Virginia down to Florida. Then it runs across northern Florida and along the gulf and then up both banks of the Mississippi.

Mr. RUSSELL. Yes. It cuts into Alabama at the capital city, as I recall, and goes through there.

Negroes made up 30 percent or greater of the population of 540 southern counties—almost half of them.

I believe any fair-minded person will concede that it is in these so-called black belt counties that the prevailing social customs, based on a long history of separation of the races, is most firmly fixed as an integral part of everyday life.

It is in these counties, for example, that the so-called equal accommodations section of the pending legislation—compelling forced integration of hotels, motels, cafes, movie theaters, and other places of business—will pose its gravest threat to the peace and order of the community. It is here that the disruptive potential of this legislation on the lives of the people—both white and colored—is greatest.

Mr. President, in order to give a clearer picture of the racial imbalance within the 11 Southern States, I ask unanimous consent to insert in the RECORD at this point a table showing the number of counties whose population is 30 percent Negro or greater.

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

TABLE 1.—*Percentage distribution of nonwhite population in 11 selected southern States, by counties or parishes having 30 percent or more nonwhite, 1960 census*

State	Total number of counties	Number of counties with percentage of nonwhite population as indicated							
		30 to 39.9	40 to 49.9	50 to 59.9	60 to 69.9	70 to 79.9	80 to 89.9	90 to 100	More than 50
Alabama	67	12	9	3	2	4	3		12
Arkansas	75	12	6	4	1				5
Florida	67	8	3	2					2
Georgia	159	36	21	18	14	2			34
Louisiana (parishes)	64	15	13	6	4				10
Mississippi	82	15	14	10	11	8			29
North Carolina	100	15	17	9	2				11
South Carolina	46	9	8	7	8				15
Tennessee	95	5			2				2
Texas	254	16	2	3					3
Virginia:									
Counties	98	10	11	10	4		1		15
Independent cities	32	5	2						
Total	1,139	158	106	72	48	14	4		138

Source: U.S. Bureau of the Census, U.S. Census of Population, 1960, "By State: General Population Characteristics."

Mr. RUSSELL. Mr. President, I referred earlier to population shifts that have occurred in recent years that have brought about some change in the prevailing racial complexion of the Nation. Probably, the most important trend has been the steady movement of Negroes in the years since World War II out of the South to a number of major industrial cities in the North, East, and Far West.

The interesting result of this outmigration of Negroes from the South has been to bring the percentage of Negroes in many of these cities to a figure comparable to the average prevailing in the Southern States.

For example, I have been furnished a report by the Bureau of the Census which shows that in 1960 Negro population of our Nation's largest city, New York, was 14 percent; Chicago was 22.9 percent; Cleveland and St. Louis were 28.6 percent.

The Negro population of Chicago, 22.9 percent, is almost as great in percentage as that of the city of Atlanta. I believe Atlanta has a Negro population of about 38 percent.

I commend those cities for the approach they have made to the assimilation of this great migration, but I cannot refrain from calling attention to the fact that the cities that have the highest percentage of Negroes have experienced considerable racial discord in recent periods. I have in mind, specifically, newspaper accounts of recent occurrences in New York, Philadelphia, Chicago, Los Angeles, and Cleveland—all of which have a relatively high percentage of Negroes among their total population.

Mr. President, I believe the record of race relations in the major cities of the country outside the South bears out the basic thesis I have stated. I believe it shows that the most difficult racial problems arise in areas where the proportion of the Negro population to the white is the highest.

Hence, in the North, as well as in the South, I believe the weight of evidence demonstrates conclusively that a more even distribution of the Negro population throughout the Nation would be an effective step toward lessening racial strife and promoting a more permanent atmosphere of understanding between the two races that must live together on this continent until the end of time.

Mr. President, I ask unanimous consent to have inserted at this point in my remarks the Census Bureau's report giving the breakdown of the Negro population in the principal cities of the United States.

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

City	Total population	Number of Negroes	Percent Negro
1. New York, N.Y.	7,781,984	1,087,931	14.0
2. Chicago, Ill.	3,550,404	812,637	22.9
3. Los Angeles, Calif.	2,479,015	334,916	13.5
4. Philadelphia, Pa.	2,002,512	529,240	26.4
5. Detroit, Mich.	1,670,144	482,223	28.9
6. Baltimore, Md.	939,024	326,589	34.8
7. Houston, Tex.	938,219	215,037	22.9
8. Cleveland, Ohio	876,050	250,818	28.6
9. Washington, D.C.	763,956	411,737	53.9
10. St. Louis, Mo.	750,026	214,377	28.6
11. Milwaukee, Wis.	741,324	62,458	8.4
12. San Francisco, Calif.	740,316	74,383	10.0
13. Boston, Mass.	697,197	63,165	9.1
14. Dallas, Tex.	679,684	129,242	19.0
15. New Orleans, La.	627,525	233,514	37.2
16. Pittsburgh, Pa.	604,332	100,692	16.7
17. San Antonio, Tex.	587,718	41,605	7.1
18. San Diego, Calif.	573,224	34,435	6.0
19. Seattle, Wash.	557,087	26,901	4.8
20. Buffalo, N.Y.	532,759	70,904	13.3
21. Cincinnati, Ohio	502,550	108,754	21.6
22. Memphis, Tenn.	497,524	184,320	37.0
23. Denver, Colo.	493,887	31,066	6.3
24. Atlanta, Ga.	487,455	186,464	38.3
25. Minneapolis, Minn.	482,872	11,785	2.4

Mr. RUSSELL. Mr. President, I have presented these population statistics in order to show the relative imbalance of the Negro population in the United States. I believe these statistics demonstrate that the Southern States, by having the greatest concentration of Negroes within their borders, would be confronted with greater difficulties in adjusting their lives to the compulsory race mixing and social aspects of this bill.

If they prove nothing else, the figures should make it apparent to all that forced integration has a far different meaning to a person living far from any center of population in a southern county where Negroes outnumber the whites than to a person who might live in a Western State where the average percentage of Negroes for the region is only about 1 percent, or even for a white person living near one of the centers of great population with a high percentage of Negroes when they are concentrated in one area within a city and where there is a large police force to maintain order.

It has been singularly interesting to me to note that many of the principal proponents of the so-called civil rights legislation in the Senate hail from States having a relatively small percentage of Negroes among their total population.

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

Mr. RUSSELL. I yield.

Mr. CARLSON. I may point out to the Senator from Georgia that, in our early history, 600 freed Negro families left Georgia and other Southern States and met at Lexington, Ky., in a group. They marched across the country and built an all-Negro town in Nicodemus, Kans. They were known as exodusters.

Does the Senator from Georgia recall that event?

Mr. RUSSELL. I have a vague recollection of having read about it, but my powers of reconstruction do not bring it immediately to mind.

Mr. CARLSON. It is an interesting story. Those people came from various States and reached northwest Kansas after many months of hardships and trials, and established what became the first completely Negro town in the United States. There were 600 families. It is an inspiring story and speaks well of the character and determination of these people.

I shall not take the time now to read an interesting description of the event, but this material is the result of some research that was done by Chet L. Switell, of the public relations firm of Associates & Switell, Hollywood, Calif. The research was used as a basis for a motion picture being made.

A group of 600 freed Negroes collected out of the Southern States comprised the group. They were promised 10 acres of land each and were told they would find plenty of buffalo for meat and large bands of ponies running wild to domesticate for farming purposes.

Mr. RUSSELL. I do not see how they were persuaded to go there on the promise of only 10 acres, because the Freedmen's Bureau was promising them 40 acres and a mule throughout the Southern States.

Mr. CARLSON. I remember that there were political campaigns in which 40 acres and a mule were used successfully.

Mr. DOUGLAS. The only place they got 40 acres was in the Sea Islands off the coast of South Carolina.

Mr. RUSSELL. They did not get many of them; but they were all promised that.

Mr. CARLSON. It is an interesting history. I think it should be made a part of this debate.

So over the years they founded the town of Nicodemus, Kans., the first all-Negro town in the United States of America, and they educated teachers, doctors, ministers, lawyers, and produced the first Negro public officeholder. I believe this speaks well for this group of people.

Another early born baby at the colony was later to become the famous George Washington Carver. George Washington Carver, of course, achieved national and international fame.

Mr. RUSSELL. He was one of the greatest scientists this Nation has produced.

Mr. CARLSON. Mr. President, I ask unanimous consent to have printed at the conclusion of the speech of the Senator from Georgia a statement by me, together with an article dealing with the "Exodusters."

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

Mr. RUSSELL. I appreciate the comments of the Senator from Kansas. I shall read it with interest, I assure the Senator.

Mr. President, I note that certain Senators who have been most active in the debate have left the Chamber to the Senator from Illinois. There are two reasons why they did so. One is the great ability of the Senator from Illinois, and the other is that they looked at the map I have placed at the rear of the Chamber and decided that while that map was in the Chamber it was not the best time for them to be present——

Mr. DOUGLAS. This is not generous of the Senator. This is unlike his usual self. I am sure he does not mean a statement like that to stand on the record.

Mr. RUSSELL. I thought I was generous enough to the Senator from Illinois.

Mr. DOUGLAS. His personal reference pleased me very much.

Mr. RUSSELL. My statements in this area are borne out by the facts. For example, according to the 1960 census, the majority leader's home State of Montana had a Negro population of two-tenths of 1 percent.

If one left Helena or Billings, Mont., one would have to ride 2 or 3 days in Montana to be able to find a Negro citizen. I doubt not that many Montanans grow to manhood or womanhood without ever seeing a Negro citizen. The majority leader's own State had a grand total of 1,467 Negroes among its entire population.

The distinguished assistant majority leader is one of the most eloquent men on the current political scene. He burst into political prominence on the strength of his eloquence and vigorous espousal of the civil rights cause at the Democratic National Convention of 1948. According to the figures furnished me by the Bureau of the Census, in 1960, Minnesota had a Negro population of only seven-tenths of 1 percent.

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

Mr. RUSSELL. I yield.

Mr. DOUGLAS. In the past, some of us from the North have been criticized for supporting civil rights, on the alleged ground that the Negro groups in our States caused us to support them, and that we are really hypocrites. It is charged that we do it only in order to get Negro votes.

That charge cannot be made against the Senators from Montana and Minnesota because, as the Senator from Georgia has just pointed out, the Negro population amounts to an infinitesimal fraction in those two States. Therefore, it must be that reasons of conscience lead these two Senators to advocate this measure.

I, too, have acted for reasons of conscience; but the Senator from Georgia has not been above suggesting, on occasion, that it has been because of a political motive on my part.

Mr. RUSSELL. I am always careful not to infringe upon rule XIX of the Senate. I have never called the Senator's name. I have stated that I thought there was a great deal of politics in supporting this legislation on the part of some Senators. I did not name the Senator. If the Senator wishes to apply the statement to himself, there is nothing in rule XIX that requires me to deny it. I have not defended the Senator at this stage of the proceedings. I have kept strictly within rule XIX. If the Senator wishes to crawl in under that canopy——

Mr. DOUGLAS. At the moment, I am defending the Senator from Minnesota and the Senator from Montana. One cannot make the accusation that they are appealing to the Negro vote in their States when the Negro population there is so infinitesimal. They are doing it for reasons of conscience.

Mr. RUSSELL. I am not attributing improper motives to anyone; but only the veriest tyro on the American political scene would think that the political issue had effect only in States which have a large Negro population. It is the preponderant issue in the country today. It has exercised religious groups, and all of the labor organizations in those States that have large labor unions. Their leaders are, without exception, championing any and all legislation that might be brought forward in this field. I do not know of any men as diverse in the public imagination as James Hoffa, George Meany, and Walter Reuther. All have a community of interest when it comes to supporting legislation of this kind.

Moreover, some of these men have national political aspirations. They have noted the statement made by political leaders of both parties that the 10 or 12 percent of the Negro vote in the State of Illinois, the 8⅝10 percent in New Jersey, and the 9 percent in New York, control the electoral votes of those States. Those States have a great many electors, and the candidates for national office place great store by placating and appealing to the voters of that portion of the Nation. The Senator from Illinois knows that as well as I do.

I have not attributed any evil motive to the majority leader, whom I consider to be one of the most sincere men I have ever met; nor to the assistant majority leader, who is one of the ablest men in public life today.

Neither am I saying that I defend either or both of them completely from any possible hope of political reward, as does the Senator from Illinois.

Mr. DOUGLAS. Does the Senator from Georgia object to the fact that all branches of the Christian church support these proposals? Is he saying that the Senator from Montana and the Senator from Minnesota are improperly anxious to get the church votes? Does he dispute the fact that the churches have taken the fine stand which they have?

Mr. RUSSELL. I suppose they are anxious to get the church vote. I would

like to get it in my State because it is so numerous. It is said that Georgia is in the Bible belt. Some people speak disparagingly of a number of States in that section of the country. They say, "It is in the Bible belt." I am not too sure but that the Nation would be better off if all of the United States were in the Bible belt. The term, "Bible belt," has been applied derisively.

Mr. DOUGLAS. Does not the Senator believe——

Mr. RUSSELL. I like to get the religious vote. I like to get the Negro vote. I like to get the labor vote. I believe the Ku Klux Klan is more or less out of business, but if they are still around, I would not hesitate to take their vote. The Communist vote I do not want. With that exception, I appeal to all groups for their vote, and I shall do so when my time comes. Whether or not they will turn a deaf ear to me, of course, I do not know, but I shall be appealing to them for their votes. If a Senator does not make such appeal, his term of office will be limited to one term, and he will return to the oblivion whence he sprang.

Mr. DOUGLAS. Then the Senator makes no implication against the Senator from Montana and the Senator from Minnesota, as I understand?

Mr. RUSSELL. No; I have made no implication. Of course, I cannot do so under rule XIX, in the first place.

Mr. DOUGLAS. The Senator is very skillful in coming right up to rule XIX, and then injecting the substance of rule XIX without violating it. Furthermore, he is one of the most skillful Senators in the use of parliamentary tactics. It can be said of him, as it was said by Pope of Addison that he can "hint a fault and hesitate dislike."

Mr. RUSSELL. I do not like to find fault with the purposes of any man, or with any man's motives. I have stated that some people are interested in obtaining the Negro vote. That is true of practically every Member of the Senate, perhaps more so of some than of others. I believe I have about as little chance of getting a substantial part of the Negro vote as any Member of the Senate. There are 250,000 Negroes registered in Georgia.

Mr. DOUGLAS. The Senator can be acquitted on that score.

Mr. RUSSELL. I am glad to be acquitted.

Mr. DOUGLAS. He is acquitted.

Mr. RUSSELL. But I am found guilty on one count, whatever the verdict may be on the other?

Mr. DOUGLAS. No; I said he is acquitted on that count.

Mr. RUSSELL. The Senator from Minnesota, who has a quick answer for every racial problem and difficulty that perplexes the country, represents a State that has a Negro population of seven-tenths of 1 percent. They are largely found in the Twin Cities of St. Paul and Minneapolis. That is true, also, of the divisional commanders who have been appointed to manage various sections of this bill. They represent a varying degree of Negro populations.

In the rear of the Chamber I have set up a map, which originally appeared in the New York Times editorial section of a few weeks ago. It demonstrates very clearly the pattern of the racial composition of our population. The map gives the percentages of Negro population for the several States, ranging from a high of 42 percent in Mississippi, to a low of one-tenth of 1 percent in both Vermont and North Dakota.

Those of us who oppose this legislation bearing the label of the civil rights feel most strongly that it is neither fair nor right, when dealing equally with the civil rights of all the American people, for the sections of the country having the smallest percentage of Negroes to undertake to dictate the social relationships for the sections of the country having the preponderant concentration of Negroes, unless they are willing to support some such plan as this, which will give them an opportunity to show their good faith by grappling with the problem in their State on an equal basis.

We are threatening all that this country stands for by this drive for conformity.

Under the original system of our Government, the Founding Fathers intended that the several States should be free to adopt varying approaches to different problems without the Federal power forcing all citizens to conform to a national code of conduct as it relates to purely local, internal affairs. I believe that all Senators will agree that what is right or good for one State is not necessarily right or good for another.

The people of Georgia have no business trying to tell our friends in New York or in any other Northern States how they should comport themselves in matters of a social nature, such as those involved in the proposed legislation. I never have undertaken to do so in the more than 30 years I have served in Congress. By the same token, I do not believe the people of New York or any other State similarly situated should have the right to prescribe social relationships for the people of Georgia.

I have stated time and again my profound conviction that every citizen of this land is entitled under our Constitution to complete equality before the law, without regard to race, religion, or national origin.

I was interested the other day in the discussion of what the Declaration of Independence means. There has never been any doubt in my mind that it means that all men are equal before the law. That is all it could mean. We are talking about things that smack of social relationship, about the right to choose one's own associates. I hold that this is not a matter for regulation by the Executive, or legislation by Congress, or adjudication by the courts. However, if a majority of the Senate should reach a different conclusion, they should be willing to have their people assume a fair share of the moral responsibility and the duty of solving this problem as they insist it should be solved.

I recognize that there are many people in this country who believe the States are outmoded as units of government, and that the Federal Government should undertake to prescribe all the relations of our people, even in the most intimate aspects of their daily lives. But if this is to be the change to be made in the concept of a proper system of government, and if the people of the Southern States are to be forced to accept and conform to a federally prescribed and dictated social order, one which is wholly alien to them, it is only fair and right that the population of the country should be so divided and spread so evenly that every section of the country would have the same problem. That would afford those who support this legislation an opportunity to put into practice their own ideas of social order which they find desirable and which they are attempting to force upon the people of the South. Let those who support the bill have the opportunity of practicing what they preach. That gets down to a common denominator which everyone can understand.

I have said before that this proposal is wholly voluntary on the part of those who might desire to relocate in other States. Therefore, it would not be possible to estimate with any degree of accuracy how many might wish to do so, should such a program become law. But I assert that if the program were made sufficiently attractive, the objectives of this amendment could be achieved.

We are dicsussing the imbalance in schools. I have just been handed a statement from the news ticker which states that another boycott is taking place in the public schools of New York City, protesting segregation. The board of education said more than 267,000 stayed away from classes.

The news dispatch reads:

NEW YORK.—More than 165,000 students boycotted city public schools today in an antisegregation protest hurt by lack of support from major civil rights groups.

The board of education said 267,459 students stayed away from classes. The normal absentee figure, however, is about 100,000—making the boycott less than 50 percent as effective as one staged last month.

"We are encouraged that the boycott method of expressing a point of view is being regarded with markedly diminishing favor," said Board of Education President James B. Donovan.

The Reverend Milton A. Galamison, Negro leader of the boycott, said the turnout was "very effective."

Today's boycott was backed by such controversial Negro leaders as Malcolm X, the militant black nationalist, and Representative ADAM CLAYTON POWELL, Democrat, of New York.

There were fewer than half the number of pickets at public schools as there were in the successful February 3 boycott. The board of education said no teachers stayed home.

The boycott shows that despite the legislation which may be enacted, unless there is some movement on a national basis, and within the States on a State basis, to equalize the population in the various areas, the conditions complained of and at which this bill is directed, will not be solved permanently. They will only be aggravated.

The new Commission which I propose to have created would be called the Voluntary Racial Relocation Commission. I made a speech on this subject some years ago, and it was twisted and distorted. It was said that I was proposing to uproot

people and move them from one area to another. For that reason, I have placed "voluntary" as the first word in the title of the Commission.

I have prepared a table which is located in the rear of the Chamber. The table shows the increase or decrease in the number of Negroes that would be required to bring the percentage of colored population in each State approximately in line with the national average of 10.5 percent. The statistics on the chart show, on the basis of the 1960 population, a breakdown of whites and Negroes by States and the number of Negroes that would be required to constitute 10.5 percent of the total, and also the shift of Negro population, plus or minus, that would be required to bring the percentage of Negroes in each State to 10.5 percent.

I shall not read names of all the States and the numbers of Negroes that would be required.

I ask unanimous consent to have inserted at this point in the RECORD the table which shows the population shifts.

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

TABLE 2.—*Population of the States by race, and shift indicated to even the distribution of Negro population (1960)*

State	Population				10.5 percent of total population	Shift of Negro population needed to have it be 10.5 percent of total population in each State
	Total	White	Negro	Other races		
Alabama	3,266,740	2,283,609	980,271	2,860	343,008	−637,263
Alaska	226,167	174,546	6,771	44,850	23,747	+16,976
Arizona	1,302,161	1,169,517	43,403	89,241	136,727	+93,324
Arkansas	1,786,272	1,395,703	388,787	1,782	187,559	−201,228
California	15,717,204	14,455,230	883,861	378,113	1,650,306	+776,445
Colorado	1,753,947	1,700,700	39,992	13,255	184,164	+144,172
Connecticut	2,535,234	2,423,816	107,449	3,969	266,200	+158,751
Delaware	446,292	384,327	60,688	1,277	46,861	−13,827
District of Columbia	763,956	345,263	411,737	6,956	80,215	−331,522
Florida	4,951,560	4,063,881	880,186	7,493	519,914	−360,272
Georgia	3,943,116	2,817,223	1,122,596	3,297	414,027	−708,569
Hawaii	632,772	202,230	4,943	425,599	66,441	+61,498
Idaho	667,191	657,383	1,502	8,306	70,055	+68,553
Illinois	10,081,158	9,010,252	1,037,470	33,436	1,058,522	+21,052
Indiana	4,662,498	4,338,554	269,275	4,669	489,562	+220,287
Iowa	2,757,537	2,723,709	25,354	2,373	289,541	+264,187
Kansas	2,178,611	2,078,666	91,445	8,500	228,754	+137,309
Kentucky	3,038,156	2,820,083	215,949	2,124	319,006	+103,057
Louisiana	3,257,022	2,211,715	1,039,207	6,100	341,987	−697,220
Maine	969,265	963,291	3,319	2,656	101,773	+98,454
Maryland	3,100,689	2,573,919	518,410	8,360	325,572	−192,838
Massachusetts	5,148,578	5,023,144	111,842	13,592	540,601	+428,759
Michigan	7,823,194	7,085,865	717,581	19,748	821,435	+103,854
Minnesota	3,413,864	3,371,603	22,263	19,998	358,456	+336,193
Mississippi	2,178,141	1,257,546	915,743	4,852	228,705	−687,038
Missouri	4,319,813	3,922,967	390,853	5,993	453,580	+62,727
Montana	674,767	650,738	1,467	22,562	70,850	+69,383
Nebraska	1,411,330	1,374,764	29,262	7,304	148,190	+118,928
Nevada	285,278	263,443	13,484	8,351	29,954	+16,470
New Hampshire	606,921	604,334	1,903	684	63,726	+61,823
New Jersey	6,066,782	5,539,003	514,875	12,904	637,012	+122,137
New Mexico	951,023	875,763	17,063	58,255	99,857	+82,794
New York	16,782,304	15,287,071	1,417,511	77,722	1,762,142	+344,631
North Carolina	4,556,155	3,399,285	1,116,021	40,849	478,396	−637,625
North Dakota	632,446	619,538	777	12,131	66,407	+65,630
Ohio	9,706,397	8,909,698	786,097	10,602	1,019,172	+233,075
Oklahoma	2,328,284	2,107,900	153,084	67,300	244,470	+91,386
Oregon	1,768,687	1,732,037	18,133	18,517	185,712	+167,579
Pennsylvania	11,319,366	10,454,004	852,750	12,612	1,188,533	+335,783
Rhode Island	859,488	838,712	18,332	2,444	90,246	+71,914
South Carolina	2,382,594	1,551,022	829,291	2,281	250,172	−579,119
South Dakota	680,514	653,098	1,114	26,302	71,454	+70,340
Tennessee	3,567,089	2,977,753	586,876	2,460	374,544	−212,332
Texas	9,579,677	8,374,831	1,187,125	17,721	1,005,866	−181,259
Utah	890,627	873,828	4,148	12,651	93,516	+89,368
Vermont	389,881	389,092	519	270	40,937	+40,418
Virginia	3,966,949	3,142,443	816,258	8,248	416,530	−399,728
Washington	2,853,214	2,751,675	48,738	52,801	299,587	+250,849
West Virginia	1,860,421	1,770,113	89,378	910	195,344	+105,966
Wisconsin	3,951,777	3,858,903	74,546	18,328	414,937	+340,391
Wyoming	330,066	322,922	2,183	4,961	34,657	+32,474
United States	179,323,175	158,831,732	18,871,831	1,619,612		

Source: U.S. Bureau of the Census. U.S. Census of Population, 1960, "U.S. Summary: General Population Characteristics."

Mr. RUSSELL. Mr. President, the Commission I propose would be authorized to make outright grants of Federal funds to finance the relocation of eligible persons. The financial assistance would cover such items as transportation, subsistence, and temporary housing. The Commission would also help a relocated family to become established in its new home and would provide assistance in obtaining employment. Essential health and social services would be provided to families being relocated.

The Commission would be authorized to utilize the services of any Federal or State agency that might contribute to making the plan a success.

The President's program to abolish poverty was sent to the Senate today. I have not yet had an opportunity to study it, but I understand it would provide a training program. Such a program would be an important part of the program I propose. There is only a limited number of jobs in this country. The proposal in my bill would make loans available to those who increased the number of employees on their rolls and would create new jobs for those who would be trained under the President's program. The proposed legislation also contains a provision of its own for job training.

One of the most important benefits that would flow from the adoption of my plan would be to further President Johnson's all-out campaign to eradicate poverty. I am confident that if the plan I propose were applied, it would be the most potent weapon in the President's antipoverty arsenal, because the amendment provides that the Commission shall not relocate any person until it finds that the standard of living and employment opportunities of such person would be improved through his or her location in another section of the country.

Most authorities agree that the poverty problem is more acute among the unskilled and poorly educated members of our society. It will continue to become more acute from year to year among those groups, along with the increase in automation. Certainly that will be true among a number of the Negro people, although I sometimes believe that we overlook the fact that the Negro does not have a monopoly on deprivation and poverty. He has plenty of company among the whites at the lower level of the economic spectrum.

The program I propose would give new opportunity to many of the neglected members of our society. It would afford them a new outlook on life; their families would have an entirely different attitude toward their respect for law and order, and toward their obligations of citizenship. It would give great impetus to the entire economy.

There is ample precedent for the type of program I am proposing. There is nothing revolutionary about it. It is not radical. It contains not a single element of force or compulsion. The Roosevelt administration did not hesitate to apply the principle of relocation for economic improvement. The old Resettlement Administration proposed to assist distressed and displaced farm families to get a new start in life.

It might surprise some Senators to know that the Department of the Interior currently operates a relocation program for Indians precisely along the lines I am proposing. I am advised by the staff of the Committee on Insular and Interior Affairs that since 1952, more than 45,000 Indians have been moved from reservations under the Indian relocation program. The Bureau of Indian Affairs maintains relocation field offices in various cities of the country to assist in relocating Indians to become established in their new homes and new jobs, just as I propose in my amendment that both whites and Negroes may be relocated in new homes under this plan.

Thousands of people are being displaced and relocated almost weekly under urban renewal and slum clearance programs in various cities. There is no reason why those people could not be given a better deal and a new life in

some other section of the country. The highways, thoroughfares, and freeways which go through the various cities of our land uproot thousands of people who must be relocated. There is nothing new in this proposal.

Senators are aware that from time to time Congress has enacted laws under which the Government has participated in relocation and has provided a new start in life for persons displaced under the various refugee programs of the postwar era. Thousands of persons have found new homes and new jobs under relocation projects.

All Senators are familiar with the contributions that this country has made in money and other kinds of assistance to relocate millions of people in Europe and Asia over the past several decades. Tens of millions of people have been relocated in India since the Commonwealth was divided into two free nations—Pakistan and India.

I observe in the Chamber the distinguished Senator from Kentucky [Mr. COOPER], who was an eminent Ambassador to India. He knows of the great movement of people from section to section.

Mr. COOPER. I had nothing to do with the relocation.

Mr. RUSSELL. No. But I hope the Senator will have something to do with the relocation amendment I am proposing. I am using India as an illustration of what can be done. I hope and believe it can be done here without the violence and the bloodshed which attended the development in that unhappy country at that time. We also did that at the end of World War I; our country financed the movement of thousands of persons from what is now Turkey to what is now Greece. From time to time our country has participated in the relocation of tens of thousands of persons. Here is a simple proposal which promises the greatest forward step toward restoring domestic tranquility in this country. There is nothing in this amendment from which any American should recoil. In the past we have accomplished far greater relocations in other lands than we have in our own country. Certainly our peace and tranquillity are of sufficient importance to cause us to establish such a program in this country.

Mr. President, I have had difficulty in attempting to estimate the cost of the relocation program authorized in this proposal. However, it can be stated with assurance that the total cost would be only a small fraction of the amount that this Nation has expended and is continuing to lavish each year in every part of the world in the application of the foreign aid program.

I have no question in my mind that an amount equal to one-half of the funds our country has made available this year for foreign aid—and it happens to be the smallest amount we have made available for the foreign aid program for many years—would, if made available for a period of 3 years, carry out this program. Would it not be infinitely wiser to devote some of that money to resolving one of our own serious domestic problems, in order that we may be prepared to face with a united front any danger which may confront this country?

I assure Senators, with every ounce of sincerity at my command, that this proposal is brought forward in an effort to make a beginning at the permanent solution of the deep racial conflicts which confront our country, and which may spread very widely if the full might of the Federal Government is applied against only one section of the country.

I hope Senators will not close their minds completely to anything not embodied in the four corners of the bill as it came to us from the House of Representatives. I am well aware of the tremendous pressure campaign being carried on—mostly by persons who have not read the bill, but who have urged the Senate to pass the bill exactly as it came from the House of Representatives, without changing the dotting of an "i" or the crossing of a "t." But, Mr. President, we will have come to a sad day in this country if there is an unwillingness to consider adopting any amendment to this force bill which has come to us from the other body.

This amendment I shall propose is a humanitarian proposal in the finest sense of the word. It offers to those at the bottom of our country's economic heap, whether white or Negro, an opportunity to build a new and better life for themselves and their families.

I sincerely believe the amendment should appeal strongly to every American citizen who truly favors social justice and equality. The amendment opens up new frontiers of hope and opportunity for those of both races who thus far in the struggle of life have known defeat and disappointment.

Most of all, Mr. President, I insist that this relocation approach should appeal to those who sincerely wish to get at the roots of this grave national problem which threatens to divide and to weaken our country at a crucial time when strength and unity are vital to our survival as a free people. I offer the amendment in the humble and the sincere hope that it will have the support of all who are genuinely interested in promoting domestic peace and harmony and also the support of all who are interested in solving, instead of aggravating, our racial problems.

Mr. COOPER. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. COOPER. I have been listening to the remarks of the Senator from Georgia. I listen to him whenever I can, because he always speaks with great knowledge, and he speaks with understanding of this problem, particularly as it applies to the South. I know he is presenting this amendment seriously. In asking questions about it, I am also serious.

I was very much interested in examining the graph to which the Senator from Georgia referred. It recalled to my mind that in 1947, when I first served in the Senate, the Negro population of Kentucky was between 15 and 16 percent; and even in 1957 it was approximately 11 or 12 percent. At the present time it has declined to between 7 and 8 percent, with approximately 210,000 Negroes in our State. I know that the problems of the Southern States are in many ways greater than the problems of many of the Northern or Western States, and are even more difficult than the problems of my own State.

The Senator from Georgia has proposed a plan of relocation. Before the Civil War, many such plans were proposed. Of course, they met with great difficulty at that time, because of the fact that slavery was then in existence and there was no way to secure the consent of the slaveowners. Therefore, except for a few voluntary programs, all of those proposals failed.

Would the Senator's plan of relocation apply only to Negroes?

Mr. RUSSELL. Oh, no.

Mr. COOPER. Would it apply to the members of any race?

Mr. RUSSELL. It would apply to the white people in the States where the percentage of whites is greater than the national average population of whites; and the amendment would apply to Negroes in the States where the Negro population is greater than the national average population of Negroes. So the amendment calls for a two-way program. I have endeavored to make that point clear.

In passing, I may say that several years ago when I made a speech on this subject, I received letters from more persons in the Northwest and in the West who were interested in moving South, and who were white people, than I did from Negro citizens who were interested in moving from the South. This is a two-way street. It is a sincere attempt to help all who are underprivileged; and the amendment should appeal to all who wish to help the underprivileged. However, many of the advocates of the present civil rights bill seem to think that the Negro people are the only ones who are at an economic disadvantage in the United States, whereas actually there are in the United States millions of able persons of various races who are in economic difficulties. So this proposal is designed to help all such groups.

Mr. COOPER. I understand. In Kentucky there are both whites and Negroes who have a hard struggle to make ends meet. So I understand that the Senator from Georgia has made a serious proposal.

Mr. RUSSELL. I was never more serious in all my life.

Mr. COOPER. Even if the amendment of the Senator from Georgia were adopted, would not the questions about which we have been speaking still remain unresolved? For example, would we not still have the question of protecting voting rights? Would we not still have unresolved the question of what we should do in those States which do not support the Supreme Court decision in Brown against Board of Education, with respect to schools? As the Senator knows so well, voting rights are protected under the 15th amendment of the Constitution. A question with respect to the protection of those rights

would still exist and continue to be raised in the Southern States.

Mr. RUSSELL. Mr. President, the Senator speaks about the Southern States. I point out that there are more Negroes qualified to vote in the State of Georgia than there are Negroes in the total population of the State of Kentucky, including men, women and children.

Mr. COOPER. I did not wish to get into a comparison between the State which I represent and the State of Georgia. So far as I know, Kentucky has never had any law which would restrict Negroes in voting. But be that as it may, my question is as follows: Even if the Senator's relocation program should be put into effect in those sections of the country in which Negroes claim they do not have the right to vote, or cannot be assured of that right, would not a problem still remain?

Mr. RUSSELL. I do not think so, because if the Senate is going to pass the force bill——

Mr. COOPER. I am not saying that I am for every word, paragraph, and section of the bill.

Mr. RUSSELL. I understand; but if the Senate passes the force bill in its present shape I assume it will then be applied—and I think it will be enforced with unparalleled vigor—in some of the Southern States.

Mr. President, I am arguing for the white people of the South, who comprise a minority in our country which cannot obtain consideration in these halls. They have shared their poverty with Negro citizens. They themselves have been deprived of an education, though they have taxed themselves for education at much greater rates, in proportion to their per capita income, than have the people in any other section of the United States.

My plea is that the rest of the country help them share the burden that would result from the application of the law.

Mr. COOPER. My question is, even if the Senator's amendment were to come into effect, would not the same issues we now face continue to be raised in many of the Southern States, including the issue of voting rights?

Mr. RUSSELL. If the bill should be enacted, there would be no issues. If a State or an individual did not comply with what the Attorney General desired, a person would go to jail for violating the law. An injunction would be issued without a jury trial. The bill would change every procedure that has been in effect up until now.

Mr. COOPER. I did not know that the Senator assumed that the bill, as written, would be passed. I thought the Senator took the position that the bill should not pass.

Mr. RUSSELL. I take the position that it should not pass at all.

Mr. COOPER. I thought that was true.

Mr. RUSSELL. Of course, I do.

Mr. COOPER. I do not desire to press my questions. The point I have been making is that even if the proposal of the Senator from Georgia should be adopted, the same issues that we now face—voting rights, desegregation of schools, and equal access to places of public accommodation—would still be before our country. The problems which exist in many parts of our country will continue. I do not see how the Senator's amendment would resolve these problems.

Mr. RUSSELL. We will not enact any law that will completely change the manner of thinking of the people in our country overnight——

Mr. COOPER. That is true.

Mr. RUSSELL. I care not what it may be. The bill proposes to apply the harsh processes of the Federal power in every sense of the word to the ordinary relations of life between man and man in our country. For the first time the bill would bring about enforced association through Federal power. There are some State laws on this subject which have been more honored in the breach than in their observance. Most of them provide for fines of $5 and $10. Very seldom has there been any prosecution under them. Those laws have existed. But this bill the Senate is asked to take up and pass would bring into play the Federal power and the authority of the Attorney General to move to bring a man before a Federal judge without even the benefit of a jury trial under charges that may be brought against him.

As I have said, except when men have gone into the Army—through compulsory selective service, under the draft laws, by volunteering, or as they used to say in old England, by taking the King's shilling—or in a penal colony, or a penitentiary, the bill would bring about for the first time, with no exception, the full power and might of the Federal Government to change the social customs of a people, forcing them to associate with those with whom they may not wish to associate.

The bill presents an entirely new program from any we have had up until the present time in the States in which the majority of our Negro citizens live.

Mr. COOPER. We have precedents in the voting rights bills of 1957 and 1960.

Mr. RUSSELL. Mr. President, as I have said, the issue of voting rights has been exaggerated out of all proportion. In some counties in Southern States there has been rank discrimination against Negroes in voting. In 1957 I made a statement on the floor of the Senate, when the bill was then being considered, that in my State any Negro who wished to vote and who could qualify to vote could do so. Later I found out to my embarrassment that there were two counties where that was not so. They are small counties with few people affected. Nevertheless, they were there. But, as I have said, the question of voting rights has been greatly exaggerated.

In my county Negro citizens have been voting as far back as I can remember. They did not vote in the Democratic primary for a long time. There was a law against it. But they did not wish to get into the primary anyway because they were Republicans. That was before the Roosevelt era.

Mr. COOPER. They used to vote Republican in Kentucky, too.

Mr. RUSSELL. When the primary was opened to Negroes, a big drive to register them to vote was conducted in my State, and they did register. Several hundred Negro citizens registered in my county.

In my State there is a law which applies to white and Negro alike. I do not suppose that I ought to mention it, because someone may try to amend the bill so as to make that law apply no longer to Negroes. The State law to which I have referred provides that if a citizen does not vote in two consecutive elections, the registrar must take his name off the rolls. That law applies to both whites and Negroes in my State.

I suppose an amendment might be offered to the bill to make the law apply only to the white people before we are through.

About 500 or 600 Negroes were registered in my home county. Within 2 years more than half of them were removed from the rolls because they had not voted. I do not know why. I cannot explain it. They did not vote. Therefore, their names were stricken from the rolls.

Mr. COOPER. I did not intend to get into a debate on the question of voter registration. But I believe the fact that persons do not exercise their right to vote is not an argument for continuing a policy of preventing them from voting.

Mr. RUSSELL. It is no excuse whatever.

The charge that there has been a reign of terror to prevent Negroes from voting in the South has been greatly exaggerated. From what I have heard, the condition which has been described must have existed in some counties. But it has been greatly exaggerated. The charge is an injustice to some of the Southern States when it implies that the condition exists everywhere.

I have never heard of any trouble about voting in Virginia, North Carolina, or in my own State. There has been very little in South Carolina, so far as I know. There is no difficulty in Florida. I have never heard of a charge being made there was difficulty in voting there. That is one of the bogeymen that has been raised to indict all southern white people because in some counties in the South the Negro undoubtedly has been discriminated against in voting.

Mr. COOPER. It may have occurred in my own State.

I know the Senator wishes to finish, but there is one further question I should like to ask. Would not the adoption of such a relocation program, in connection with the civil rights bill, be regarded not only by the Negro people of the United States, but by all the people of the United States, as a judgment by the Congress that for some reason the Negro people must leave, or ought to leave, the States in which they have lived? Would not such a law suggest they should sacrifice the homes in which they were born, their churches, their families, the background which holds them, and disassociate themselves from all those ties, and move to some other section of the country?

The Senator said that the program would be voluntary, but would it not be considered that the Congress of the United States had made a judgment that the Negro people should leave all their associations, their residences, and find new homes somewhere else in our country?

Mr. RUSSELL. There is no more intimation of that kind than there is with respect to the white citizens we are inviting to move into the South, and who will be welcomed there, to equalize the population throughout the country.

I have never been able to understand why those who carry on this drive for this so-called civil rights legislation from year to year have built up a monumental inferiority complex in the minds of our Negro citizens. It has been done by almost everyone who has participated in any part of this campaign. In the first place, our Negro citizens are the only ones who seem to feel that they are being put upon when they are asked to associate only with those of their own race. The Chinese do not think they are put upon. The Indians do not think they are put upon. The white people do not think they are put upon. And the Negroes did not think so until certain whites and Negroes began saying to them that they were being imposed upon when they were associating only with their own race in their schools and churches.

This has done a great disservice to the Negro citizens and has built up an inferiority complex that has caused many of our Negro citizens to believe they cannot participate in any of the affairs of life unless they are standing by the side of white persons. Negroes have been done a great wrong by the talk of those who have implied that being a Negro is a mark of inferiority. It is no more a mark of inferiority against the colored man than it would be against the white man in Minnesota or Montana who might move to Georgia.

I am not reflecting on anyone when I say I hope they will take advantage of this proposal and come to Georgia to help balance the population there. I would even help them get from Kentucky to Georgia——

Mr. COOPER. Some of them have.

Mr. RUSSELL. On occasion they have. One of the foremost and wealthiest families in my State moved from Kentucky after the unpleasantness of a century ago.

I do not think I am reflecting on those citizens when I say "We would like to have you in Georgia." Why would it be reflecting on the Negroes? It has been a calculated part of the program, under every one of these so-called civil rights bills, to give an inferiority complex to our colored citizens and make them believe they cannot be of any use unless they stand by the side of a white person. When we look at the progress some Negroes have made, we know that they have good reason to maintain their associations with their own people. There are those who have made a million dollars doing so. I could take Senators to Georgia and show them some of the best farmers of that State who have done very well, indeed. Yet there are people who are trying to inculcate an inferiority complex in them.

Immediately after the Brown decision was handed down, I remember reading a brilliant article by a Negro authoress in Florida who expressed her resentment at that decision, and against the feeling that the Negro children were not capable of learning in school unless they were sitting by the side of white children. That article came from the pen of a Negro woman.

After all the effort to inculcate the feeling of an inferiority complex among the Negroes, I suppose if that poor woman wrote the article today, she would be ostracized.

I do not recall that it has been said of any other race that associating with fellow members of that race had generated an inferiority complex.

Mr. President, I make this appeal in behalf of a minority—the white people of the South. They have served their country well. They have been accused of many things, but never of cowardice. In every war that has ever been fought, they have supplied as many volunteers as any other segment of our society if not more. I do not say this invidiously, but if the number of Distinguished Service Crosses, Silver Stars, and other awards for heroism in battle means anything, the white people of the South have nothing to be ashamed of.

They are a minority, but they are asking for common justice. They are asking their fellow Americans not to require them to accept the harsh compulsion of the Federal Government in the realm of forced association while their fellow Americans in other sections are avoiding it. We hear a great deal about equality. This is my appeal for true equality under the harsh force bill that is being proposed.

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

Mr. RUSSELL. I yield.

Mr. STENNIS. First, I warmly compliment the Senator from Georgia for the hard work and preparation he has put into his proposal and his excellent explanation of it on the floor. Nothing further needs to be said on the subject. I remember when he spoke on a similar subject several years ago. He had worked on the same subject before.

In reply to the Senator from Kentucky, the Senator from Georgia referred to the inferiority the present-day agitation tends to attribute to the Negro race and Negro individuals. Not only is the message of an inferiority status given to him, but it has built up a wall of enmity between the Negro and white people who have been working hard to live together in harmony. Those ties have been severed, and those who are supporting the programs have taught them an enmity that will hurt the people they are trying to help. We can add that as another plank in the fence being built up between the races.

Let me give an illustration. My State of Mississippi has the highest percentage of Negroes of any State of the Union. It has had the highest percentage for a long while. I make no apologies for it, but the proposal of the Senator from Georgia would certainly bring about conditions that would relieve and help those people.

I can give a concrete illustration of what I have said. Not too long ago I stopped at a Negro home. I remembered that the mother and the family had been reared on my father's place. I had not seen her in a good while, and I decided to pay her a visit. Among other things, I asked, "Alberta, how many grandchildren do you have?" She was 47 or 48 years old. She said, "55, Mr. Stennis."

She had 55 grandchildren. That is to her credit, and certainly not to her discredit, but it illustrates the population growth and the fact that there are not enough jobs and opportunities there for the Negro citizens. That example could be repeated many times over.

There is a real opportunity for a resettlement program to be put at their disposal, which would follow them through wherever they may go, if it became law. Officials could follow them through with an honest resettlement program in a new area of the country. It would not be like the situation which occurred, particularly after World War I, when many of our colored citizens moved to the northern cities which were not prepared for them, and there were riots and bloodshed, resulting in heavy loss of life. This proposal is a practical and humanitarian approach.

Mr. RUSSELL. I thank the Senator.

Mr. HILL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. HILL. I commend the distinguished Senator from Georgia on his fine and challenging presentation. He brings us a proposal out of his wisdom and devotion to our country and its institutions that should commend itself to the people in all sections of the country.

The distinguished Senator from Mississippi [Mr. STENNIS] spoke about resettlement. The Senator from Georgia and other Senators will recall that under the administration of President Roosevelt there was in Washington, as an arm of the Federal Government, the Resettlement Administration. The Senator from Georgia would apply to the unfortunate and tragic situation that confronts our country today a relief, a remedy that has been used before, in the days of the great depression. In doing so, we would do much to meet the situation that confronts us today; and at the same time the program would be entirely voluntary.

The proposal of the Senator from Georgia has nothing in it which would arrive at a solution by force or compulsion, or anything but free will and voluntary operation. In no way would it do the things which the bill H.R. 7152 would do.

The Senator's proposal would in no way interfere with social customs, or in any way undermine or seek to control or impose burdens or restrictions upon the American system of free enterprise. It would in no way involve any denial of right to trial by jury, or to go into court to take away from people their rights to

grant special privilege for some at the expense of the rights of others.

I commend the Senator from Georgia, and strongly congratulate him on the proposal he brings us in his extraordinarily fine presentation.

Mr. RUSSELL. I thank the Senator from Alabama.

DURING THE DELIVERY OF SENATOR RUSSELL'S REMARKS

Mr. CARLSON. George Washington Carver taught school in Minneapolis, Kans. This was early in our history. With the wheat they nurtured so carefully, Kansas became known as the Wheat State.

They began farming out in that area. Today, Nicodemus, Kans., is in its last stages of existence and will be soon forgotten, because all the young people born there continue their education in colleges and universities all over the United States. They never seem to want to settle down in Nicodemus. So only a few hardy families still live there.

From this group have come some outstanding lawyers. I personally am acquainted with the Sayre family, which has produced some of the finest lawyers in our State, one of whom became State treasurer.

In gathering these statistics, the writer found that these "exodusters" studied the diaries of the only 3 who were literate out of the original 600 families. They read all the news accounts of the long trek and their plight at various stages of the journey, and interviewed the oldtimers still living in and around Nicodemus.

While they have dispersed, they still show the great pioneering spirit. It is a story that I believe should be preserved for posterity.

Mr. President, I ask unanimous consent to have this statement printed in the RECORD as a part of my remarks.

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

Researching some material for a Boris Petroff motion picture this writer ran across a small historical note on the "exodusters" a group of some 600 freed Negro families that collected out of most of the Southern States after President Lincoln's Emancipation Proclamation and gathered together near Lexington, Ky., to start their exodus toward their promised land in northwest Kansas, the first of the free States to enter the Union.

They had been promised 10 acres each of homesteading land and further promised that they would find plenty of buffalo for meat and large bands of ponies running wild to domesticate for farming purposes.

Starting out with only three wagons and three teams of horses they started the long trek on foot with only their personal belongings and babies riding the carts and the wheelbarrows they pushed ahead of them. They sang their favorite spirituals as they trudged the long miles almost all of this over rough roads and poorly beaten paths.

Finally reaching the Ozarks where they ran out of food and funds to purchase more. Warmer clothing was also required for their continued journey. They just bogged down until their leaders planned for the aid required. This came from the Chicago Tribune and the Boston Post—both of whom put on special emergency drives through their pages.

Arriving in northwest Kansas, they discovered the duplicity of the plot to bring them on to Kansas—simple political machination—to get votes to place a politically ambitious eastern coal mine operator, now replanted in Kansas, into the senate.

The promises made were quite different from what they faced. Not 10 acres to the family but 5 and these 5 in the vast prairie Dust Bowl where nothing thrived save buffalo grass. The Indians had been driven north to a Nebraska reservation and with them they drove the buffalo and ponies ahead.

These 600 families with only a few deaths among the very young and the old lost during the hardships, dug holes in the ground, covered the top with buffalo grass for a roof and spent the winter in these dugouts using dried buffalo chips for fireheat and straying rabbits and birds for food; working where they could in neighboring towns for additional flour and staples money.

With spring they started to build small mudhuts and tried every kind of seed for vegetables, every type of grain for farming, with no success. Surviving each trying winter their patience never lagged, meanwhile building a school, church, and community houses.

Finally, their minister wrote to a Canadian farmer who had met with some success with a certain hardy wheat that would flourish in bleak land, and with a handful of this seed these "exodusters" met their first success. The new wheat thrived and harvested exceptionally well.

So, over the years, they founded the town of Nicodemus, Kans.—the first all-Negro town in the United States of America—and educated teachers, doctors, ministers, lawyers, and the first Negro public officeholder when one of the colony's native born was elected State treasurer of Kansas. Another early born baby at the colony was later to become the far-famed George Washington Carver, and with the wheat they nurtured so carefully, Kansas was to become known as the Wheat State.

Today Nicodemus, Kans., is in its last stages of existence; will be forgotten soon, because all the young people born there continue their education in colleges and universities around the United States of America, never seem to want to settle in Nicodemus, so only a few hardy families still live there. But their pioneering spirit shall live on through the progeny born there and now scattered into most States, where their fine work continues.

So, in a way, this is the story of the birth and the death of the town of Nicodemus, Kans.; born in 1867, death to be recorded, but proving that the Negro is also a true American pioneer and should go into our American history books as a pioneer.

Meanwhile, this writer has gathered all the research together on all the "exodusters"; studied their diaries of the only 3 who were literate in the original 600 families; read all the news accounts of the long trek and their plight at various stages of the journey; interviewed those oldtimers still living in and around Nicodemus and others in other cities who could throw additional light on the actual pioneers; and will use this material to write a screenplay on the subject.

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

Mr. SCOTT. Mr. President, may I be recognized by agreement? Will the Senator from Georgia withhold his request so that I may be recognized?

Mr. RUSSELL. I am glad to withhold my request, provided that the Senator from Pennsylvania will suggest the absence of a quorum when he concludes.

Mr. SCOTT obtained the floor.

Mr. SCOTT. Mr. President, without losing my right to the floor, at the suggestion of the Senator from Georgia, I suggest the absence of a quorum.

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

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

[No. 83 Leg.]

Aiken	Gruening	Muskie
Anderson	Hart	Nelson
Bayh	Hartke	Neuberger
Beall	Hayden	Pastore
Bennett	Hickenlooper	Pearson
Bible	Hill	Prouty
Boggs	Holland	Proxmire
Brewster	Humphrey	Ribicoff
Byrd, Va.	Inouye	Robertson
Cannon	Jackson	Russell
Carlson	Johnston	Scott
Case	Jordan, Idaho	Simpson
Church	Kennedy	Smathers
Clark	Lausche	Smith
Cooper	Long, La.	Sparkman
Curtis	Magnuson	Stennis
Dirksen	Mansfield	Symington
Dodd	McClellan	Talmadge
Dominick	McGee	Thurmond
Douglas	McIntyre	Tower
Eastland	McNamara	Williams, N.J.
Ellender	Metcalf	Williams, Del.
Ervin	Miller	Yarborough
Fong	Monroney	Young, N. Dak.
Fulbright	Morton	
Gore	Mundt	

The PRESIDING OFFICER. A quorum is present.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

(During the delivery of Mr. RUSSELL's speech:)

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 11, 1964, the President had approved and signed the act (S. 1153) to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes.

Mr. HUMPHREY. Madam President, will the Senator from Georgia yield, so that I may make an inquiry regarding the message just received from the President?

Mr. RUSSELL. I yield for that purpose.

Mr. HUMPHREY. I understand that a message from the President has arrived. I should like to ask that the text of the message be printed in the RECORD and that the message be appropriately referred.

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

ECONOMIC OPPORTUNITY ACT OF 1964—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 243)

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair) laid before the Senate the following message from the President of the United States, which with the accompanying papers, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

We are citizens of the richest and most fortunate nation in the history of the world.

One hundred and eighty years ago we were a small country struggling for survival on the margin of a hostile land.

Today we have established a civilization of free men which spans an entire continent.

With the growth of our country has come opportunity for our people—opportunity to educate our children, to use our energies in productive work, to increase our leisure—opportunity for almost every American to hope that through work and talent he could create a better life for himself and his family.

The path forward has not been an easy one.

But we have never lost sight of our goal: an America in which every citizen shares all the opportunities of his society, in which every man has a chance to advance his welfare to the limit of his capacities.

We have come a long way toward this goal.

We still have a long way to go.

The distance which remains is the measure of the great unfinished work of our society.

To finish that work I have called for a national war on poverty. Our objective: total victory.

There are millions of Americans—one-fifth of our people—who have not shared in the abundance which has been granted to most of us, and on whom the gates of opportunity have been closed.

What does this poverty mean to those who endure it?

It means a daily struggle to secure the necessities for even a meager existence. It means that the abundance, the comforts, the opportunities they see all around them are beyond their grasp.

Worst of all, it means hopelessness for the young.

The young man or woman who grows up without a decent education, in a broken home, in a hostile and squalid environment, in ill health or in the face of racial injustice—that young man or woman is often trapped in a life of poverty.

He does not have the skills demanded by a complex society. He does not know how to acquire those skills. He faces a mounting sense of despair which drains initiative and ambition and energy.

Our tax cut will create millions of new jobs—new exits from poverty.

But we must also strike down all the barriers which keep many from using those exits.

The war on poverty is not a struggle simply to support people, to make them dependent on the generosity of others.

It is a struggle to give people a chance.

It is an effort to allow them to develop and use their capacities, as we have been allowed to develop and use ours, so that they can share, as others share, in the promise of this Nation.

We do this, first of all, because it is right that we should.

From the establishment of public education and land-grant colleges through agricultural extension and encouragement to industry, we have pursued the goal of a nation with full and increasing opportunities, for all its citizens.

The war on poverty is a further step in that pursuit.

We do it also because helping some will increase the prosperity of all.

Our fight against poverty will be an investment in the most valuable of our resources—the skills and strength of our people.

And in the future, as in the past, this investment will return its cost manifold to our entire economy.

If we can raise the annual earnings of 10 million among the poor by only $1,000, we will have added $14 billion a year to our national output. In addition we can make important reductions in public assistance payments which now cost us $4 billion a year, and in the large costs of fighting crime and delinquency, disease and hunger.

This is only part of the story.

Our history has proved that each time we broaden the base of abundance, giving more people the chance to produce and consume, we create new industry, higher production, increased earnings, and better income for all.

Giving new opportunity to those who have little will enrich the lives of all the rest.

Because it is right, because it is wise, and because, for the first time in our history, it is possible to conquer poverty, I submit, for the consideration of the Congress and the country, the Economic Opportunity Act of 1964.

The act does not merely expand old programs or improve what is already being done.

It charts a new course.

It strikes at the causes, not just the consequences of poverty.

It can be a milestone in our 180-year search for a better life for our people.

This act provides five basic opportunities.

It will give almost half a million underprivileged young Americans the opportunity to develop skills, continue education, and find useful work.

It will give every American community the opportunity to develop a comprehensive plan to fight its own poverty, and help them to carry out their plans.

It will give dedicated Americans the opportunity to enlist as volunteers in the war against poverty.

It will give many workers and farmers the opportunity to break through particular barriers which bar their escape from poverty.

It will give the entire Nation the opportunity for a concerted attack on poverty through the establishment, under my direction, of the Office of Economic Opportunity, a national headquarters for the war against poverty.

This is how we propose to create these opportunities.

First. We will give high priority to helping young Americans who lack skills, who have not completed their education or who cannot complete it because they are too poor.

The years of high school and college age are the most critical stage of a young person's life. If they are not helped then, many will be condemned to a life of poverty which they, in turn, will pass on to their children.

I therefore recommend the creation of a Job Corps, a work-training program, and a work-study program.

A new national Job Corps will build toward an enlistment of 100,000 young men. They will be drawn from those whose background, health, and education make them least fit for useful work.

Those who volunteer will enter more than 100 camps and centers around the country.

Half of these young men will work, in the first year, on special conservation projects to give them education, useful work experience, and to enrich the natural resources of the country.

Half of these young men will receive, in the first year, a blend of training, basic education, and work experience in job-training centers.

These are not simply camps for the underprivileged. They are new educational institutions, comparable in innovation to the land-grant colleges. Those who enter them will emerge better qualified to play a productive role in American society.

A new national work training program operated by the Department of Labor will provide work and training for 200,000 American men and women between the ages of 16 and 21. This will be developed through State and local governments and nonprofit agencies.

Hundreds of thousands of young Americans badly need the experience, the income, and the sense of purpose which useful full- or part-time work can bring. For them such work may mean the difference between finishing school or dropping out. Vital community activities from hospitals and playgrounds to libraries and settlement houses are suffering because there are not enough people to staff them.

We are simply bringing these needs together.

A new national work study program operated by the Department of Health, Education, and Welfare will provide Federal funds for part-time jobs for 140,000 young Americans who do not go to college because they cannot afford it.

There is no more senseless waste than the waste of the brainpower and skill of those who are kept from college by economic circumstance. Under this program they will, in a great American tradition, be able to work their way through school.

They and the country will be richer for it.

Second. Through a new community action program we intend to strike at poverty at its source—in the streets of our cities and on the farms of our countryside among the very young and the impoverished old.

This program asks men and women throughout the country to prepare long-range plans for the attack on poverty in their own local communities.

These are not plans prepared in Washington and imposed upon hundreds of different situations.

They are based on the fact that local citizens best understand their own problems, and know best how to deal with those problems.

These plans will be local plans striking at the many unfilled needs which underlie poverty in each community, not just one or two. Their components and emphasis will differ as needs differ.

These plans will be local plans calling upon all the resources available to the

community—Federal and State, local and private, human and material.

And when these plans are approved by the Office of Economic Opportunity, the Federal Government will finance up to 90 percent of the additional cost for the first 2 years.

The most enduring strength of our Nation is the huge reservoir of talent, initiative, and leadership which exists at every level of our society.

Through the community action program we call upon this, our greatest strength, to overcome our greatest weakness.

Third. I ask for the authority to recruit and train skilled volunteers for the war against poverty.

Thousands of Americans have volunteered to serve the needs of other lands. Thousands more want the chance to serve the needs of their own land. They should have that chance.

Among older people who have retired, as well as among the young, among women as well as men, there are many Americans who are ready to enlist in our war against poverty.

They have skills and dedication. They are badly needed.

If the State requests them, if the community needs and will use them, we will recruit and train them and give them the chance to serve.

Fourth. We intend to create new opportunities for certain hard-hit groups to break out of the pattern of poverty.

Through a new program of loans and guarantees we can provide incentives to those who will employ the unemployed.

Through programs of work and retraining for unemployed fathers and mothers we can help them support their families in dignity while preparing themselves for new work.

Through funds to purchase needed land, organize cooperatives, and create new and adequate family farms we can help those whose life on the land has been a struggle without hope.

Fifth. I do not intend that the war against poverty become a series of uncoordinated and unrelated efforts—that it perish for lack of leadership and direction.

Therefore this bill creates, in the Executive Office of the President, a new Office of Economic Opportunity. Its Director will be my personal chief of staff for the war against poverty. I intend to appoint Sargent Shriver to this post.

He will be directly responsible for these new programs. He will work with and through existing agencies of the Government.

This program—the Economic Opportunity Act, is the foundation of our war against poverty. But it does not stand alone.

For the past 3 years this Government has advanced a number of new proposals which strike at important areas of need and distress.

I ask the Congress to extend those which are already in action, and to establish those which have already been proposed.

There are programs to help badly distressed areas such as the Area Redevelopment Act, and the legislation now being prepared to help Appalachia.

There are programs to help those without training find a place in today's complex society—such as the Manpower Development Training Act and the Vocational Education Act for youth.

There are programs to protect those who are specially vulnerable to the ravages of poverty—hospital insurance for the elderly, protection for migrant farmworkers, a food stamp program for the needy, coverage for millions not now protected by a minimum wage, new and expanded unemployment benefits for men out of work, a housing and community development bill for those seeking decent homes.

Finally there are programs which help the entire country, such as aid to education which, by raising the quality of schooling available to every American child, will give a new chance for knowledge to the children of the poor.

I ask immediate action on all these programs.

What you are being asked to consider is not a simple or an easy program. But poverty is not a simple or an easy enemy.

It cannot be driven from the land by a single attack on a single front. Were this so we would have conquered poverty long ago.

Nor can it be conquered by Government alone.

For decades American labor and American business, private institutions and private individuals have been engaged in strengthening our economy and offering new opportunity to those in need.

We need their help, their support, and their full participation.

Through this program we offer new incentives and new opportunities for cooperation, so that all the energy of our Nation, not merely the efforts of Government, can be brought to bear on our common enemy.

Today, for the first time in our history, we have the power to strike away the barriers to full participation in our society. Having the power, we have the duty.

The Congress is charged by the Constitution to "provide * * * for the general welfare of the United States." Our present abundance is a measure of its success in fulfilling that duty. Now Congress is being asked to extend that welfare to all our people.

The President of the United States is President of all the people in every section of the country. But this office also holds a special responsibility to the distressed and disinherited, the hungry and the hopeless of this abundant Nation.

It is in pursuit of that special responsibility that I submit this message to you today.

The new program I propose is within our means. Its cost of $970 million is 1 percent of our national budget—and every dollar I am requesting for this program is already included in the budget I sent to Congress in January.

But we cannot measure its importance by its cost. For it charts an entirely new course of hope for our people.

We are fully aware that this program will not eliminate all the poverty in America in a few months or a few years. Poverty is deeply rooted and its causes are many.

But this program will show the way to new opportunities for millions of our fellow citizens.

It will provide a lever with which we can begin to open the door to our prosperity for those who have been kept outside.

It will also give us the chance to test our weapons, to try our energy and ideas and imagination for the many battles yet to come. As conditions change, and as experience illuminates our difficulties, we will be prepared to modify our strategy.

And this program is much more than a beginning.

Rather it is a commitment. It is a total commitment by this President, and this Congress, and this Nation, to pursue victory over the most ancient of mankind's enemies.

On many historic occasions the President has requested from Congress the authority to move against forces which were endangering the well-being of our country.

This is such an occasion.

On similar occasions in the past we have often been called upon to wage war against foreign enemies which threatened our freedom. Today we are asked to declare war on a domestic enemy which threatens the strength of our Nation and the welfare of our people.

If we now move forward against this enemy—if we can bring to the challenges of peace the same determination and strength which has brought us victory in war—then this day and this Congress will have won a secure and honorable place in the history of the Nation, and the enduring gratitude of generations of Americans yet to come.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 16, 1964.*

ECONOMIC OPPORTUNITY ACT OF 1964

Mr. HUMPHREY. May I yield to the Senator from Michigan?

Mr. RUSSELL. Madam President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Does the Senator from Georgia yield to the Senator from Michigan?

Mr. McNAMARA. Will the Senator from Georgia yield for the purpose of introducing a bill?

Mr. RUSSELL. Yes. I first yield to the Senator from Michigan.

Mr. McNAMARA. Madam President, I introduce, for appropriate reference, a bill to mobilize the human and financial resources of the Nation to combat poverty in the United States.

I ask unanimous consent that the text of the bill be printed in the RECORD—together with a section-by-section analysis.

I further ask unanimous consent that the bill be permitted to lie on the desk until the close of the Senate session on

Thursday, March 19—so that any Senator who wishes to cosponsor may do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Michigan.

The bill (S. 2642) to mobilize the human and financial resources of the Nation to combat poverty in the United States, introduced by Mr. MCNAMARA (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, 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 this Act may be cited as the "Economic Opportunity Act of 1964."

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. Although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people. The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is therefore the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. It is the purpose of this Act to strengthen, supplement, and coordinate efforts in furtherance of that policy.

TITLE I—YOUTH PROGRAMS

Part A—Job Corps

Statement of Purpose

SEC. 101. The purpose of this part is to prepare for the responsibilities of citizenship and to increase the employability of youths aged sixteen through twenty-one by providing them in residential centers with education, vocational training, useful work experience, including work directed toward the conservation of natural resources, and other appropriate activities.

Establishment of Job Corps

SEC. 102. In order to carry out the purposes of this part, there is hereby established within the Office of Economic Opportunity (hereinafter referred to as the "Office"), established by title VI, a Job Corps (hereinafter referred to as the "Corps").

Job Corps Program

SEC. 103. The Director of the Office (hereinafter referred to as the "Director") is authorized to—

(a) enter into agreements with any Federal, State, or local agency or private organization for the provision of such facilities and services as in his judgment are needed to carry out the purposes of this part;

(b) provide education and vocational training to enrollees in the Corps or, where appropriate, arrange for the provision thereof by another Federal agency or by State or local public educational agencies;

(c) provide or arrange for the provision of programs of useful work experience and other appropriate activities for enrollees;

(d) establish standards of safety and health for enrollees, and furnish or arrange for the furnishing of health services; and

(e) prescribe such rules and regulations and make such arrangements as he deems necessary to provide for the selection of enrollees and to govern their conduct after enrollment, including appropriate regulations as to the circumstances under which enrollment may be terminated.

Composition of the Corps

SEC. 104. (a) The Corps shall be composed of male individuals who are permanent residents of the United States, who have attained age sixteen, but have not attained age twenty-two at the time of enrollment, and who meet the standards for enrollment prescribed by the Director. Participation in the Corps shall not relieve any enrollee of obligations under the Universal Military Training and Service Act (50 U.S.C. App. 451 et seq.).

(b) In order to enroll as a member of the Corps, an individual must agree to comply with rules and regulations promulgated by the Director for the government of the Corps.

(c) The total enrollment of any individual in the Corps shall not exceed two years except as the Director may determine in special cases.

Allowances and Maintenance

SEC. 105. (a) Enrollees may be provided with such living, travel, and leave allowances, and such quarters, subsistence, transportation, equipment, clothing, recreational services, medical, dental, hospital, and other health services, and other expenses as the Director may deem necessary or appropriate for their needs. Transportation and travel allowances may also be provided, in such circumstances as the Director may determine, for applicants for enrollment to or from places of enrollment, and for former enrollees from places of termination to their homes.

(b) Upon termination of his enrollment in the Corps, each enrollee shall be entitled to receive a readjustment allowance at a rate not to exceed $50 for each month of satisfactory participation therein as determined by the Director: *Provided, however,* That under such circumstances as the Director may determine, a portion of the readjustment allowance of an enrollee not exceeding $25 for each month of satisfactory service may be paid during the period of service of the enrollee directly to a dependent (as that term is defined in section 401 of title 37, United States Code) and any sum so paid shall be supplemented by the payment of an equal amount to the dependent by the Director. In the event of the enrollee's death during the period of his service, the amount of any unpaid readjustment allowance shall be paid in accordance with the provisions of section 1 of the Act of August 3, 1950 (5 U.S.C. 61f).

Application of Provisions of Federal Law

SEC. 106. (a) Except as otherwise specifically provided in this part, an enrollee shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) Enrollees shall be deemed to be employees of the United States for the purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and of Title II of the Social Security Act (42 U.S.C. 401 et seq.), and any service performed by an individual as an enrollee shall be deemed for such purposes to be performed in the employ of the United States.

(c)(1) Enrollees under this part shall, for the purposes of the administration of the Federal Employees' Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

(2) For purposes of this subsection—

(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee

(i) while he is on authorized leave or pass; or

(ii) while he is absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Corps.

(B) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of an enrollee shall be deemed to be $150, except that with respect to compensation for disability accruing after the individual concerned reaches the age of twenty-one, such monthly pay shall be deemed to be that received under the entrance salary for GS–2 under the Classification Act of 1949 (5 U.S.C. 1071 et. seq.).

(C) The term "injury" as defined in section 40 of the Federal Employees' Compensation Act (5 U.S.C. 790) shall include disease, illness, or injury if it arises out of service in the Corps.

(D) Compensation for disability, including medical care, shall not begin to accrue until the day following the date on which the enrollment of the injured enrollee is terminated.

(d) An enrollee shall be deemed to be an employee of the Government for the purposes of the Federal Tort Claims Act (28 U.S.C. 2671 et seq.).

(e) Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Director for the support of the Corps shall not be counted in computing strengths under any law limiting the strength of such services or in computing the percentage authorized by law for any grade therein.

Part B—Work-training programs

Statement of Purpose

SEC. 111. The purpose of this part is to provide useful work experience opportunities for unemployed youths, through participation in State and community work-training programs, so that their employability may be increased or the education resumed or continued and so that public agencies and private nonprofit organizations will be enabled to carry out programs in the field of conservation and development of natural resources and recreational areas, or other programs which will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided.

Development of Programs

SEC. 112. In order to carry out the purposes of this part, the Director shall assist and cooperate with State and local agencies and private nonprofit organizations in developing programs for the employment of young people in State and community activities hereinafter authorized, which, whenever appropriate, shall be coordinated with programs of training and education provided by local public educational agencies.

Financial Assistance

SEC. 113. (a) The Director is authorized to enter into agreements providing for the payment by him of part or all of the cost of a State or local program submitted hereunder if he determines, in accordance with such regulations as he may prescribe, that—

(1) enrollees in the program will be employed either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations, other than projects involving the construction, operation, or maintenance of any facility used or to be used for sectarian instruction or as a place for religious worship;

(2) the program will increase the employability of the enrollees by providing work experience and training in occupational skills

or pursuits in classifications in which the Director finds there is reasonable expectation of employment, or will enable student enrollees to resume or to maintain school attendance;

(3) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation, development, or management of the natural resources of the State or community or to the development, management, or protection of State or community recreational areas;

(4) the program will not result in the displacement of employed workers or impair existing contracts for services;

(5) the rates of pay and other conditions of employment will be appropriate and reasonable in the light of such factors as the type of work performed, geographical region, and proficiency of the employee;

(6) to the maximum extent feasible, the program will be coordinated with vocational training and educational services adapted to the special needs of enrollees in such program and sponsored by State or local public educational agencies: *Provided, however,* That where such services are inadequate or unavailable, the program may make provision for the enlargement, improvement, development, and coordination of such services with the cooperation of, or where appropriate pursuant to agreement with, the Secretary of Health, Education, and Welfare; and

(7) the program includes standards and procedures for the selection of applicants, including provisions assuring full coordination and cooperation with local and other authorities to encourage students to resume or maintain school attendance.

(b) In approving projects under this part, the Director shall give priority to projects with high training potential.

Enrollees in Programs

SEC. 114. (a) Participation in programs under this part shall be limited to young men and women who are permanent residents of the United States, who have attained age sixteen but have not attained age twenty-two, and whose participation in such programs will be consistent with the purposes of this part.

(b) Enrollees shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(c) Where appropriate to carry out the purposes of this Act, the Director may provide for testing, counseling, job development, and referral services to youths through public agencies or private nonprofit organizations.

Limitations on Federal Assistance

SEC. 115. Federal assistance to any program pursuant to this part paid for the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, shall not exceed 90 per centum of the costs of such program, including costs of administration, and such assistance paid for periods thereafter shall not exceed 75 per centum of such costs, unless the Director determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this part. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

Equitable Distribution of Assistance

SEC. 116. The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part among the States. In developing such criteria, he shall consider among other relevant factors the ratios of population, unemployment, and family income levels. Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this part shall be used within any one State.

Part C—Work-study programs

Statement of Purpose

SEC. 121. The purpose of this part is to stimulate and promote the part-time employment of students in institutions of higher education who are from low-income families and are in need of the earnings from such employment to pursue courses of study at such institutions.

Agreements for Payment of Compensation

SEC. 122. The Director is authorized to enter into agreements with institutions of higher education (as defined by section 103 of the National Defense Education Act of 1958 (20 U.S.C. 403)) for payment by him of part of the compensation of students employed under work-study programs as hereinafter provided.

Conditions of Agreements

SEC. 123. An agreement entered into pursuant to section 122 shall—

(a) provide for the operation by the institution of a program for the part-time employment of its students in work (1) for the institution itself, or (2) under arrangements satisfactory to the Director, for public agencies or private nonprofit organizations whose activities contribute to the objectives of this Act: *Provided, however,* That no such work shall involve the construction, operation, or maintenance of any facility used or to be used for sectarian instruction or as a place for religious worship;

(b) provide that employment under such work-study program shall be furnished only to a student who (1) is from a low-income family, (2) is in need of the earnings from such employment in order to pursue a course of study at such institution, (3) is capable, in the opinion of the institution, of maintaining good standing in such course of study while employed under the program covered by the agreement, and (4) has been accepted for enrollment as a full-time student at the institution or, in the case of a student already enrolled in and attending the institution, is in good standing and in full-time attendance there either as an undergraduate, graduate, or professional student;

(c) provide that no student shall be employed under such work-study program for more than fifteen hours in any week in which classes in which he is enrolled are in session;

(d) provide that in each fiscal year during which the agreement remains in effect, the institution shall expend (from sources other than payments by the Director under this part) for the employment of its students (whether or not in employment eligible for assistance under this part) an amount that is not less than its average annual expenditure for such employment during the three fiscal years preceding the fiscal year in which the agreement is entered into;

(e) provide for payment by the Director of a portion of the compensation of each student employed under such work-study program in accordance with the agreement, but not to exceed 90 per centum of such compensation for work performed during the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, and 75 per centum thereafter;

(f) provide, subject to section 124, that the institution undertakes to act, if so requested by the Director, as his agent for the payment of the Director's share of the student's compensation;

(g) include provisions designed to make employment under such work-study program, or equivalent employment offered or arranged for by the institution, reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof; and

(h) include such other provisions as the Director shall deem necessary or appropriate to carry out the purposes of this part.

Payments to Students

SEC. 124. (a) The Director's share of the compensation of a student employed under a work-study program covered by an agreement under this part may be paid directly by him to the student; or it may be paid through the employing institution as paying agent for the Director. If the institution is utilized as paying agent, the Director's share may be paid to the institution in advance or by way of reimbursement, in accordance with regulations prescribed by the Director, and the Director may authorize the institution to combine the Director's share and the remainder of the student's compensation in a single payment to the student.

(b) Regardless of the method of payment under this section, students employed under a work-study program covered by an agreement under this part shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(c) Nothing in this part shall be construed as restricting the source (other than this part) from which the institution may pay its share of the compensation of a student employed under a work-study program covered by an agreement under this part.

Equitable Distribution of Assistance

SEC. 125. The Director shall establish criteria designed to achieve an equitable distribution of assistance under this part among the States and among institutions of higher education within each State. In developing such criteria, he shall consider among other relevant factors the ratios of full-time students in institutions of higher education, unemployment, and family income levels. Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this part shall be used within one State.

TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

Statement of Purpose

SEC. 201. The purpose of this title is to provide stimulation and incentive for urban and rural communities to mobilize their resources, public and private, to combat poverty through community action programs.

Community Action Programs

SEC. 202. (a) The term "community action program" means a program—

(1) which mobilizes and utilizes, in an attack on poverty, public and private resources of any urban or rural, or combined urban and rural, geographical area (referred to in this title as a "community"), including but not limited to a State, metropolitan area, county, city, town, multi-city unit, or multi-county unit;

(2) which provides services, assistance, and other activities of sufficient variety, scope, and size to give promise of progress toward elimination of poverty through developing employment opportunities, improving human performance, motivation, and productivity, and bettering the conditions under which people live, learn, and work;

(3) which is developed, conducted, and administered with the maximum feasible participation of residents of the areas and members of the groups referred to in section 204(a); and

(4) which is conducted, administered, or coordinated by a public or private nonprofit

agency (referred to in this title as a "community action organization") which is broadly representative of the community.

(b) The Director is authorized to prescribe such additional criteria for community action programs as he shall deem appropriate.

Financial Assistance for Development of Community Action Programs

SEC. 203. The Director is authorized to make grants to, or to contract with, community action organizations, or, if he deems it necessary to effectuate the purposes of this title, other appropriate public agencies or private nonprofit organizations, to pay part or all of the costs of development of community action programs.

Financial Assistance for Conduct and Administration of Community Action Programs

SEC. 204. (a) The Director is authorized to make grants to, or to contract with, community action organizations or other appropriate public agencies or private nonprofit organizations to pay part or all of the costs of community action programs which have been approved by him pursuant to this title, including the cost of carrying out programs which are components of a community action program and which are designed to achieve the purposes of this title. Such component programs shall be focused upon the needs of low-income individuals and families and shall provide, in particular areas or to particular groups in a community, expanded and improved services, assistance, and other activities, and facilities necessary in connection therewith, in the fields of education, employment, job training and counseling, health, vocational rehabilitation, housing, home management, welfare, and other fields which fall within the purposes of this title.

(b) Any elementary or secondary school education program assisted under this section shall be administered by the public educational agency or agencies principally responsible for providing public elementary and secondary education in the area involved. No child shall be denied the benefit of such a program because he is not regularly enrolled in the public schools.

(c) Assistance under this section may be extended for a limited period, even though a community has not completed and put into effect its community action program, if the director determines that there is a representative group engaged in developing such a program in the community, and that extension of such assistance will further the purposes of this title with respect to such community and will not impede the development and carrying out of a community action program. After June 30, 1965, expenditures under this subsection in any fiscal year shall not exceed twenty percent of the sums appropriated or allocated for such year to carry out the purposes of this title.

(d) In determining whether to extend assistance under this section the Director shall consider among other relevant factors the incidence of poverty within the community and within the areas or groups to be affected by the specific program or programs, and the extent to which the applicant is in a position to utilize efficiently and expeditiously the assistance for which application is made. In determining the incidence of poverty the Director shall consider information available with respect to such factors as: the concentration of low-income families, particularly those with children; the extent of persistent unemployment and underemployment; the number and proportion of persons receiving cash or other assistance on a needs basis from public agencies or private organizations; the number of migrant or transient low-income families; school dropout rates, military service rejection rates, and other evidences of low educational attainment; the incidence of disease, disability, and infant mortality; housing conditions; adequacy of community facilities and services; and the incidence of crime and juvenile delinquency.

(e) In extending assistance under this section the Director shall give special consideration to programs which give promise of effecting a permanent increase in the capacity of individuals, groups, and communities to deal with their problems without further assistance.

Technical Assistance

SEC. 205. The Director is authorized to provide, either directly or through grants or other arrangements, (a) technical assistance to communities in developing, conducting, and administering community action programs, and (b) training for specialized personnel needed to develop, conduct, or administer such programs or to provide services or other assistance thereunder.

Research, Training, and Demonstrations

SEC. 206. The Director is authorized to conduct, or to make grants to or enter into contracts with institutions of higher education or other appropriate public agencies or private nonprofit organizations for the conduct of, research, training, and demonstrations pertaining to the purposes of this title. Expenditures under this section in any fiscal year shall not exceed 15 per centum of the sums appropriated or allocated for such year to carry out the purposes of this title.

Limitations on Federal Assistance

SEC. 207. (a) Assistance pursuant to sections 203 and 204 paid for the period ending two years after the date of enactment of this Act, or June 30, 1966, whichever is later, shall not exceed 90 per centum of the costs referred to in those sections, respectively, and thereafter shall not exceed 75 per centum of such costs, unless the Director determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this title. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

(b) The expenditures or contributions made from non-Federal sources for a community action program or component thereof shall be in addition to the aggregate expenditures and contributions from non-Federal sources which were being made for similar purposes prior to the extension of Federal assistance.

Participation of State Agencies

SEC. 208. (a) The Director shall establish procedures which will facilitate effective participation of the States in community action programs. Such procedures shall include provision for the referral of applications for assistance under this title to the Governor of each State affected, or his designee, for such comments as he may deem appropriate.

(b) The Director is authorized to make grants to, or to contract with, appropriate State agencies for the payment of the expenses of such agencies in providing technical assistance to communities in developing, conducting, and administering community action programs.

Equitable Distribution of Assistance

SEC. 209. The Director shall establish criteria designed to achieve an equitable distribution of assistance under this title among the States and between urban and rural areas. In developing such criteria, he shall consider the relative numbers in the States or areas therein of: (a) low-income families, particularly those with children; (b) unemployed persons; (c) persons receiving cash or other assistance on a needs basis from public agencies or private organizations; (d) school dropouts; (e) adults with less than an eighth grade education; and (f) persons rejected for military service. Not more than 12½ percent of the sums appropriated or allocated for any fiscal year to carry out the purposes of this title shall be used for grants or contracts pursuant to sections 203 and 204 within any one State.

Preference for Components of Approved Programs

SEC. 210. In determining whether to extend assistance under any other title of this Act, the Director shall, to the extent feasible, give preference to programs and projects which are components of a community action program approved pursuant to this title.

TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

Statement of Purpose

SEC. 301. It is the purpose of this title to meet some of the special problems of rural poverty and thereby to raise and maintain the income and living standards of low-income rural families.

Authority To Make Grants and Loans

SEC. 302. (a) The Director is authorized to make—

(1) grants of not to exceed $1,500 to low-income rural families where, in the judgment of the Director, such grants have a reasonable possibility of effecting a permanent increase in the income of such families by assisting or permitting them to—

(A) acquire or improve real estate or reduce encumbrances or erect improvements thereon,

(B) operate or improve the operation of farms not larger than family-sized,

(C) participate in cooperative associations, or

(D) finance nonagricultural enterprises which will enable such families to supplement their income; and

(2) loans to such families, having a maximum maturity of fifteen years and in amounts not exceeding $2,500 in the aggregate to any family at any one time, for the purpose set forth in subparagraph (a) (1) (D) of this section.

(b) Grants under this section shall be made only if the family is not qualified to obtain such funds by loan under other Federal programs: *Provided, however,* That nothing herein shall be construed to prevent the making of grants where appropriate in combination with or as supplements to loans made under this program or other Federal programs.

Family Farm Development Corporations

SEC. 303. (a) The Director is authorized to cooperate with, furnish technical assistance to, and otherwise assist in the organization of public or private nonprofit corporations having as their objective the improvement of the productivity and income of low-income farmers. Such corporations shall be eligible for assistance under this section if they are organized for the purpose of and have the power to acquire real property or any interest therein in rural areas, to develop or reconstitute such real property into units not larger than family farms, including necessary fences, farm buildings, land and water development, and related facilities, and to sell the farms so developed or reconstituted to low-income farm families at prices equal to their appraised value when used for agricultural purposes and in a manner that the Director determines will further the purposes of this title.

(b) The Director may prescribe such rules and regulations regarding the organization, financial resources, operations, and activities of such corporations as he deems appropriate.

(c) The Director is authorized to purchase the obligations of, or make loans to, such corporations upon such terms and conditions as he may determine subject to the limitations of sections 305 and 306.

(d) The Director is authorized to make grants to such corporations in amounts sufficient to make up the deficiency between the cost of the farms developed or reconstituted by them and the net proceeds received from the sale of such farms at the prices specified in subsection (a).

Cooperative Associations

SEC. 304. The Director is authorized to make loans to local cooperative associations furnishing essential production, processing, purchasing, or marketing services, supplies, or facilities predominantly to low-income rural families.

Limitations on Assistance

SEC. 305. No financial or other assistance shall be provided under this title unless the Director determines that

(a) the providing of such assistance will materially further the purposes of this title, and

(b) in the case of assistance provided pursuant to sections 303 and 304, the applicant is fulfilling or will fulfill a need for services, facilities, or activities which is not otherwise being met.

Loan Terms and Conditions

SEC. 306. Loans made pursuant to sections 302, 303, and 304 (including obligations purchased pursuant to section 303) shall have such terms and conditions as the Director shall determine, subject to the following limitations:

(a) there is reasonable assurance of repayment of the loan;

(b) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(c) the amount of the loan, together with other funds available, is adequate to assure completion of the projection or achievement of the purposes for which the loan is made;

(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes; and

(e) with respect to loans made pursuant to sections 303 and 304, the loan is repayable within not more than 30 years.

TITLE IV—EMPLOYMENT AND INVESTMENT INCENTIVES

Statement of Purpose

SEC. 401. It is the purpose of this title to provide new training and employment opportunities for long-term unemployed persons; to assist in the establishment, preservation, and strengthening of small business concerns and improve the managerial skills employed in such enterprises; and to mobilize for these objectives private as well as public managerial skills and resources.

Part A—Incentives for employment of long-term unemployed persons

Loans, Participations, and Guarantees

SEC. 411. (a) The Director is authorized to make, participate (on an immediate basis) in, or guarantee loans to private borrowers, repayable in not more than twenty-five years, when he determines that such financial assistance will result in stable employment for persons not already employed by the borrower, a majority of whom will be recruited from among the long-term unemployed and members of low-income families.

(b) The amount of any loan, participation, or guarantee made hereunder shall not exceed an amount equal to $10,000 multiplied by the number of persons to be employed by the borrower as a result of the financial assistance.

Limitations on Financial Assistance

SEC. 412. No financial assistance shall be extended pursuant to this part unless—

(a) the Director determines that the assistance will not be used in relocating establishments from one a ea to another; and

(b) the assistance is extended in accordance with and as part of a community action program approved pursuant to title II of this Act.

Provision for Losses on Guarantees

SEC. 413. The Director shall make a reasonable provision for possible losses with respect to guarantees under this part, but such provision shall be not less than 15 per centum of the guarantees in force at any time. The amounts so provided and set aside within appropriations shall be considered to constitute obligations for purposes of section 1311 of the Supplemental Appropriation Act, 1955 (31 U.S.C. 200).

Loan Terms and Conditions

SEC. 414. Loans made pursuant to section 411 (including immediate participations in and guarantees of such loans) shall have such terms and conditions as the Director shall determine, subject to the following limitations:

(a) there is reasonable assurance of repayment of the loan;

(b) the financial assistance is not otherwise available on reasonable terms from private sources or other Federal, State, or local p ograms;

(c) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made;

(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes: *Provided, however,* That the rate of interest charged on loans made in redevelopment areas designated under the Area Redevelopment Act (42 U.S.C. 2501 et seq.) shall not exceed the rate currently applicable to new loans made under section 6 of that Act (42 U.S.C. 2505); and

(e) fees not in excess of amounts necessary to cover administrative expenses and probable losses may be required on loan guaranties.

Part B—Small business loans

Loans, Participations, and Guaranties

SEC. 421. The Director is authorized to make, participate (on an immediate basis) in, or guarantee loans, repayable in not more than fifteen years, to any small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632) and regulations issued thereunder), or to any qualified person seeking to establish such a concern, when he determines that such loans will assist in carrying out the purposes of this title: *Provided, however,* That no such loans shall be made, participated in, or guaranteed if the total of such Federal assistance to a single borrower outstanding at any one time would exceed $15,000. The Director may defer payments on the principal of such loans for a grace period and use such other methods as he deems necessary and appropriate to assure the successful establishment and operation of such concern. The Director may, in his discretion, as a condition of such financial assistance, require that the borrower take steps to improve his management skills by participating in a management training program approved by the Director. The Director shall encourage, as far as possible, the participation of the private business community in the program of assistance to such concerns.

Coordination With Community Action Programs

SEC. 422. No financial assistance shall be provided under section 421 in any community for which the Director has approved a community action program pursuant to Title II of this Act unless such financial assistance is determined by him to be consistent with such program.

Financing Under Small Business Act

SEC. 423. Such lending and guaranty functions under this part as may be delegated to the Small Business Administration may be financed with funds appropriated to the revolving fund established by section 4(c) of the Small Business Act (15 U.S.C. 633(c)) for the purposes of sections 7(a), 7(b), and 8(a) of that Act (15 U.S.C. 636(a), 636(b), 637 (a)).

Loan Terms and Conditions

SEC. 424. Loans made pursuant to section 421 (including immediate participations in and guaranties of such loans) shall have such terms and conditions as the Director shall determine, subject to the limitations set forth in paragraphs (a) through (e) of section 414.

TITLE V—FAMILY UNITY THROUGH JOBS

Statement of Purpose

SEC. 501. It is the purpose of this title to expand the opportunities for constructive work experience and other needed training or basic education available to persons who are unable to support or care for their families.

Payments for Experimental, Pilot, and Demonstration Projects

SEC. 502. In order to stimulate the adoption by States of programs designed to help unemployed fathers and other members of needy families with children to secure and retain employment or to attain or retain capability for self-support or personal independence, the Director is authorized to transfer funds appropriated or allocated to carry out the purposes of this title to the Secretary of Health, Education, and Welfare to enable him to make payments for experimental, pilot, or demonstration projects under section 1115 of the Social Security Act (42 U.S.C. 1315), in addition to the sums otherwise available pursuant thereto. The costs of such projects to the United States for the fiscal year ending June 30, 1965, shall, notwithstanding the provisions of such Act, be met entirely from funds appropriated or allocated to carry out the purposes of this title.

TITLE IV—ADMINISTRATION AND COORDINATION

Part A—Administration

Office of Economic Opportunity

SEC. 601. (a) There is hereby established in the Executive Office of the President the Office of Economic Opportunity. The Office shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate. There shall also be in the Office four Deputy Directors who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Directors shall perform such functions as the Director may from time to time prescribe.

(b) Notwithstanding the provisions of section 5(b) of the Reorganization Act of 1949 (5 U.S.C. 133z–3(b)), at any time after 1 year from the date of enactment hereof the President may, by complying with the procedures established by that Act, provide for the transfer of the Office from the Executive Office of the President and for its establishment elsewhere in the Executive Branch as he deems appropriate.

(c) Section 103(a) of the Federal Executive Pay Act of 1956 (5 U.S.C. 2202(a)) is

amended by adding the following clause thereto:

"(6) Director of the Office of Economic Opportunity."

(d) Section 105 of the Federal Executive Pay Act of 1956 (5 U.S.C. 2204) is amended by adding the following clause thereto:

"(32) Deputy Director of the Office of Economic Opportunity."

(e) Section 106(a) of the Federal Executive Pay Act of 1956 (5 U.S.C. 2205(a)) is amended by adding the following clause thereto:

"(52) Deputy Directors of the Office of Economic Opportunity (3)."

Authority of Director

SEC. 602. In addition to the authority conferred upon him by other sections of this Act, the Director is authorized, in carrying out his functions under this Act, to

(a) appoint in accordance with the civil service laws such personnel as may be necessary to enable the Office to carry out its functions, and, except as otherwise provided herein, fix their compensation in accordance with the Classification Act of 1949 (5 U.S.C. 1071 et seq.);

(b) employ experts and consultants or organizations thereof as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently, while so employed: *Provided, however,* That contracts for such employment may be renewed annually;

(c) appoint, without regard to the civil service laws, one or more advisory committees composed of such private citizens and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions under this Act; and members of such committees (including the National Advisory Council established in section 605), other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Director, shall be entitled to receive compensation and travel expenses as provided in subsection (b) with respect to experts and consultants;

(d) with the approval of the President, arrange with and reimburse the heads of other Federal agencies for the performance of any of his functions under this Act and, as necessary or appropriate, delegate any of his powers under this Act and authorize the redelegation thereof;

(e) utilize, with their consent, the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or a political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

(f) accept in the name of the Office, and employ or dispose of in furtherance of the purposes of this Act, or of any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, device, bequest, or otherwise;

(g) accept voluntary and uncompensated service, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b));

(h) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditures for construction, repairs, and capital improvements;

(i) disseminate, without regard to the provisions of section 321n of title 39, United States Code, data and information, in such form as he shall deem appropriate, to public agencies, private organizations, and the general public;

(j) adopt an official seal, which shall be judicially noticed;

(k) notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real or personal property by the United States, deal with, complete, rent, renovate, modernize, or sell for cash or credit at his discretion any properties acquired by him in connection with loans, participations, and guaranties made by him pursuant to titles III and IV of this Act;

(l) collect or compromise all obligations to or held by him and all legal or equitable rights accruing to him in connection with the payment of obligations until such time as such obligations may be referred to the Attorney General for suit or collection; and

(m) establish such policies, standards, criteria, and procedures, prescribe such rules and regulations, enter into such contracts and agreements with public agencies and private organizations and persons, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of grants, with necessary adjustments on account of overpayments or underpayments), and generally perform such functions and take such steps as he may deem to be necessary or appropriate to carry out the provisions of this Act.

Volunteers for America

SEC. 603. (a) The Director is authorized to recruit, select, train, and

(1) upon request, refer volunteers to perform duties in furtherance of programs of assistance at a State or local level; and

(2) in cooperation with other Federal, State, or local agencies involved, assign volunteers to work (A) in meeting the health and education needs of Indians living on reservations, of migratory workers and their families, or of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands; (B) in the care and rehabilitation of the mentally ill and mentally retarded under treatment at nonprofit mental health and mental retardation facilities assisted in their construction or operation by Federal funds; and (C) in furtherance of Federally-operated programs or activities authorized by titles I and II of this Act.

(b) The referral or assignment of volunteers shall be on such terms and conditions as the Director may determine, but volunteers shall not be referred or assigned to duties or work in any State without the consent of the Governor.

(c) The Director is authorized to provide to all volunteers during training and to volunteers assigned pursuant to subsection (a)(2) such stipend, not to exceed $50 per month, such living, travel, and leave allowances, and such housing, transportation (including travel to and from the place of training), supplies, equipment, subsistence, clothing, and health and dental care as the Director may deem necessary or appropriate for their needs.

(d) Volunteers shall be deemed not to be Federal employees and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that all volunteers during training and such volunteers as are assigned pursuant to subsection (a)(2) shall be deemed Federal employees to the same extent as enrollees of the Corps under section 107 (b), (c), and (d) of this Act.

Economic Opportunity Council

SEC. 604. (a) There is hereby established an Economic Opportunity Council, which shall consult with and advise the Director in carrying out his functions, including the coordination of antipoverty efforts by all segments of the Federal Government.

(b) The Council shall include the Director, who shall be Chairman, the Secretary of Defense, the Attorney General, the Secretaries of the Interior, Agriculture, Commerce, Labor, and Health, Education, and Welfare, the Housing and Home Finance Administrator, the Administrator of the Small Business Administration, the Chairman of the Council of Economic Advisers, the Director of Selective Service, and such other agency heads as the President may designate, or delegates thereof.

National Advisory Council

SEC. 605. There is hereby established in the Office a National Advisory Council. The Council shall be composed of the Director, who shall be Chairman, and not more than fourteen additional members appointed by the President, without regard to the civil service laws, who shall be representative of the public in general and appropriate fields of endeavor related to the purposes of this Act. Upon the request of the Director, the Council shall review the operations and activities of the Office, and shall make such recommendations with respect thereto as are appropriate. The Council shall meet at least once each year and at such other times as the Director may request.

Revolving Fund

SEC. 606. (a) To carry out the lending and guarantee functions authorized under titles III and IV of this Act, there is authorized to be established a revolving fund. The capital of the fund shall consist of such amounts as may be advanced to it by the Director from funds appropriated pursuant to section 701 and shall remain available until expended.

(b) The Director shall pay into miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the capital of the fund at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity during the last month of the preceding fiscal year. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest.

(c) Whenever any capital in the fund is determined by the Director to be in excess of current needs, such capital shall be credited to the appropriation from which advanced, where it shall be held for future advances.

(d) Receipts from any lending and guarantee operations under this Act (except operations under part B of title IV carried on by the Small Business Administration) shall be credited to the fund. The fund shall be available for the payment of all expenditures of the Director for loans, participations, and guaranties authorized under titles III and IV of this Act.

Reports

SEC. 607. Not later than one hundred twenty days after the close of each fiscal year, the Director shall prepare and submit to the President for transmittal to the Congress a full and complete report on the activities of the Office during such year.

Definitions

SEC. 608. As used in this Act:

(a) The term "State" means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, or the Virgin Islands, and the term "United

States," when used in a geographical sense, includes the foregoing and all other places, continental or insular, including the Trust Territory of the Pacific Islands, subject to the jurisdiction of the United States.

(b) The term "agency," unless the context requires otherwise, means department, agency, or other component of a Federal, State, or local governmental entity.

Part B—Coordination of antipoverty programs coordination

SEC. 611. In order to insure that all Federal programs related to the purposes of this Act are carried out in a coordinated manner:

(a) the Director is authorized to call upon other Federal agencies to supply such statistical data, program reports, and other materials as he deems necessary to discharge his responsibilities under this Act, and to assist the President in coordinating the antipoverty efforts of all Federal agencies;

(b) Federal agencies which are engaged in administering programs related to the purposes of this Act, or which otherwise perform functions relating thereto, shall

(1) cooperate with the Director in carrying out his duties and responsibilities under this Act, and

(2) carry out their programs and exercise their functions in such manner as will, to the maximum extent permitted by other applicable law, assist in carrying out the purposes of this Act; and

(c) the President may direct that particular programs and functions, including the expenditure of funds, of the Federal agencies referred to in subsection (b) shall be carried out, to the extent not inconsistent with other applicable law, in conjunction with or in support of programs authorized under this Act.

Preference to Community Action Programs

SEC. 612. To the extent feasible and consistent with the provisions of law governing any Federal program and with the purposes of this Act, the head of each Federal agency administering any Federal program is directed to give preference to any application for assistance or benefits which is made pursuant to or in connection with a community action program approved pursuant to title II of this Act.

Information Center

SEC. 613. In order to insure that all Federal programs related to the purposes of this Act are utilized to the maximum extent possible, and to insure that information concerning such programs and other relevant information is readily available in one place to public officials and other interested persons, the Director is authorized as he deems appropriate to collect, prepare, analyze, correlate, and distribute such information, either free of charge or by sale at cost (any funds so received to be deposited to the Director's account as an offset to such cost), and make arrangements and pay for any printing and binding without regard to the provisions of any other law or regulation.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

SEC. 701. For the purpose of carrying out the provisions of this Act, there are hereby authorized to be appropriated to the Director for the fiscal year ending June 30, 1965, the sum of $962,500,000, and thereafter such sums as are necessary to carry out this Act, to be available until expended.

The section-by-section analysis presented by Mr. McNamara is as follows:

SECTION-BY-SECTION ANALYSIS OF THE ECONOMIC OPPORTUNITY ACT OF 1964

The proposed bill is entitled the "Economic Opportunity Act of 1964." Section 2 of the bill declares that it is the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone opportunities for education, training, work, and a life of decency and dignity, and that the purpose of the act is to strengthen, supplement, and coordinate efforts in furtherance of that policy.

TITLE I—YOUTH PROGRAMS

Title I provides three separate programs for youth—a job corps, work-training programs, and work-study programs.

Part A—Job corps

Section 101 declares that the purpose of this part is to increase the employability of youths aged 16–21 by providing them in residential centers with education, vocational training, useful work experience, and other appropriate activities.

Section 102 establishes a job corps within the Office of Economic Opportunity created by title VI.

Section 103 authorizes the Director of the Office to (a) enter into agreements with public or private organizations for the provision of necessary facilities and services; (b) provide education and vocational training to enrollees in the corps or arrange for their provision by public educational agencies; (c) provide useful work experience; (d) furnish health services; and (e) prescribe rules and regulations to govern the corps.

Section 104 provides that the corps shall be composed of males aged 16 through 21 who are permanent residents of the United States. Participation in the corps shall not relieve an enrollee of his Selective Service obligations. Enrollment shall be for a maximum of 2 years except as the Director may determine in special cases.

Section 105 provides for living allowances and maintenance of enrollees. Upon termination of enrollment, each enrollee shall receive a readjustment allowance amounting to not more than $50 per month for each month of satisfactory participation in the corps. However, under circumstances determined by the Director, up to $25 per month of the readjustment allowance may be paid directly to a dependent of an enrollee during his period of service in the corps, and any such payments shall be matched by the Director.

Section 106 contains technical material concerning the application to enrollees of provisions of the Internal Revenue Code, Social Security Act, Federal Employees' Compensation Act, and the Federal Tort Claims Act. Personnel of the uniformed services working for the corps are not to be counted when computing the authorized strengths of such services or of any grade.

Part B—Work-training programs

Section 111 declares that the purpose of the part is to provide useful work experience opportunities for unemployed youths through participation in State and community work-training programs.

Section 112 authorizes the Director to assist and cooperate with State and local public agencies and private nonprofit organizations in developing programs for the employment of young people in State and community activities.

Section 113 authorizes the Director to enter into agreements to pay part or all of the costs of such programs if he determines that they meet the statutory standards. Those standards are: (1) the participants will be employed on publicly owned and operated facilities or projects, or projects sponsored by private nonprofit agencies (except projects involving religious schools and places of worship); (2) the program will increase the employability of participants in fields where job openings are likely to exist, or will enable them to resume or maintain school attendance; (3) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or to conservation work; (4) the program will not displace employed persons; (5) appropriate and reasonable compensation and working conditions will be provided; (6) to the maximum extent feasible, the program will be coordinated with local public vocational training and educational services; and (7) the program includes selection standards and procedures.

The Director is required to give priority to projects with high training potential.

Section 114 provides that participation in work-training programs shall be limited to young men and women aged 16 through 21 who are permanent residents of the United States. Participants shall be deemed not to be Federal employees. The section also authorizes the Director to provide for testing, counseling, job development, and referral services to youths.

Section 115 sets limits on the amount the Director can pay to work-training programs. Payments for the period ending 2 years after the enactment of the act, or June 30, 1966, whichever is later, shall not exceed 90 percent of the costs of such programs, and thereafter shall not exceed 75 percent of such costs, unless the Director determines, pursuant to objective criteria, that greater percentages are required. Non-Federal contributions may be in cash or in kind.

Section 116 requires the Director to establish criteria to achieve an equitable distribution of assistance among the States, considering among other relevant factors the ratios of population, unemployment, and family income levels. Not more than 12½ percent of the sums appropriate or allocated for any fiscal year to assist work-training programs may be used within any one State.

Part C—Work-study programs

Section 121 declares that the purpose of work-study programs is to stimulate and promote the part-time employment of students in institutions of higher education who are from low-income families and need such earnings to continue their education.

Section 122 authorizes the Director to enter into agreements with such institutions to pay part of the compensation of students employed under such work-study programs.

Section 123 requires that such agreements shall provide that (a) a program will be operated by the institution for part-time employment of its students by the institution itself or by public agencies or private nonprofit institutions whose activities contribute to the objectives of the act, except that no work by the students shall involve religious schools or places of worship; (b) such employment shall be furnished only to a full-time student from a low-income family who needs the work to stay in the institution; (c) such employment shall not exceed 15 hours a week while classes are in session; (d) the institution shall continue to expend for student employment an amount not less than its average annual expenditure for such employment during the 3 preceding fiscal years; (e) payments by the Director shall not exceed 90 percent of the total compensation of such students during the period ending 2 years after the enactment of the act, or June 30, 1966, whichever is later, and 75 percent thereafter; (f) the institution will act as the Director's paying agent, if requested; and (g) such work or like work shall be reasonably available to all needy eligible students.

Section 124 provides that the Director's share of the compensation may be paid directly or through the employing institution. In any event, the students shall be deemed not to be Federal employees.

Section 125 requires the Director to establish criteria to achieve an equitable distribution of assistance among the States and among institutions of higher education within each State, considering among other relevant factors the ratios of full-time students in institutions of higher education, unemployment, and family income levels.

Not more than 12½ percent of the sums appropriated or allocated for any fiscal year to assist work-study programs may be used within any one State.

TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

Section 201 declares that the purpose of the title is to provide stimulation and incentive for communities to mobilize their resources to combat poverty through community action programs.

Section 202 in general defines a "community action program" as one which mobilizes and utilizes, in an attack on poverty, public and private resources of any urban or rural, or combined urban and rural, geographical area (termed a "community") and is conducted by a public or private nonprofit agency broadly representative of the community (termed a "community action organization").

Section 203 authorizes the Director to make grants or contracts to pay part or all of the costs of development of community action programs.

Section 204 deals with Federal assistance for the conduct and administration of community action programs. Subsection (a) authorizes the Director to make grants or contracts to pay part or all of the costs of conducting and administering such programs or components of such programs. Such components shall be focused upon the needs of low-income individuals and families and shall be concerned with such fields as education, employment, job training and counseling, health, vocational rehabilitation, housing, home management, and welfare.

Subsection (b) requires that any assisted elementary or secondary school education program shall be administered by public educational agencies but shall be available to all children regardless of whether they are regularly enrolled in the public schools.

Subsection (c) authorizes assistance for antipoverty activities in a community without a community action program, if a representative group is developing such a program and if such assistance will further the purposes of title II. After June 30, 1965, such assistance in any fiscal year shall not exceed 20 percent of the sums appropriated or allocated to title II for such year.

Subsection (d) lists factors to be considered by the Director in determining whether to extend assistance to a community.

Subsection (e) requires the Director to give special consideration to programs which give promise of effecting a permanent increase in the capacity of those aided to deal with their problems without further assistance.

Section 205 authorizes the Director to provide technical assistance to communities in developing and administering community action programs and training for specialized personnel.

Section 206 authorizes the Director to conduct or contract for research, training, and demonstrations pertaining to the purposes of title II, but expenditures for such activities in any fiscal year shall not exceed 15 percent of the sums appropriated or allocated to title II for such year.

Section 207 sets limits on the amount of Federal assistance that can be extended under sections 203 and 204. Such assistance paid for the period ending 2 years after the enactment of the act, or June 30, 1966, whichever is later, shall not exceed 90 percent of the costs referred to in these sections, and thereafter shall not exceed 75 percent of such costs, unless the Director determines, pursuant to objective criteria, that greater percentages are required. Non-Federal contributions may be in cash or in kind. The non-Federal expenditures or contributions for a community action program or component thereof shall be in addition to the aggregate expenditures or contributions from non-Federal sources being made for similar purposes before Federal assistance was extended.

Section 208 requires the Director to establish procedures for effective State participation in community action programs, including the referral of applications for Federal assistance to the Governor for comment. The Director is authorized to reimburse State agencies for their expenses in providing technical assistance relating to community action programs.

Section 209 requires the Director to establish criteria to achieve an equitable distribution of assistance under title II among the States and between urban and rural areas and sets forth certain factors that are to be considered. Not more than 12½ percent of the sums appropriated or allocated for any fiscal year to title II shall be used for assistance under sections 203 and 204 within any one State.

Section 210 requires the Director, in extending assistance under other titles of the act, to give preference, to the extent feasible, to programs and projects which are components of an approved community action program.

TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

Section 301 declares that the purpose of the title is to meet some of the special problems of rural poverty and thereby to raise and maintain the income and living standards of low-income rural families.

Section 302 authorizes the Director to make grants and loans to such families. Grants up to $1,500 may be made where they have a reasonable possibility of effecting a permanent increase in the income of such families by assisting them to acquire or improve real estate, to improve the operation of family-sized farms, to participate in cooperatives, or to finance nonagricultural enterprises to supplement income. Fifteen-year loans up to $2,500 in the aggregate may also be made for this last purpose.

Section 303 authorizes the Director to make loans to and otherwise assist corporations if they are organized to acquire real property in rural areas, to develop or reconstitute such property in units not larger than family farms, and to sell such farms to low-income farm families at appraised value for agricultural purposes. Section 303 also authorizes the Director to make grants sufficient to make up the deficiency between the cost of such farms to the corporation and the net proceeds from their sale.

Section 304 authorizes loans to cooperative associations furnishing essential services, supplies, or facilities predominantly to low-income rural families.

Section 305 conditions assistance under the title upon a determination by the Director that such assistance will materially further the purposes of the title and, in the case of a corporation or cooperative, that the applicant will fulfill a need not otherwise being met.

Section 306 provides that loans under the title shall have such terms and conditions as the Director determines, subject to (a) reasonable assurance of repayment, (b) credit not otherwise being available on reasonable terms, (c) assurance of completion of the project for which the loan is made, (d) interest at a rate determined by the Secretary of the Treasury, plus a possible additional charge to cover costs, and (e) a term of not more than 30 years (except for the 15-year loans provided for in section 302).

TITLE IV—EMPLOYMENT AND INVESTMENT INCENTIVES

Section 401 declares that the purpose of the title is to provide new training and employment opportunities for long-term unemployed persons; to assist small business concerns and improve the managerial skills used therein; and to mobilize for these objectives private as well as public managerial skills and resources.

Part A—Incentives for employment of long-term unemployed

Section 411 authorizes the Director to make or guarantee 25-year loans which will result in stable employment for persons not already employed by the borrower, a majority of whom will be recruited from among the long-term unemployed and members of low-income families. Any such loan shall not exceed an amount equal to $10,000 multiplied by the number of persons to be employed by the borrower as a result of the loan.

Section 412 limits such assistance to cases where it will not be used to relocate establishments and where it is part of an approved community action program.

Section 413 requires the Director to make provision for losses on loan guaranties.

Section 414 provides that such loans and guaranties shall have terms and conditions determined by the Director, subject to (a) reasonable assurance of repayment, (b) financial assistance not otherwise being available on reasonable terms, (c) assurance of completion of the project for which the loan is made, (d) interest calculated in general at a rate determined by the Secretary of the Treasury, plus a possible additional charge to cover costs and (e) the right on loan guaranties to require fees to cover administrative expenses and probable losses.

Part B—Small business loans

Section 421 authorizes the Director to make or guarantee 15-year, $15,000 loans to small business concerns or to persons seeking to establish such concerns, where such loans will assist in carrying out the purposes of title IV. The Director may require a borrower to participate in a management training program as a condition of a loan.

Section 422 provides that no assistance may be provided under section 421 in a community with an approved community action program unless consistent with that program.

Section 423 authorizes any functions under this part which are delegated to the Small Business Administration to be financed through its revolving fund.

Section 424 provides that loans under this part (including participations and guarantees) shall have such terms and conditions as the Director shall determine, subject to the five limitations set forth in section 414.

TITLE V—FAMILY UNITY THROUGH JOBS

Section 501 declares that the purpose of the title is to expand the opportunities for work, training and basic education for those who are unable to support or care for their families.

Section 502 provides that in order to stimulate States to adopt programs to help unemployed fathers and other members of needy families with children to secure employment or otherwise attain capability for self-support, the Director is authorized to transfer to the Secretary of Health, Education, and Welfare funds to make payments for experimental, pilot, or demonstration projects under section 1115 of the Social Security Act (42 U.S.C. 1315).

TITLE VI—ADMINISTRATION AND COORDINATION

Part A—Administration

Section 601 establishes the Office of Economic Opportunity in the Executive Office of the President. After 1 year, the President may provide for the transfer of the Office elsewhere in the executive branch by complying with the procedures of the Reorganization Act of 1949. The Office shall have a Director and four Deputy Directors, who shall be appointed by the President with the advice and consent of the Senate. The Director shall receive a salary of $22,500; one

Deputy Director shall receive a salary of $20,500 and the other three a salary of $20,000.

Section 602 authorizes the Director to: (a) appoint personnel in accordance with the civil service laws and fix their compensation; (b) employ experts and consultants; (c) appoint and compensate members of advisory committees; (d) with the approval of the President, arrange for other Federal agencies to carry out functions under the act and, as necessary, delegate his powers; (e) utilize, with their consent, the services and facilities of other Federal, State, and local agencies, without reimbursement; (f) accept, use, and dispose of gifts and bequests; (g) accept voluntary services; (h) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under the act; (i) disseminate data and information without regard to certain postal restrictions; (j) adopt an official seal; (k) deal with property acquired on loans and guarantees; (l) collect and compromise obligations; and (m) establish policies, prescribe rules and regulations, and generally take such steps as are appropriate to carry out the act.

Section 603 authorizes the Director to recruit, select, and train volunteers for America. Upon request, he may refer volunteers to work on programs of assistance at a local level. He may assign volunteers to work (A) in meeting the health and education needs of Indians, migratory workers, and residents of certain areas under Federal jurisdiction, (B) in nonprofit mental health and mental retardation facilities assisted by Federal funds, and (C) in federally operated programs or activities under titles I and II of the act. No volunteers may work in any State without the consent of the Governor. The Director may provide to all volunteers during training and to assigned volunteers a stipend up to $50 a month, together with living allowances and maintenance. Volunteers shall be deemed not to be Federal employees except that all volunteers during training and assigned volunteers shall be deemed Federal employees to the same extent as enrollees in the Job Corps.

Section 604 establishes an Economic Opportunity Council to consult with and advise the Director on his functions, including that of coordinating all Federal antipoverty efforts. The Council shall include the Director and other appropriate Cabinet officers and agency heads, or delegates thereof.

Section 605 establishes a National Advisory Council, to consist of the Director and not more than 14 additional members, appointed by the President, to represent the general public and fields of endeavor related to the act. At the Director's request, the Council shall review the operations of the Office and make recommendations.

Section 606 establishes a revolving fund for loans and guarantees under titles III and IV and contains provisions for its operation.

Section 607 provides that within 120 days after each fiscal year, the Director shall submit a report for transmittal to the Congress.

Section 608 defines the terms "State," "United States," and "agency" as used in the act.

Part B—Coordination of antipoverty programs

Section 611 contains provisions to insure that all Federal antipoverty programs are carried out in a coordinated manner. Subsection (a) authorizes the Director to call on other Federal agencies for data, reports, and other materials, and to assist the President in coordinating the antipoverty efforts of all Federal agencies. Subsection (b) requires Federal agencies to cooperate with the Director. Subsection (c) authorizes the President to direct that particular programs and functions, including the expenditure of funds, shall be carried out to support programs under the act.

Section 612 directs each Federal agency head administering any Federal program to give preference to applications for assistance made under an approved community action program.

Section 613 provides that to insure that information about Federal antipoverty programs is readily available in one place to public officials and others, the Director may collect, prepare, analyze, correlate, and distribute (free or at cost) information concerning such programs.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

Section 701 authorizes an appropriation to the Director for fiscal 1965 of $962,500,000, and thereafter such sums as may be necessary to be available until expended.

Mr. McNAMARA. Madam President, will the Senator from Georgia yield to permit me to make brief remarks on the bill?

Mr. RUSSELL. I yield.

Mr. McNAMARA. Madam President, on behalf of President Johnson and his administration, I feel privileged to introduce the Economic Opportunity Act of 1964.

The bill launches a major attack in what President Johnson has declared to be a "national war on poverty," and for which his objective is total victory.

No one predicts that adoption of this bill will automatically achieve that objective.

Too many millions of Americans have been poverty-stricken and destitute for too long to make it possible to cure overnight the chronic ailments which underlie this condition.

But the proposed legislation makes a start—an imaginative, earnest beginning—on establishing and coordinating Federal and local responsibility for wiping out poverty.

The bill will produce the weapons for this task. It will produce the incentive for using them properly, so that the opportunities and abundance of our Nation are shared by millions for whom the words "opportunity" and "abundance" have been meaningless.

Poverty is not confined to any one area. It is not the special problem of the city, the farm, the small town. It exists in all these areas—and more.

The Economic Opportunity Act recognizes the widespread nature of poverty and directs its attack on a broad front to combat it wherever it lurks.

Its Job Corps, work-training and work-study programs will provide opportunities for nearly 500,000 young men and women, from those who have poor fitness for useful work to those who must have work to finance their college educations.

It directs its attack at rural and urban communities—urging and supporting long-range self-help plans. It encourages small businessmen to hire new workers from the ranks of the long-term unemployed.

It establishes a group to be known as Volunteers for America. These volunteers will work in the programs set up under the act, as well as provide their skills and education to help our migratory workers, Indians, and in nonprofit mental health and mental retardation institutions.

The community action and other programs in the bill will work to help alleviate problems of the elderly.

In his message on poverty, submitted today with the Economic Opportunity Act, President Johnson stated:

> If we now move forward against this enemy—if we can bring to the challenges of peace the same determination and strength which brought us victory in war—then this day and this Congress will have won a secure and honorable place in the history of the Nation, and the enduring gratitude of generations of Americans yet to come.

Madam President, the cost of this program is modest. The potential return is enormous.

I sincerely hope the 88th Congress will seize this opportunity to be in the vanguard of the war on poverty.

Mr. HUMPHREY. Madam President, will the Senator from Michigan yield?

Mr. McNAMARA. I yield.

Mr. HUMPHREY. I have taken the liberty of joining the Senator from Michigan in sponsoring the bill. I understand that the Senator from Michigan has asked that the bill be held at the desk, to enable other Senators to join in sponsoring it.

Mr. McNAMARA. Yes. Madam President, I ask that the bill be held at the desk until Thursday, to enable other Senates to join in sponsoring the bill. We hope great numbers of Senators on both sides of the aisle will join in sponsoring it.

The PRESIDING OFFICER. Without objection, the bill will be held at the desk, as requested.

Mr. RUSSELL. Madam President, I now yield to the Senator from North Dakota [Mr. YOUNG].

INCREASED AMOUNT OF DOMESTIC BEET SUGAR AND MAINLAND CANE SUGAR TO BE MARKETED DURING 1964

Mr. YOUNG of North Dakota. Madam President, I introduce, for appropriate reference, a bill to increase the marketing authority for domestic beet sugar and mainland cane sugar.

This bill would increase by 500,000 short tons the quota for 1964 for domestic sugar producing areas. This would mean an approximate 12 percent increase in the quotas for domestic sugar producers, and would bring the domestic mainland producers up to producing approximately 43 percent of our sugar requirements.

Madam President, I have long felt that our domestic producers should be permitted to produce a larger share of our sugar requirements. It has never made sense to me to depend on foreign producers to supply this essential commodity. The American farmer is willing and able to produce a much larger percentage of our sugar requirements. With surpluses of many agricultural commodities, this is a crop which our farmers should be encouraged to produce.

The danger of being dependent on foreign countries for a major portion of our sugar needs was most graphically illus-

trated last year when the international sugar market rose to its highest point since the 1920's. As a result, the price of sugar to the American housewife was increased substantially.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2638) to increase the amount of domestic beet sugar and mainland cane sugar which may be marketed during 1964, introduced by Mr. YOUNG of North Dakota, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1878. An act to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State;

S. 2040. An act to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes; and

S. 2448. An act to amend the Atomic Energy Act of 1954.

SENATOR RUSSELL'S ROLE IN CIVIL RIGHTS DEBATE

Mr. TALMADGE. Madam President, there appeared in yesterday's press an article in the Washington Sunday Star about Senator RUSSELL'S role as leader of the opposition to the so-called civil rights bill which is now pending before the Senate.

As this article points out, Senator RUSSELL is a veteran of many wars over legislation which has been labeled "civil rights," but which in truth was principally concerned with an expansion of Federal powers and infringement upon the rights of the citizens. Senator RUSSELL, I am proud to say, is as dedicated to this battle against such iniquitous legislation as he is dedicated to the preservation of constitutional government and the freedom of our people.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

RUSSELL READY FOR A NEW FIGHT ON AN OLD ISSUE: CIVIL RIGHTS

(By Cecil Holland)

When the civil rights bill resumes the Senate floor tomorrow, RICHARD BREVARD RUSSELL will be found, as usual, in his seat on the middle aisle, second from the front.

As the Senate goes deeper into an epochal debate, with a prolonged filibuster in prospect, the Georgia Senator will be in the midst of it.

In 31 years in the Senate (he is the second-ranking Member in terms of service) Senator RUSSELL has taken part in many such debates. In all of them in the last several years he has been the undisputed leader of the southern bloc opposing civil rights legislation.

For the Senator it will be a wearisome struggle, the same maneuvers, the same old arguments. But in his demeanor there will be no suggestion of this. His eyes will follow every move and hardly a word will be spoken on the floor which he won't hear or will be informed about.

"Whenever the bell rings I'll come out," the Senator said in a quiet discussion in his office of the impending battle. "A man who has been in 50 prizefights does not mind another."

THE MIGHT-HAVE-BEEN

For those with a sense of history and its might-have-beens, there will be a feeling of poignancy for the man called on to direct the southern opposition. If it had not been for the sectionalism which the civil rights battle represents, Senator RUSSELL might well have been President.

Twice the 66-year-old Georgian has been a candidate for the Democratic nomination. At the 1948 convention he received 263 votes. Four years later he was given 294, many of them cast by delegates from 27 States outside the South.

The man who now occupies the White House, while he was the Senate Democratic leader, believed the Georgian would have been the first choice of his colleagues if they had been asked to name the Senator best equipped to be President. Former President Truman has written that if Senator RUSSELL had come from a border or Midwestern State he could have been elected to the White House.

Many liberals feel the same way, although they are poles apart in thinking. Senator CLARK, Democrat, of Pennsylvania, has described Senator RUSSELL as a politician in the best sense of the word and a "first-class gentleman."

STRENGTH OF OPINIONS

No one who has known the Senator would question that. If there is a lament for the loss of the national leadership that he might have provided, there is genuine respect for one who has held to what he believes regardless of the political cost.

Senator RUSSELL, unlike many Southerners, never stoops to attributing the civil rights agitation to a Communist plot. As one versed in history, he realizes it is a part of the social revolution of the times which perhaps cannot be reversed. Yet he will not surrender his own views, which can be summed up in his own words:

"My conviction in this matter doesn't grow out of any antipathy to the Negro. We have more of them in our State than in any other.

"I'm no anthropologist but I've studied history. And there is no case in history of a mongrel race preserving a civilization, much less creating one."

An awareness of this, Senator RUSSELL insists, is why the South has fought so long to maintain two social orders within the country's political system.

PLAN FOR BATTLE

Detailed plans have been made for the battle the Southerners will wage against the House-passed civil rights bill. One day last summer, after the Kennedy administration's program had been submitted, Southern Senators made their way into the quiet, dimly-lit hearing room of the Senate Armed Services Committee over which Senator RUSSELL presides.

They took their place at the long table with Senator RUSSELL at one end. When all were there, Senator RUSSELL said quietly: "Well, gentlemen, let's get underway."

What all was decided was not fully disclosed. But at that and at other meetings the Southern strategy was mapped out that will be unfolded as the Senate debate goes on. Other civil rights battles in the Senate have been a prelude; Senator RUSSELL and the other Senators knew this one was for keeps.

The man whose political fortunes it has been to lead the Southern bloc is reserved, even shy, in manner. His voice is soft and low in conversation. But in debate it is something else. So skilled and so devastating he can be that few care to challenge him. In the labyrinthian paths of the Senate's parliamentary procedures none knows his way so well as he. In the ensuing debate he can be expected to take advantage of every crossroads in the rules.

OF A POLITICAL FAMILY

The Senator came by his political philosophy and his legislative skills naturally. Born in a politically minded Georgia family, he was elected to the State house of representatives at the age of 22. He served in that body for 10 years, the last 4 as speaker.

In 1930 he was elected Governor of Georgia at the age of 33, the youngest chief executive his State has ever chosen. Serving during the depression years, he carried out an austerity program and even cut his own salary to $3,950.

When Senator William J. Harris died in 1932, the young Governor was elected to succeed him. He took his seat on January 12, 1933, and has been in the Senate ever since. In 1960 he was reelected without opposition for his fifth term expiring in January 1967.

But sheer ability, not seniority, has given him the leadership of the Southern bloc. He bases his opposition to civil rights on constitutional grounds. In his thinking, the Federal power cannot be used to compel men to associate with one another; this, he contends, means the creation of special privilege.

"This whole drive for civil rights legislation is a movement for conformity throughout the country," the Senator says. "We are falling down before the god of conformity."

THE SECTIONAL ANGLE

What may be good for one part of the country, according to the Senator, is not necessarily good for another: what is accepted in Oregon, for example, may not be accepted in Georgia; and if a person does not like one State there is nothing to keep him from moving to another.

"Individuality," Senator RUSSELL emphasizes, "is the basis for our greatness."

The Senator sees the civil rights movement as political and little else. "One of the things that outrages me more than anything else," the Senator comments, "is for two political parties and bigshots to appeal to the minority vote."

Mentioning some political leaders of both parties by name, Senator RUSSELL added:

"These men of tremendous wealth, they never see a Negro except by their own special design and arrangement. Through ignorance or the cheapest sort of politics they are trying to force this thing by Federal compulsion. There is no length to which they will not go, nothing they will not resort to, to achieve this amalgamation of races."

A POLITICAL REALIST

The Senator's career has spanned a changing pattern of life, even in the South. As a political realist, he knows this.

"I realize there is a group in the South and in some places in Georgia that is yielding to overwhelming force even if they don't like the trend," the Senator remarked. "They think it is not worth it to carry on the fight. They've quit fighting. I haven't."

Senator RUSSELL has sought to wage his battle on constitutional but not on esoteric legal grounds. He has shunned the doctrine of interposition—the theory that a State may impose its authority against that of the Federal Government.

"Interposition died at Appomattox," the Senator declared. "But Appomattox didn't kill the Constitution. You'd think so from the way people twist and distort it. I can't agree that changing times have changed the Constitution."

Senator RUSSELL acknowledges ruefully that he may be remembered only as the South's adamant leader against civil rights legislation. His sectional origin has obscured many worthwhile contributions he has made in his long years in the Senate.

A MILITARY EXPERT

He is regarded as one of the Nation's foremost experts on military matters. He has been a leading supporter of soil conservation, forestry and a better way of life for farmers. He has sought the development of water resources. And his influence in many ways, and seldom seen, on the operation of the Senate establishment has been vast indeed.

For all his influence, Senator RUSSELL is seldom around where Senators might gather for a convivial moment. He never attends social affairs except the White House reception for Members of Congress. When he first came to Washington he found they were taking up a great deal of time and he "knocked them off."

A bachelor, he has a circle of close friends with whom he visits. Sometimes he just gets in his car and drives away for a weekend, often to some Civil War battlefield. Every 6 weeks or so he tries to get home to Winder where a sister maintains the family home for him.

"HAM AND EGGS" MAN

For 28 years he lived in a hotel but a few years ago he moved into a cooperative apartment near the Potomac. When he is not occupied in the Senate he usually will be found at home reading, watching television or maybe doing a little of his own cooking. "I am a ham and eggs man," he said disparagingly of his culinary efforts.

He reads, when he has time, four or five books a week, favoring biography, history, historical novels and about everything he finds regarding the country's 1861–65 unpleasantness. Few details of that war have escaped his attention including the proceedings of the Confederate Congress. "They had their problems, too," he remarked dryly. One of the books he was reading recently, however, was "The Chronicles of an Old Campaigner," an account of a French soldier in the Bavarian forces.

In the next few weeks he expects there will be little time for reading.

"I don't have any family or home life," he said. "If I don't get home until late, that's all right. The Senate is my life and work."

IOU NO. 16: U.S. NEWS, TIME, BRING HOME THE BACON

Mr. METCALF. Madam President, Saturday, I inserted in the CONGRESSIONAL RECORD an article entitled "Where Money From Washington Is Being Turned Down," which appeared in the March 16 issue of U.S. News & World Report. I noted the similarity of two proposed Federal Montana dams—Knowles and Libby—which were discussed in the article. Knowles was placed by U.S. News in the "pork" category, while Libby was presented as a sound development.

A reason for the magazine's attack on Knowles is that—unlike Libby, which is already authorized—Knowles is being vigorously and viciously opposed by the IOU's—investor-owned utilities. U.S. News, Time, Life, and Reader's Digest—all of whom receive substantial revenue from the electric companies' advertising program—have, in recent months, attacked Federal resource programs with articles which are neither factual nor fair, but which reflect the views of their IOU advertisers.

Mr. President, this morning as I opened the March 23 issue of U.S. News, I noticed a red, white and blue, star-spangled two-page IOU ad, which cost the electric companies some $20,000. The same ad appears in the current issue of Time, whose rates are more than twice as high.

I was reminded of a saying of the late Senator Robert S. Kerr:

Whether you are raiding the pork barrel or bringing home the bacon depends on whose smokehouse is being filled.

U.S. News and Time are bringing home the bacon. The IOU's money is not turned down.

WOMAN'S PLACE IN INDUSTRY

Mrs. SMITH. Mr. President, today I received a most disturbing, but not surprising, letter from the director of guidance of Merrimack College, of North Andover, Mass.

The letter speaks for itself and requires no comment from me. However, I invite the most serious attention of the President of the United States, the U.S. Chamber of Commerce, the National Manufacturer's Association, and the Members of Congress to this letter—and I urge them to do what they can to remove the discrimination that is reported in this letter.

I ask unanimous consent that the letter of William E. McGuire, director of guidance of Merrimack College, North Andover, Mass., be placed in the body of the RECORD at this point.

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

MERRIMACK COLLEGE,
North Andover, Mass., March 12, 1964.

Senator MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SMITH: I have recently become more aware and concerned with a problem which I feel that you, more than most Senators, would be interested in. As director of guidance at Merrimack College, for the past several years I have had a number of female students approaching graduation come to me for advice. In the specific cases I am talking about, these young ladies are in areas that are traditionally male domain such as mathematics, physics, chemistry, biology, etc.

We have a great number of recruiters from industry, institutions, and Government agencies of one kind or another, visit our school to interview our prospective graduates during their senior year. We have found that when females in the aforementioned categories apply for interviews, they are most often and in some cases always told that there is no place for women in these areas. With all the furor about civil rights for minority groups, and where steps are being taken such as industries with Government contracts that have to achieve a fair balance in their hiring and labor practices, I fail to see where some of our brightest young women are not in areas where we have shortages of skilled and professional people, and why a rider protecting and encouraging them could not be attached to some of these civil rights bills. The only reason for the present attitude is because of tradition and not because of differences in ability of performance.

Until something like this happens, many of our most brilliant young students will be deprived of their right to make a real contribution to their community and to our country.

I feel that with your record and past performance and your willingness to launch an attack against tradition where it no longer has valid reasons for being, that this may lead you toward helping other members of your sex, and in so doing, help our country.

Thank you.

Sincerely,

WILLIAM E. MCGUIRE,
Director of Guidance.

EXPRESSION OF APPRECIATION OF COMMONWEALTH OF VIRGINIA TO THE VIRGINIA THANKSGIVING FESTIVAL—JOINT RESOLUTION OF VIRGINIA GENERAL ASSEMBLY

Mr. BYRD of Virginia. Mr. President, if there was ever any doubt about whether the first Thanksgiving in America took place in Virginia, it was established as a historic fact by the late President John F. Kennedy in his 1963 Thanksgiving proclamation.

This recognition was brought about by the interest of a group of devout and patriotic citizens known as the Virginia Thanksgiving Festival, under the leadership of the Honorable John J. Wicker, Jr., of Richmond, a former member of the Virginia State Senate.

The General Assembly of Virginia, which adjourned its most recent session on March 7, unanimously adopted a resolution expressing the appreciation of the Commonwealth to the Virginia Thanksgiving Festival and Senator Wicker for the recognition achieved by their fine services.

I ask unanimous consent to have printed in the RECORD the resolution adopted by the Virginia General Assembly.

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

SENATE JOINT RESOLUTION 49

Whereas through the leadership of former State Senator John J. Wicker, Jr., and with the help of other distinguished Virginians, it has been nationally recognized that the first Thanksgiving in America took place in Virginia on the shores of the James River on December 4, 1619; and

Whereas this historic fact was officially chronicled by the late President John F. Kennedy in his Thanksgiving proclamation of 1963; and

Whereas this recognition was brought about by a group of interested and devoted Virginians now known as the Virginia Thanksgiving Festival under the leadership of Mr. Wicker: Now, therefore, be it

Resolved by the Senate of Virginia (the House of Delegates concurring), That the appreciation and commendation of the Commonwealth of Virginia be and hereby are expressed to the Virginia Thanksgiving Festival for its successful achievement in establishing, on the highest national level, the historic fact that America's first Thanksgiving was held in the Old Dominion; and

Resolved, That appropriately prepared copies of this resolution be transmitted to Mr. Wicker and the Virginia Thanksgiving Festival.

RESPONSIBILITIES IN OUTDOOR RECREATION

Mr. JACKSON. Mr. President, in the March 1964 issue of American Forests there are two items of especial interest to all those who support outdoor recreation for Americans.

The American Forests magazine is devoted to our forests, soil, water, wildlife, and outdoor recreation. The first item is an editorial entitled "Responsibilities in Outdoor Recreation." This editorial underlines the importance of the recommendations of the Outdoor Recreation Resources Review Commission on which I had the honor to serve. The ORRRC report emphasized the important pivotal role which must be carried out by our State and local governments in our national effort to improve outdoor recreational opportunities. The role of the Federal Government is to provide coordination, cooperation, and assistance to the local, State, and private endeavors in this field of growing importance.

The second item in this magazine is a very informative article by the senior Senator from New Mexico [Mr. ANDERSON] entitled "Why We Need the Land and Water Conservation Fund Bill."

In this article, Senator ANDERSON has clearly refuted some of the arguments made by opponents of this legislation. This bill has received solid support of 47 State governments, along with endorsements by numerous organizations and individuals from all sections of the country. I ask unanimous consent that these two articles be printed in the RECORD at this point in my remarks.

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

RESPONSIBILITIES IN OUTDOOR RECREATION

The ORRRC report emphasized that the key elements in a total effort to make outdoor recreation opportunities available are private enterprise, the States, and local government. In relation to them, the role of Federal agencies should not be one of domination but of cooperation and assistance in meeting their respective needs, the report stressed.

These principles are cornerstones—upon which the work of the new Bureau of Outdoor Recreation is proceeding. Following ORRRC's views, American Forests holds these truths to be self-evident: (1) The most important single force in outdoor recreation is private endeavor—individual initiative, voluntary groups of many kinds, and private enterprise; (2) cities, counties, and other local governments should create a recreation environment which will make urban areas more livable; (3) State governments should play the pivotal role in a national effort to improve outdoor recreation opportunities; (4) the Federal Government should exercise national leadership in outdoor recreation; extend technical and financial assistance to the States and through them to local governments; cooperate with the States in making technical assistance available to private individuals and organizations; and provide needed outdoor recreation opportunities on its own lands and water; and (5) the magnitude of the task requires the best efforts of all and a proper balance among the levels of government and the private sector.

American Forests believe these principles embody the essence of the ORRRC report. It believes further that these keystones constitute a sound philosophy upon which to build the Nation's outdoor recreation program.

To make that program a reality, three pieces of legislation are needed if the Federal Government is to fill its proper role in outdoor recreation.

One already has passed the Congress and has been signed into law. This is Public Law 88–29 which serves as the Organic Act of the Bureau of Outdoor Recreation and defines basic Federal outdoor recreation responsibilities. It recognizes fully the relative importance of private endeavor and the various levels of government in supplying the public with outdoor recreation opportunities. The law authorizes Federal recreation action, cooperation with the States and their political subdivisions, and assistance to private enterprise.

A second essential measure, the land and water conservation fund bill, is now pending before the Congress. This further recognizes the recreation interrelationships of the various levels of Government and private enterprise. It makes certain of the authorities in Public Law 88–29 effective by providing Federal recreation grants-in-aid to the States on a matched-fund basis. Prerequisite to the grants would be comprehensive State recreation plans, useful to all levels of Government and private endeavor as well. In addition to State grants, the land and water bill provides money to enhance rec eation potential at certain Federal levels. The Land and Water Conservation Fund would be financed largely by user fees at certain Federal recreation areas, allocation of the existing tax on motorboat fuels, proceeds from sale of Federal surplus real property, and repayable advance appropriations. A total of 47 State governments and many organizations, including AFA, are supporting this bill.

As has been noted previously in this magazine, some opposition has developed in reference to the land and water conservation fund bill. More of the same from the National Waterways Conference is answered in the current issue by Senator CLINTON P. ANDERSON, of New Mexico, starting on page 24. Meanwhile, a number of Governors and resource leaders in 47 States say they want this bill. In a letter to President Johnson, Gov. John W. King, of New Hampshire, said "New Hampshire needs this bill." Ditto Gov. William B. Scranton, of Pennsylvania, Gov. Albert D. Rosellini, Washington State, Gov. Terry Sanford, of North Carolina, and Gov. John M. Dalton, of Missouri. Support of this bill is truly formidable. Arguments of that minority opposed do not withstand close scrutiny too well as witnessed by Senator ANDERSON'S rebuttal of the National Waterways Conference position in this issue.

The third measure needed to fill out the Federal Government's role in outdoor recreation policy and planning would provide more adequate technical assistance to local governments and private enterprise. In line with the ORRRC approach, such assistance should be available on a Federal-State cooperative basis, similar to the tested Clarke-McNary farm forestry program which has proven so effective. Under this approach, the Federal Government would confine its role to providing part of the funds needed to employ a State staff of outdoor recreation technicians. Services of the technicians would reach local governments and private recreation enterprise under State direction.

Proposals for this third piece of needed recreation legislation are still in the evolutionary stage.

With Federal assistance available under the three proposals, the States would be in position to truly play their pivotal role in acquisition, development, and maintenance of State and regional areas, in assisting local government, and in providing leadership and planning.

The local governments would be in position to expand their efforts to provide outdoor recreation opportunities, with particular emphasis upon securing open space and developing recreation areas in and around metropolitan and other urban areas.

Private enterprise would have available the technical assistance it requires if it is to develop commercial facilities and services which will return a profit, and nonprofit groups would be able to operate efficiently and to the greatest possible advantage to the public. The fees which will be charged at certain Federal recreation areas will help private commercial outdoor recreation enterprise be competitive—and help answer chief complaint to date of the private recreation entrepreneur.

The alternative to the philosophy embodied in the three essential pieces of legislation discussed and in the ORRRC recommendations will be undesirable pressures for Federal recreation action in areas which more properly the States, their political subdivisions, and private enterprise, should occupy.

This alternative is not acceptable. The ORRRC philosophy is.

WHY WE NEED THE LAND AND WATER CONSERVATION FUND BILL

(By Senator CLINTON P. ANDERSON)

Quietly, persistently, even relentlessly, one of the great social changes of our time has been taking place. Almost unheralded, outdoor recreation has emerged as a major feature of American life in the years since World War II. An amazing 90 percent of our citizens use our parks, forests, wildlife refuges, shorelines and other recreation areas each year. They find there satisfaction for their souls * * * and relief from the tensions of our increasingly congested urban civilization.

They spend an estimated $20 billion annually in the process. Yet there are some, despite these tremendous benefits to mankind, who, through narrow, mistaken self-interest, would deny Americans access to their outdoor heritage by sabotaging efforts to provide constructively for continued expansion of this economic bonanza.

Our rapid population growth and increases in leisure time, mobility and income have contributed to our almost overwhelming rush to the out-of-doors. This rush is leading to a recreation crisis, indeed has already done so in many parts of the Nation. Our situation is this: We have a great deal of public recreation land, but most of this lies in the more sparsely settled States. In the more populous States, particularly near the major population centers, we lack adequate places to go to enjoy the out-of-doors. We are dangerously short of nearby areas where the youngsters can go to hunt lizards or rabbits or grizzly bears or even dragons, if that's what they want to stalk. We don't have enough close-in camping and hunting and fishing places where a man can take his boy on a short weekend. It is so frustrating to try to find a secluded picnic nook reasonably close to town that the whole family is liable not to be speaking by the time it does locate an empty table.

These conditions caused the Congress to establish the Outdoor Recreation Resources Review Commission back in 1958. I had the honor to serve on this bipartisan Commission under the chairmanship of Laurance S. Rockefeller and in company with seven other Members of Congress, and with six prominent laymen. The citizen members were first appointed by President Eisenhower. The Commission reported to the Congress and the President in January 1962 on its 3 years of study and evaluation. Creation of a Bureau of Outdoor Recreation in the Federal Government was one of some 50 recommendations we made. Our late beloved President Kennedy directed the Secretary of

the Interior to establish the Bureau of Outdoor Recreation on April 2, 1962. A year later, the Congress enacted Public Law 88–29, an organic act defining responsibilities of the new Bu eau. This was signed into law in May 1963. I had the honor of cosponsoring this measure, together with a number of other Members of the Congress from both sides of the aisle. The new Bureau is responsible for outdoor rec eation coordination, planning, research, education, technical assistance and cooperation with State and local governments and private interests.

FRAMEWORK PROVIDED

This new law provides the needed framework for effective outdoor recreation action. Another proposal now pending before this Congress would provide a continuing fund for State and Federal outdoor recreation needs, thus making effective another recommendation of our Outdoor Recreation Resources Review Commission. I refer to the land and water conservation fund bill, S. 859 in the Senate and H.R. 3846 in the House of Representatives. I am proud to be one of the cosponsors of this forward-looking legislation and in this I wish to lay to rest a number of misrepresentations, misconceptions and mistakes which are being voiced in connection with the land and water conservation fund bill.

Before I deal with these criticisms, I wish briefly to outline the legislative prog ess to date of the land and water conservation fund bill.

We have held hearings on S. 859 in the Senate Interior and Insular Affairs Committee under the capable chairmanship of Senator HENRY M. JACKSON, of Washington. The House Committee on Interio and Insular Affairs, chaired by my good friend and colleague Congressman WAYNE N. ASPINALL, of Colorado, has held hearings, produced a number of worthy amendments to the original form of the bill, and has repo ted it to the full House.

The land and water conservation fund as reported in the House of Representatives has two main provisions. It authorizes Federal recreation grants-in-aid to the States. It provides for Federal acquisition of certain recreation and related lands. The fund could amount to approximately $200 million per year. Of this, States would get 60 percent on a matched fund basis. The fund would be derived from three pay-as-you-go revenues and from repayable advance appropriations. The revenues would come from entrance and user fees at certain Federal areas, from sale of surplus Federal real property and from transfer of the existing 4-cent excise tax on motorboat fuels. The repayable advance appropriations which would begin the third year of the land and water conservation fund program, could average $60 million annually, and would continue for 8 years.

Two-fifths of the States share of the fund would divide equally among all States; the remainder would be divided on the basis of State recreation needs. States could use the Federal moneys for planning, acquiring, and developing recreation areas. The acquisition and development grants-in-aid would be available after States prepared comprehensive recreation plans approved by the Secretary of the Interior. All moneys in the fund, including the grants-in-aid would be available only upon annual appropriation by the Congress in the usual way.

The Federal share of the fund would be available for land acquisition in connection with national forest, park, and wildlife refuge systems and to help offset capital costs of Federal water development projects hereafter authorized which are allocated to public recreation and the improvement of fish and wildlife conditions.

The land and water conservation fund proposal has enjoyed massive support in both bodies of the Congress. Officials of 47 States have offered support of its principles. This is strongly indicative of the wisdom of the bill's recognition that States occupy a pivotal role in outdoor recreation. Virtually all major conservation organizations have testified for the bill. As recently as October 31, the distinguished Secretary of the Army, then Cyrus R. Vance, stated the Department of Defense's full support. Secretary of Agriculture Orville L. Freeman did likewise on November 5, 1963. Secretary of the Interior Stewart L. Udall has been in the forefront of the fight for the measure.

And I wish to quote from one additional letter of support, this one dated November 4, 1963, and directed to the Honorable WAYNE N. ASPINALL:

"I have received the bill reported out by your committee earlier this month and believe the committee has done an exceedingly good job in refining many of its provisions. The strong bipartisan support for the bill by members of your committee is encouraging and provides persuasive evidence of its essential soundness.

"This farsighted legislation merits the support of all interested in the conservation of outdoor America and I am hopeful it will be enacted into law this session."

The letter was signed "John F. Kennedy."

A KEY MEASURE

The land and water conservation fund bill is a key measure. America needs it * * * young America, if it is to enjoy the outdoor heritage that is the birthright of each of us * * * all America, if it is to remain strong, vigorous, prepared to conquer the challenges of our complicated civilization.

I have said that the bill has come under fire. Criticism has been relatively scant in comparison with the heavy support which the measure has enjoyed, but several responsible points in opposition have been raised. These have come both from members of the Committee on Interior and Insular Affairs in both bodies of Congress, and from outside sources. As a result, various constructive modifications have been adopted as amendments in the House. We would presume these will be considered by the Senate at the proper time. Other legitimate criticism resulting from honest and sincere differences of informed opinion has been voiced. In the House, these have been resolved by majority vote of committee members. We would expect to do the same in the Senate.

One particularly virulent criticism of the land and water conservation fund proposal has come to my attention. This emanates from the executive offices of the National Waterways Conference, Inc., here in Washington, D.C. It opposes this recreation measure and it has been distributed widely. Since many persons across the country who are not well informed about the land and water conservation fund's provision are liable to be swayed by these assertions, I feel constrained to refute them. A little light on the subject seems to be in order.

The National Waterways Conference says the proposal would saddle the country "* * * with a vast, new back-door taxing and back-door spending mechanism. This is just not so. Back-door spending is spending by executive agencies from funds not appropriated by Congress. Not a plugged nickel can be spent from the proposed land and water conservation fund without a specific appropriation by Congress. And the phrase "back-door tax" is just words. For better or for worse, Congress enjoys a monopoly when it comes to imposing Federal taxes. This bill wouldn't infringe on our patent.

The bill gives too much latitude, laments the waterways groups, through undefined fees and user charges on undefined recreation and water facilities. In 10 years, the plaint continues, the bill would create a $2 billion fund to be used as the President and Secretary of the Interior may determine. In truth, Congress, through its established appropriation process and within the guidelines set forth in the bill, would annually determine how the fund would be used. The provision is right there in the bill for anyone who wishes to see. So are some other provisions which further hedge in the executive branch in its use of the land and water fund. Funds which accumulate can only be spent as appropriated by Congress.

DOUBLE TAXATION?

"Double taxation," proclaims the Waterways Conference, "compelling Federal agencies to sell facilities which the people already own." No facilities are to be sold under this bill. Moreover, the bill makes absolutely no changes in present law governing disposal procedures for surplus Federal real property. Actually, this criticism appears to be leveled at the bill's provision requiring admission and user fees at certain Federal recreation areas. The criticism fails to mention that the great bulk of Federal lands and waters will not be subject to such fees.

Rather than double taxation, the principle which applies here is that services rendered to special beneficiaries by Federal agencies should be self-sustaining to the fullest extent possible. This policy was enacted into law by Congress in 1952 and has been carefully observed by all administrations since. Under this policy, it is reasonable to collect user fees at certain Federal recreation areas which all of us own, since the users are enjoying special services provided at public expense. Parallels exist elsewhere. States, for example, collect special fees from commercial trucks for use of the highways which all the people, including the truckline, own.

NO DOUBLE TAXATION

The National Waterways Conference, Inc., is not in danger of double taxation from provisions of the land and water conservation fund bill. As reported by the House committee, the measure does not apply to nonrecreation uses of public waterways. Says the House committee report, "Amendments were also adopted to assure that none of the entrance and user fee provisions will be applicable to nonrecreational uses of the waters of units of the Federal navigation system." It is beyond me to figure how you could have a stronger guarantee.

The waterways conference says recreation charges would restrict use of public lands to those able to pay. The facts are these: Most Federal lands won't be subject to fees, so even if you are poor as a church mouse, you can still enjoy recreation on public lands. The fees will be applied at Federal areas which meet three primary qualifications: First, they must be federally administered. Second, they must offer recreation facilities and services provided at Federal expense. Third, they must be administered primarily for scenic, scientific, historical, cultural, recreation or wilderness purposes.

Admission charges don't keep people away. They even encourage use of given areas, because not too many people want to rough it any more and they equate an admission charge with developed facilities such as running water, sanitary installations and the like. We have seen a 221-percent increase in recreation use of our National and State parks and forests since 1946, yet entrance charges are collected at 24 national parks and monuments and 30 other areas administered by the National Park Service and at a number of national forest campgrounds. Some 17 States, including Wisconsin, Minnesota, and Michigan, assess fees.

BURDENSOME ADMISSION FEES?

The fees are not burdensome. A $3 to $5 windshield sticker admitting a car and its occupants to any and all Federal recreation areas for an entire year costs less than one tankful of gasoline. A $1.50 overnight camp-

ing charge where improved facilities are provided is cheaper than a family can stay most other places.

Another seldom-mentioned justification for Federal admission and user fees involves private commercial recreation facilities. We hear complaints from operators of commercial camps and other recreation enterprises, particularly near Federal parks and forests and similar lands, that they can't stay in business if the Federal Government is giving away free the same service which they are trying to sell. A recreation imperative is for private enterprise to carry as much of the burden as possible. It can't do this in many instances if the Federal Government fails to assess adequate charges for use of public facilities.

Another criticism from the National Waterways Conference is that the land and water bill would "* * * exact a $500 fine and/or 6 months in durance vile for any who may trespass without benefit of fee." ("Durance vile" is the waterway association's language.) The bill, as is customary in this type of legislation, does set certain maximum fine and jail provisions that might be imposed by the court for violations. However, the penalties are the same or less than those currently prescribed for violations of other rules and regulations by the Secretaries of the Interior and Agriculture in parks, forests, and wildlife refuges. Enforcement of these has resulted in no vast public injustices. In presenting H.R. 3846, the House Committee on Interior and Insular Affairs addressed itself explicitly to this matter. It provided that violation penalties could not be imposed except at clearly posted areas. It said it wished to avoid unwitting violations. No reason exists to think courts would impose the maximum allowable penalties except in exceptionally flagrant cases or after repeated violations.

A GROUNDLESS FEAR

"Too much power," says the National Waterways Conference, asserting that nothing would prevent a President from imposing user fees on any Federal land or water or from using the land and water fund "to go out and buy them."

This fear is groundless. In addition to the provision which I have already cited prohibiting nonrecreation use fees, the bill states, "* * * nothing * * * shall authorize * * * fees or charges for commercial or other activities not related to recreation." The complaint that the President could go out and buy areas with funds from the bill isn't valid, either. The President can't do that. It takes specific congressional authorizations and appropriations first before land and water areas can be acquired with money from this fund. The bill contains no new land acquisition authority.

The National Waterways Conference claims that charging fees would abridge historic policy, conflict with intent of Congress, make it difficult to resist commercial tolls in the future, and do violence to a Presidential campaign pledge promising adherence to the toll-free principle.

The land and water conservation fund adheres to the toll-free principle for commercial use of the public waterways. To what historic policy and congressional intent does the proposed land and water conservation fund bill do violence? I have already said that fees have been collected at national parks for more than 45 years. There is no violence to that historic policy. I have mentioned the 1952 legislation which says that Federal agencies should collect for services or facilities provided to special beneficiaries. There's no violence to that intent of Congress.

The Waterways Conference says fee collection would be burdensome, costly, and inefficient. It is mistaken. Long years of experience show that fee collection and enforcement at State and Federal recreation areas costs less than 15 percent, usually around 10 percent, of the amount collected. In addition, as a safeguard on this very point, the House committee report sets eight guidelines for designating recreation areas and establishing fees. These criteria are (1) practicability of collecting at a given area, (2) cost of collection compared with expected receipts, (3) effect of charging on public use and enjoyment, (4) Federal cost of establishing and maintaining the area, (5) State contribution, if any, to maintaining the area, (6) type and variety of recreation to which area is suited, (7) amount charged for comparable public or private areas, and (8) expenditure which visitors otherwise incur.

The criteria leave little basis for claims that most reservoirs constructed by the Corps of Engineers would be subjected to fee charges, even less in view of the fact that recreation at most such areas is not federally administered.

IS CONGRESS IN CONTROL?

The land and water conservation fund bill is unjust, says the Waterways organization, because there is no practical limit on the power to set fees. The fact is that the bill sets a maximum $7 charge for an annual entry sticker. This would be good any number of times in a year at any Federal recreation area. Instead of the maximum, best estimates are that the annual sticker probably would cost $3 to $5. The National Park Service for many years and Forest Service in recent years have been charging user fees for campgrounds and other facilities without public outcry of injustice. The bill specifies that fees shall be fair and equitable, taking into consideration benefits to the recipient.

An administrative jumble would result under the bill, because it would put Government agencies in the policing and tax collecting business, the National Waterways Conference would have us believe. It says that, except for the National Park Service, agencies aren't equipped for such service. The Forest Service, the Bureau of Land Management, and other Government agencies for years have been collecting fees for products and services, such as grazing, recreation, mineral, timber, and special user fees. The Nation has managed to survive these activities without developing any administrative jumble.

The National Waterways Conference charges that the proposed bill would be inequitable, basing the assertion on the somewhat peculiar assumption that enormous land and water acquisitions would take place, and that grants-in-aid would erode State's rights, all to the detriment of State tourist industries. They are wrong about enormous Federal acquisitions. The maximum Federal share of the fund, about $75 million a year, has to help pay for both land acquisition and for recreation at Federal water resources projects. We know that State tourist industries will prosper, not suffer, from additional facilities. The $20 billion annual expenditure for recreation is one evidence. The current history of increased tourism wherever adequate facilities are provided is another. Case after case can be cited wherein new outdoor recreation lands and waters have meant a broader tax base, higher bank deposits, more tourist expenditures and often lowered tax rates. Would 46 States support the legislation if they felt that the land and water conservation fund would hurt their tourist business? Indeed, many are looking to recreation for economic salvation in depressed areas.

A SPOOKED HORSE

The National Waterways Conference asserts that the land and water bill would undermine the customary cost-benefit ratios used in connection with Federal multiple-purpose water resource developments. I am reminded of a spooked horse that shies without reason. Instead of jeopardizing future water resource projects the inclusion of recreation and fish and wildlife enhancement as project purposes sometimes makes projects feasible which otherwise could not be justified. The House committee report points out that allocations for recreation at Federal water resource projects are relatively new, sizable, and undoubtedly will get bigger.

The National Waterways Conference says that the land and water conservation fund's provisions for land acquisition in connection with the national forest system would allow virtually all inholdings and national forest areas to be considered of recreation value. The House committee's report on the bill stated the intention that land and water fund moneys could be used for acquisitions in the national forest system which have key recreation values, even though they might also have other key values. It also said that land with little or no recreation value should not be acquired with money from the fund.

The waterways group says that the public lands are huge, ample to meet recreation demand if developed, and that more public land area isn't required. It is true that we do have a lot of public land. Most of it is in Western States and in Alaska. We lack recreation lands near our metropolitan areas where the needs are greatest. We have a great deal of water in the Great Lakes but we still need moisture in New Mexico and Arizona. What we have is not spread around very well.

The National Waterways Conference says the land and water bill provides an unneeded delegation of powers and says special acts of Congress have provided for numerous forest acquisitions, listing $320,000 appropriated by Congress for acquisition this year and $962,000 under the Weeks law. Aside from the fact that about three-fifths of the smaller appropriation was for the protection of the water supply of one large city, citing these sums indicates a basic lack of understanding of our recreation needs. Ninety percent of us participate annually. Our population will double in less than 40 years. Available recreation lands are in short supply already, insofar as most of the population is concerned. Had the total of $1,282,000 appropriated for forest acquisition in 1963 all been spent on recreation, it still would have been a drop in the bucket in relation to the need.

These needs are widely recognized. New York State has passed two outdoor recreation bond issues totaling $100 million; New Jersey has a $60 million green acres program. Wisconsin has a $50 million program. Pennsylvania passed its $70 million project 70 program on November 5. Florida passed legislation the same day authorizing what could be a $50 million program. Washington State and California both have major proposals in the works.

WE NEED A SPECIAL FUND

In view of the magnitude of the need I am afraid that continuation of appropriations by Congress at present levels from the general fund of the Treasury isn't going to get the job done. We need a special, earmarked fund. I might add that the longer we wait to do the job, the more we will have to pay for the acres we need.

The Waterways Conference argues that the new bill would further existing latitude of the Secretary of Agriculture under the Weeks law. I repeat that the land and water conservation fund bill authorizes not 1 square foot of new land acquisition and that the Congress specifically will determine appropriations which could be used under existing authorities.

NOT NEW TAXES

The waterways group says admission and user fees in effect are new taxes. They are neither new nor taxes. Persons using public recreation lands should pay reasonable

amounts for the special facilities they demand. I should remark that almost all are glad to do so, particularly when they realize that their fees are helping pay for expanded facilities which they also may enjoy.

The Waterways Conference complains that making appropriations from the fund without fiscal year limitation bypasses normal processes of the Congress. This provision was necessary because many States which will be eligible for grants-in-aid from the fund do not keep books on the same fiscal year basis as the Federal Government and do not follow similar policies with relation to expending money for public purposes. To reclaim all appropriations for the Treasury at the end of each Federal fiscal year would in effect deny grants-in-aid in some instances.

One Waterways Conference complaint concerns repaying advance appropriations to the Fund without interest. Precedent for this exists in the Wetlands Act of 1961. The group claims that the bill extends Federal power broadly over State recreation activities, and thus fails to meet the premise that States must occupy a key role in developing a balanced national outdoor recreation program. The full House Committee report asserts the pivotal role of the States. It says Federal recreation assistance to States is justified by (1) the health and welfare of all citizens, (2) the relief such assistance will afford the Federal Government from increasing pressures to acquire and develop recreation areas of less than national significance, and (3) the mobile population's expectation of using State and local parks wherever they may be, regardless of the origin of the user. The committee has built the proposed grants-in-aid program with the predominant role of the States in mind. It insists on sound comprehensive statewide planning prior to any land acquisition or development. This is needed to avoid spotty and inadequate acquisition and development programs wasteful of both Federal and State funds. The committee deems the Secretary of the Interior the appropriate Federal official to certify adequacy of State recreation plans. It urges early acquisition before land becomes unavailable because of skyrocketing prices or preemption by other uses. It is significant that the land and water bill's appropriating provisions give the Congress the final word on availability of money. This includes State grants-in-aid recommended on the basis of the Secretary of the Interior's certification of adequacy of individual statewide outdoor recreation plans. This review comes in part as congressional appropriations committees review an annual comprehensive statement of estimated requirements from the Fund for the coming year. The Secretary of the Interior is charged with submitting this.

A HOBGOBLIN IS ROUTED

The National Waterways Conference finds a hobgoblin in the Land and Water proposal's routine provision authorizing the President to issue regulations which will assure consistency between policies and actions under the bill and those under other Federal programs particularly the open-space program of the Housing and Home Finance Agency. It does not authorize transfer of functions between agencies; it does allow assistance to the States only in accordance with such regulations.

The waterways group claims that the impression is false that the land and water fund proposal would be largely self-sustaining, saying that collection costs of the various revenues would be borne by general taxpayers as operation and maintenance funds are appropriated to particular Federal agencies. Since collection costs are not expected to exceed more than about 10 percent of collections, this argument's validity escapes me. The National Waterways Conference says that where millions of people are involved "on the vast reaches of the waterways—often in wilderness areas where detection is difficult, if not impossible, the police job would be formidable and costly beyond any possible value to the Government, involving enormous additions to Federal personnel with corresponding additions to Federal expenses." The fatal flaw in all of this is that vast reaches of the waterways and the wilderness areas don't meet the criteria for areas where fees could be charged.

The National Waterways Conference has its offices right here in Washington. I find it unfortunate, feeling as deeply about the land and water conservation fund proposal as it does, that its representatives did not travel the few blocks necessary to make its views known in person to the House Committee on Interior and Insular Affairs during its many sessions when the measure was under consideration. The waterways group waited all year until the committee had finished its deliberations before making its views known. Fortunately, the House committee considered in great depth virtually every point that was subsequently raised by the National Waterways Conference. This indicates the thoroughness of the committee in its deliberations and I wish to offer my congratulations.

We have held hearings in the Senate Committee on Interior and Insular Affairs on this important measure. Again, there, too, the National Waterways Conference did not honor us with its views. Officially, its views are not part of the record. Fortunately, again, the points it makes have been raised and are under consideration.

Several organizations and individuals have differed with the views of the House committee. The Mississippi Valley Association has expressed doubts of the wisdom of Federal recreation user fees.

THIS BILL WILL HELP

The Rivers & Harbors Association of Mississippi sent the Senate Committee on Interior and Insular Affairs a resolution opposing the bill. The House version of the land and water conservation fund bill contains provisions which should resolve most of the objections which that organization offered. Adverse comments of several members of the House committee appear in the report to the full House and are available there for those who wish to go further into this matter.

This land and water conservation fund measure, in my considered opinion, is a singularly fine piece of legislation. It is indeed a fiscally responsible approach to a vital national requirement. America needs its recreation lands. To quote the Outdoor Recreation Resources Review Commission report, "When an American looks for the meaning of his past, he seeks it not in ancient ruins, but more likely in mountains and forests, by a river, or at the edge of the sea." This bill will help make certain that the areas of the out-of-doors we need are there * * * available to all of us.

BIRTHDAY ANNIVERSARY OF SENATOR MANSFIELD

Mr. DIRKSEN. Mr. President, it has been said that brevity is the soul of wit. I add today that brevity is also the essence of eloquence. I could do no better than to read from the Congressional Directory, at page 89, as follows:

MICHAEL J. MANSFIELD, Democrat, Missoula, Mont.; born March 16, 1903; enlisted in the U.S. Navy, World War I, at 14 years of age; subsequently enlisted in U.S. Army and U.S. Marine Corps; worked as miner and mining engineer in Butte, Mont., 1922–30; attended Montana School of Mines and Montana State University and received B.A. and M.A. degrees from latter in 1933 and 1934; professor of Latin American and Far Eastern history at Montana University, 1933–43; married Maureen Hayes of Butte, Mont.; one daughter, Anne; elected to 78th and served through 82d Congresses; elected to U.S. Senate on November 4, 1952, for the term commencing January 3, 1953; reelected in 1958 for the term ending January 3, 1965.

The only thing that has mystified me about our distinguished and beloved majority leader is how he got into the Marine Corps at 14 years of age. But what a great, humble, self-effacing person he has been, dedicated to his country and dedicated to the institution where he serves.

Today he marks his 61st birthday anniversary. He does not look it. I think that is the nature of the Irish that is in him.

In a way it is too bad that that advent could not have been deferred for 1 day, for then he would have been born on St. Patrick's Day, the patron saint of the Old Emerald Isle.

So, as minority leader and as a colleague, I salute the distinguished Senator from Montana. May his years be long. [Applause, Senators rising.]

Mr. President, there is a Senator who was born on St. Patrick's Day—the very distinguished Senator from Rhode Island, JOHN PASTORE. [Applause.]

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

Mr. DIRKSEN. I yield.

Mr. PASTORE. JOHN "O'PASTORE." [Laughter.]

Mr. DIRKSEN. Mr. President, the distinguished Senator from the Far Western State of Wyoming, GALE "O'MCGEE," was also born on St. Patrick's Day. [Applause.]

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCOTT. Mr. President, I join in the congratulations extended to our distinguished and beloved majority leader, and to our distinguished and beloved Member, JOHN "O'PASTORE," who celebrates his birthday tomorrow.

I have the greatest respect and regard for all Members of this body. What I may say in regard to one of the serious mandates imposed upon us does not in any way derogate or diminish the feelings which I hold for all my colleagues.

It is at times the unpleasant duty of members of committees to be confronted and charged with a mandate to proceed to investigate matters, on which, if left to their own judgment, they would prefer not to be obliged to expend nervous energy, and physical strength, and to run the risk of disagreeing with the points of view of Senators whom they regard highly.

I am a member of the Committee on Rules and Administration, which has been under mandate to investigate employees of the Senate, their fiscal irregularities, if any, and other improprieties, if any. It has not been an easy task. It has had one side benefit which I greatly appreciate, in that I have been

able to lose 11½ pounds during the past month or so of the investigation. This is perhaps the most drastic form of dieting I have ever experienced.

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

Mr. SCOTT. I yield.

Mr. CLARK. Does the Senator seriously contend that he lost the 11½ pounds on the Bobby Baker investigation rather than on his campaign for reelection?

Mr. SCOTT. I have not been involved in any campaign for election, since I am not yet a candidate for the party to which I am proud to belong. I shall be grateful for any help I may receive from the senior Senator from Pennsylvania in that regard.

Mr. President, I invite the attention of Senators to the most recent occurrences in the investigation by the Committee on Rules and Administration with regard to charges of conflict of interest against Mr. Robert G. Baker, and others, and of fiscal irregularities and other improprieties.

For some 4½ months this case has been before the committee and for the same 4½ months, the majority members of the committee have been on the brink of ending the investigation as soon as they thought they could do so without incurring the wrath of the American public.

The majority members of the committee have looked reluctantly and hesitantly at the evidence laid before it.

Let me illustrate:

Last Thursday, March 12, Senator WILLIAMS of Delaware delivered to the chairman of the committee an affidavit by Mr. Milton L. Hauft. Mr. Hauft swore that on file with Internal Revenue Service were tax returns for Bobby Baker and for the Carousel Motel with Mr. Hauft's signature forged onto these tax returns.

Mr. Hauft avers in his affidavit that he never prepared any tax returns for the Carousel Motel. However, he was the accountant who prepared the original tax returns for Mr. Baker, for which there apears to have been substituted in the files of the Internal Revenue Service, by a person or persons unknown, a different income tax return signed—I am informed—by Mr. Baker, bearing a forged signature, and the unauthorized signature of Mr. Hauft as the person who allegedly prepared the return. This is certainly a matter warranting a very thorough investigation by the Department of Justice, and meriting the fullest of cooperation, which I have every confidence will be received from a service which we all hold in the highest regard, namely, the Internal Revenue Service.

However, if the former secretary of the majority can tamper with a tax return, that is a matter of the highest gravity, and imputes the commission of a serious crime.

At 8 50 a.m. on the following day, Friday, March 13, I made copies of the affidavit available to the press and discussed them briefly with reporters outside the Rules Committee. The committee then met.

Shortly after 9 a.m. Senator CURTIS attempted to have the affidavit inserted into the committee record and he was prevented from doing that. Therefore, he read the affidavit, thereby succeeding in doing what the committee would not have him do. Even now, committee counsel asserts, contrary to Senate rules, that what Senator CURTIS read into the record is not really in the record.

This air of unreality pervades the committee's proceedings. Whatever they do not like, they treat as if it did not exist.

Then the committee counsel, Major McLendon, delivered a report to the committee, from which I will now quote. He said:

I think two conclusions may be drawn from this extensive investigation. First, it is highly unlikely that any additional evidence can be found materially differing from the type of evidence already placed in the record of the committee's hearings; and second, that it is a reasonable certainty that any additional evidence which can be produced will be repetitive and cumulative. If evidence differing substantially from the pattern of evidence already presented is in existence, surely it would have been discovered in the course of this investigation.

Mr. President, I invite attention to the fact that this statement was delivered at least 12 hours after the arrival of new evidence in this case. Startling new evidence appeared between the writing of counsel's report and the reading of it.

Major McLendon concluded his report to the committee with these words:

With this background and subject to the authority of the committee to control its future proceedings, I recommend—

1. That investigations and hearings concerning any financial interest or business activities of officers or employees and former officers or employees of the Senate, for the purpose of ascertaining whether any such interest or activities (financial or business interests or activities) have involved conflict of interest or other impropriety, be discontinued; and

2. That the staff and such other assistants as the committee may choose be instructed to begin immediately the preparation of the committee's report and its recommendations to the U.S. Senate.

Mr. President, I again invite to attention to the fact that this statement was made several hours after every member of the committee was aware of the existence of new evidence.

Meanwhile, the chairman, Senator JORDAN, had prepared for him by the staff of the committee a statement which said, in part:

After a thorough discussion of the matter, the committee voted 6 to 3 to follow Major McLendon's recommendations.

Mr. President, there never was a vote, and the statement by the chairman was never officially released. How clearly this proves that the evidence offered by minority Senators over a 3-hour period had been rejected before they had even been heard.

Although the chairman may feel empowered to state in the advance of a vote how the six Democrats on the committee had voted, I wonder how he can say in the advance of a vote how the three Republicans had voted. I have not left my proxy with the chairman.

The chairman's prepared, but unreleased, statement said further:

There are those who would continue the investigation on and on, and plow the same ground over and over again just for the sake of partisan political advantage.

Mr. President, this, too, was prepared after the chairman and the subcommittee knew of the existence of new evidence. Is the evidence of forgery a partisan disclosure?

Subsequently on Friday, the chairman distributed to the press a statement which I have here; his statement is labeled "3:45 p.m. March 13, 1964." This statement makes specific reference to the existence of the affidavit by Mr. Hauft, and then goes on to say:

We have reached the point where the taking of further testimony in this situation would serve no legislative purpose.

Then, Mr. President, something very strange happened. A sheepish U-turn was made as to the new revelation of crime. Sometime between 3:45 p.m. on Friday and 6 p.m. Saturday night—incidentally, that is closing time for the first editions of the Sunday newspapers—the Democratic members of the Rules Committee agreed as follows:

Major McLendon's statement to the committee, which I read just a moment ago, would be amended as follows:

With this background, and subject to the authority of the committee to control its future proceedings—

And the following words are underscored—

except as to the matter relating to Mr. Hauft's affidavit presented to the committee on this date—

Here the underscoring ends; and then I continue to read—

I recommend—

And there are no further changes. Therefore, I go back to what I said to reporters outside the door of the Rules Committee on 8:50 a.m. on Friday—the decision to close down this investigation is not a legislative decision. It is not an investigative decision. It is a political decision.

This investigation is embarrassing to members of the Democratic Party. The majority members on the Rules Committee are not watching facts; they are watching the calendar. The November elections are approaching, and they are determined to put this skeleton back into the closet.

The only way this committee will accept evidence directly relating to the investigation is for the public and the Republican members of the committee to blast the evidence into the committee and force it before the counsel and each member of the committee.

Almost all of the evidence taken by the committee was first force-fed to it; and the great majority of that evidence was furnished by the distinguished Senator from Delaware [Mr. WILLIAMS], who at all times cooperated closely and completely with the Rules Committee, and who has from time to time been the recipient of new matter which the committee has then reluctantly examined.

The majority members of this committee have attached to themselves blinders for their eyes, plugs for their ears, and handcuffs for their wrists. So equipped, they have stumbled into, through and around one of the most sordid scandals in Washington in recent memory.

The investigators have been given instructions as to what they can look into and what they cannot. The lone minority investigator was denied the right to independent investigation. The minority counsel was denied the right to initiate an investigation; and his request that certain important witnesses be called was arbitrarily rejected. The investigators have been directed to skip evidence on party girls; they have been directed to skip evidence on political contributions; they have been directed to skip evidence on abortions.

One investigator said to me: "I've been doing so much skipping lately, I feel like a kid playing hop scotch."

Mr. President, in that statement submitted last Friday by Major McLendon, the majority committee counsel, there appears a comment which indicates that the committee does not wish to find the truth or the falsity of the statements of the witnesses before it, and, at least, that the committee counsel regards that as outside the area of proper investigation. That paragraph reads:

> It is of importance to note that when basic facts are once established from which the committee may draw reasonable conclusions with respect to the exercise of its legislative duty of making recommendations to the Senate for remedial and preventive legislation, or rules and regulations, any further investigations and exposures of the conduct of individuals finds unqualified condemnation in the applicable court decisions holding that exposure for exposure's sake is both legally and morally indefensible.

But there is no such decision of which I am aware which would apply to the so-called Baker investigation—that the taking of further evidence of the kind which I am about to enumerate in part would be exposure for exposure's sake. In addition, the committee majority and its counsel have stated, with the counsel for Mr. Baker, Mr. Edward Bennett Williams, that indeed this is not a legislative trial, but is a pursuance of an investigation under an order of the Senate. What about the interests of the public, Mr. President, as distinguished from the interests of the parties represented in the committee?

Mr. CURTIS. Mr. President, will the Senator from Pennsylvania yield?

Mr. SCOTT. I am glad to yield, provided I may do so with the understanding that I shall not thereby lose my right to the floor.

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

Mr. SCOTT. Then, Mr. President, I yield.

Mr. CURTIS. Is it not true that the alleged legal opinion—which is quite a gymnastic feat, in itself—totally ignored the fact that the committee was instructed by the Senate to carry on an investigation of the Senate's own household?

Mr. SCOTT. Precisely.

Mr. CURTIS. Furthermore, the committee is not an ordinary one, in the sense of being a committee to gather a sampling of facts, for the purpose of serving a narrow legislative purpose.

Mr. SCOTT. That is correct.

Mr. President, the report of the counsel goes on to limit, according to his concept, the scope of the investigation, regardless of the concept of the investigation enunciated on the floor of the Senate by the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], in a colloquy in which there participated the Senator from Tennessee [Mr. GORE], the Senator from Delaware [Mr. WILLIAMS], and other Senators, in which the scope of the investigation was clearly enunciated as including fiscal irregularities and other improprieties, which the narrow construction by the majority members of the committee held to mean only improprieties of a fiscal character; and any suggestion that an employee of the Senate might be guilty of other improprieties was indignantly and repeatedly rejected by the majority counsel and by the majority members of the committee, on the ground that the committee did not have the scope to investigate them, in spite of the earlier colloquy on the floor of the Senate which indicates that the scope was broad enough, indeed, to include investigation of Senators and of improprieties which were other than fiscal in nature.

However, the majority counsel said:

> What is material and relevant to the subject matter defined in Senate Resolution 212 is: Was there a business or financial transaction, participated in by an officer or employee of the Senate, constituting a conflict of interest (as defined by Federal law) or constituting any other impropriety—

Then he hastily added—

> (meaning other than a conflict of interest)?

He did not go into the question of whether there were other improprieties. In fact, he carefully steered away from them.

Even so, if the committee were interested only in fiscal improprieties, why did the committee reject and arbitrarily refuse under rule XIX to call any witness who was prepared to testify—so we were informed by the Daily Oklahoman and the Los Angeles Times, among others—to a fiscal impropriety by Mr. Baker; namely, the misappropriation of the sum of $1,500.

As I recall, the name of the witness was Preston J. Moore. I think he was from Oklahoma City. He was prepared to testify that he spent some $1,500 in connection with the primary campaign in Oklahoma, that another person contributed that sum of money to Mr. Baker to be used to reimburse him, that he was not in fact reimbursed, and that upon getting in touch with Mr. Baker, he was told that the money had been used "for other campaign purposes."

The committee flatly refused to look into the question of misappropriation or failure to account for the $1,500, a fiscal impropriety, on the ground that it would be looking into campaign expenditures, which the committee had arbitrarily concluded, without any authority from rule XIX, was not to be a part of the investigation.

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

Mr. SCOTT. I yield to the Senator from Iowa with the understanding that I shall not lose my right to the floor.

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

Mr. MILLER. I thank the Senator from Pennsylvania. I have been shocked to hear the Senator from Pennsylvania indicate that the interpretation placed by the majority of the committee on improprieties was to confine the term to fiscal improprieties. The Senator from Pennsylvania will recall that not too long ago, at the time, or shortly after the time the committee started its investigation, when a colloquy took place on the floor of the Senate regarding the scope of the investigation with respect to individuals, a most unfortunate statement was made to the effect that, "We are not investigating Senators."

Apparently that statement arose out of the narrow interpretation that the committee's jurisdiction was not to extend to employees of the Senate insofar as such employees might relate to Senators and their staffs.

I remember that one afternoon the distinguished Senator from Tennessee [Mr. GORE], whom I see in the Chamber, offered to amend the resolution establishing the investigating committee so that it would be made clear that its scope was not to be so narrowly confined as the unfortunate interpretation announced earlier had indicated.

Fortunately, the majority leader of the Senate, the Senator from Montana [Mr. MANSFIELD], cleared the air once and for all to the effect that the scope should include everyone—Senators, members of their staffs, and employees of the Senate proper—so that it was not necessary to amend the resolution. But now we are being told that the improprieties covered by the resolution have been so narrowly interpreted as to mean only fiscal improprieties.

I am wondering if it is going to be necessary now for the Senator from Tennessee or some other Senator to offer an amendment to the resolution so that it will be made clear that we are not playing games when we talk about improprieties. We are talking about improprieties of a fiscal nature or any other nature. Does the Senator from Pennsylvania have any idea as to whether or not such an amendment would have to be offered in order that the committee might clearly carry out the intention of the Senate?

Mr. SCOTT. The Senator from Pennsylvania relies upon the statement by the distinguished majority leader, in a colloquy which was set up for the purpose of clarifying the resolution, that the purpose of the resolution included Senators as also being Senate employees. The Senator from Delaware [Mr. WILLIAMS] made that point on more than one occasion. Therefore, I think the situation speaks for itself.

As I have said, I rely on that colloquy as being sufficiently broad.

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

Mr. SCOTT. I yield, with the understanding that I do not lose my right to the floor.

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

Mr. MILLER. Do I correctly understand that the amendment to the proposed press release to which the Senator referred, which was to be issued by the majority of the committee, was to amend the release so that further investigations of the committee would be confined to the alleged fraudulently signed tax returns, and nothing else?

Mr. SCOTT. The Senator has misconstrued the generosity of the majority members of the committee. That is by no means as broad as the amendment. The amendment merely states that the committee will now hear something about the testimony of Mr. Hauft, the accountant, alone. It does not indicate any intent to proceed further, although there may be such undisclosed intent. It does not show any desire or intent to pursue the question as to the testimony of other witnesses or to call anyone from the Internal Revenue Department to determine how this singular substitution of tax returns is available to one individual and is a crime with respect to everyone else. There is no intent to have testimony from the Department of Justice on the question, so far as I am aware.

The committee being confronted with a shocking revelation, and the affidavit of Mr. Hauft, has merely injected into its report that now it will consider talking to Mr. Hauft, which is a very halfhearted way of recognizing that a crime has been committed. To my mind it indicates that the committee, through no wish of its own, will give the situation a lick and a promise. Tomorrow when the committee meets, so far as we can anticipate, the committee will probably vote arbitrarily to deny to the minority members of the committee any further right to produce witnesses.

I shall go into that question in a moment. I assume the committee will seek to vote to terminate the hearings, except as to the preparation of a report and a code of ethics—a code of ethics, by the way, which is no better than the integrity of the men who subscribe to it; and, aside from their intent, to piously predicate an assumption that men can be good if they will look at or sign an embossed certificate stating that they ought to be good. The committee will end not with a bang but with a whimper, which they will designate as a code of ethics.

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

Mr. SCOTT. Mr. President, I ask unanimous consent that I may yield to the Senator from Iowa without losing my right to the floor.

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

Mr. MILLER. It seems incredible that more testimony would not have to be received with respect to the tax return than the mere testimony of the accountant or certified public accountant who prepared them. If the tax returns were altered with respect to the amount of tax, I would hope that any checks that might have been paid for additional tax money could be readily located, or at least copies or receipts relating thereto could be found.

If the tax returns alleged to be fraudulent were signed in ink, appropriate facilities would be available in the Department of Justice to ascertain the approximate length of time that has elapsed since the signatures in ink were made.

However, all those items of testimony would be necessary to be obtained from someone other than the accountant himself. But I am shocked that the Senator from Pennsylvania has not been able to assure us that apparently certain witnesses will not be called before the committee to clarify obvious discrepancies in testimony which has been received by the committee.

I recall one witness in particular. Mr. Reynolds made some allegations, and those allegations have been completely denied by someone who has not yet been called before the committee. It would seem that the least the committee might do is to get the witnesses together and find out who is committing perjury and who is not. That apparently will not be done. Is that the understanding of the Senator from Pennsylvania?

Mr. SCOTT. Yes. The Senator from Iowa has not had the benefit, which the minority members of the committee have had, of the sense of compulsion which seems to hang over the heads of the majority—the rugged jaw, the clenched teeth, the firm intent to guillotine the hearings, and to ride roughshod over the rights of the majority, which are confirmed by the unanimous vote of the committee itself, rule XIX and other rules.

If the Senator does not mind, I should like to continue with another thought.

Mr. MILLER. I should like to ask one further question, if I may.

Mr. SCOTT. Mr. President, I ask unanimous consent that I may yield again to the Senator from Iowa without losing my right to the floor.

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

Mr. MILLER. The Senator has not indicated what action, if any, the committee will take regarding contempt proceedings with respect not only to Mr. Baker, but certain other witnesses who apparently, at least reputedly, have been in contempt of the committee.

Is there to be any contempt proceeding requested of the Attorney General, or does the committee have any assurance that the Attorney General, if so requested, will expedite such contempt proceeding in the Federal court?

Mr. SCOTT. Obviously the Senator is not familiar with the operations of the committee, because the intention of the committee tomorrow is to "cut and run."

Perhaps the Senator should know that during more than 3 hours of discussion on Friday the question of contempt proceedings was not even raised, was not even considered. Whether there are to be contempt proceedings or not, if the vote is to close the hearings, they have not precluded themselves from the application of contempt proceedings; but they seem singularly uninterested in this point at this time.

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

Mr. MILLER. Mr. President——

Mr. CLARK. Will the Senator permit me to interject at that point, or does he insist on cutting me off?

Mr. MILLER. If the Senator will permit me, I said some time ago that I thought the majority of the Senate were of the mind that this investigation should go through completely, with all its ramifications, and what not, and let the chips fall where they may. I am afraid we are in danger of not having any chips fall unless we can have the support of our friends on the other side of the aisle, and unless public opinion goes along with the efforts of the Senator from Pennsylvania [Mr. SCOTT], the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. COOPER], and the Senator from Delaware [Mr. WILLIAMS] on this matter.

Mr. SCOTT. I thank the Senator.

I now yield to my colleague from Pennsylvania on the condition that I do not lose my right to the floor.

Mr. CLARK. I hope the Senator from Iowa will not leave the floor, because my comment is to be stated for his benefit as well as that of my esteemed colleague from Pennsylvania.

The two Senators, it seems to me, must have some sort of second vision. They must be swamis or some kind of fortunetellers, because they speak with full confidence of what the committee is going to do and how it is going to vote.

As my colleague from Pennsylvania well knows, the committee has voted on nothing. We were prohibited from having any vote at our meeting on Friday by a 3-hour discussion by our Republican friends on some of the same aspects which my colleague from Pennsylvania is now attempting to bring forth.

Mr. SCOTT. That is correct. The vote was announced, but not taken. The cart was put before the horse.

Mr. CLARK. The Senator is incorrect. No vote was announced or taken. The Senator is hollering before he is hurt.

How does the Senator know what the committee is going to do? Has he second vision?

Mr. SCOTT. This Senator not only has second vision, but third, fourth, and fifth vision, because he has seen the committee in operation, and has seen the compulsion that has been placed on the shoulders of the minority. I am satisfied that, if public opinion does not prevail between now and 9 o'clock tomorrow morning, the committee is going to "cut and run," and the decision will be 6 to 3, as has been stated—unless the Senator desires to change his vote.

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

Mr. SCOTT. I yield.

Mr. CLARK. The Senator is somewhat overstating the case. I suggest to him that the majority members of the committee have ethics and a devotion to the integrity of the Senate at least as

high as the minority members have. I intend to reply to the Senator. I shall not interrupt him further, but I want to make the public statement that every member of the Rules Committee on the majority side, except the Senator from Pennsylvania, including the chairman and general counsel, are out of the city. Only by accident did I learn that the Senator would speak on the subject. I shall undertake the chore of speaking for colleagues whom the Senator did not advise that he was going to make this statement today.

Mr. SCOTT. Prior to my coming to the Chamber, the Senator from Pennsylvania did advise the office of the chairman of the committee.

Mr. CLARK. At what time?

Mr. SCOTT. A short time before, perhaps 15 minutes before I addressed the Senate, because I did not know when I would obtain the floor.

Mr. CLARK. Did not the Senator know, before he started his speech, that every Democratic member of the subcommittee but me was out of the city?

Mr. SCOTT. Not only did the Senator from Pennsylvania not know it, but the Senator from Pennsylvania, knowing of the present situation, with live quorums, had reason to believe that all Senators would be present. The Senator from Pennsylvania did not know whether any were present or absent. It should be remembered that on Friday certain Senators sought to compel a hearing on Monday, which was not convenient to the two Members from Pennsylvania, but other Members sought to compel a meeting on Monday, and this Senator had no way of knowing who was present and who was not present.

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

Mr. SCOTT. I yield to the Senator from Nebraska without losing my right to the floor.

Mr. CURTIS. The Senator from Pennsylvania [Mr. CLARK] states that it is conjecture that the majority will vote to close the hearings. May I ask the Senator how he expects to vote, whether he expects to vote to continue the investigation or bring it to a halt?

Mr. CLARK. I expect to cast my vote after I have heard all the evidence which I think is pertinent before the vote is taken. I listened, almost ad nauseam, to the questions on irrelevant matters at the hearing last Friday. I listened in patience. I expect to listen in more patience tomorrow, as long as I am sure there is not a filibuster, at which time I will vote to end the debate and hearings.

Mr. CURTIS. How will the Senator vote on calling witnesses and taking testimony?

Mr. CLARK. I will cross that bridge when I come to it.

Mr. CURTIS. How would the Senator have voted Friday?

Mr. CLARK. The question never came to a vote.

Mr. CURTIS. For what reason was the Senator quoted as having voted to terminate?

Mr. CLARK. I was not quoted.

Mr. CURTIS. Yes. I have a quotation which states that Senator EVERETT JORDAN, chairman of the Rules Committee, stated that after a thorough discussion of the matter the committee voted 6 to 3 to follow Major McClendon's recommendation.

Is the Senator from Pennsylvania for closing the hearings, or does he not wish to say?

Mr. CLARK. I have no intention of answering that completely improper question by the Senator from Nebraska at this time, and when I get ready the Senator will know where I stand by a vote taken in the committee and made public later, rather than run to the floor hollering before he is hurt, on the basis of some mimeographed paper which has no validity of any sort.

Mr. CURTIS. Is the Senator going to help continue the investigation or is he going to vote against it?

Mr. CLARK. I will answer the question in committee at the proper time, and not in response to an improper question on the floor of the Senate by the Senator from Nebraska.

Mr. CURTIS. I am very much enlightened by what the Senator has said.

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

Mr. SCOTT. Mr. President, I will yield to the Senator from Minnesota with the understanding that I do not lose my right to the floor.

Mr. HUMPHREY. I wanted to ask a question with respect to the chairman of the subcommittee, Senator JORDAN. There is on the desk of the majority leader and of the majority whip every day a list of Senators on this side of the aisle who are absent, and they are so marked on this list. I gather that the same situation prevails on the other side of the aisle with respect to the Republicans, and I gather that we are privy to each other's information, because there has never been any difficulty in sharing that information.

I wonder if the Senator from Pennsylvania has checked with the minority secretary to find out whether or not the chairman of the subcommittee was present. I must say, in all fairness, that it is a rather difficult situation to place the committee in when the chairman of the committee has been out of the city over the weekend, it was known he would be out of the city over the weekend, and the information was before the Senate this morning. I thought I understood the Senator from Pennsylvania to say he had informed the office of the Senator from North Carolina.

Mr. SCOTT. I sent word to his office.

Mr. HUMPHREY. Only earlier today, a few minutes before his presentation. Am I correct?

Mr. SCOTT. I thank the Senator. I am perfectly aware of the somewhat amusing attempt to divert the question from the facts. There is an inference directed at me that I have done something wrong. I was not aware of this or many other of the tribal customs of the majority. I was not even aware that a record of those who are absent or present was placed on the desk by the minority, but I have been informed by a member of the Senate staff that it was given to the minority secretary. I have been present for 77 of the preceding 80 rollcalls, and therefore I have not found it necessary to consult to determine who was absent. Today, Monday, is the only day upon which I could raise these questions prior to the "guillotine session" slated for tomorrow morning at 9 o'clock.

On many occasions, I have not been told by members of the majority of the dates on which hearings would be held until calls were sent to my office. I and other members of the minority are frequently not told of the names of the witnesses who are to be called until we arrive at the hearing room—not always, but sometimes.

I am not told whether the majority plan to release testimony or to hold public hearings until I arrive at the session. I am not told of what the majority discovers in its investigation. Although transcripts of investigations are available to him, they are so voluminous that every day that passes offers new revelations as to what the lengthy investigations may contain.

I believe it comes with ill grace from the majority, not to give adequate notice to another Senator who may be a member of the minority on a committee. This is a case in which we live by the grace and good will of the majority, which is usually extended; and we are told what the majority thinks we are entitled to know. The floor of the Senate is the only forum in which we can bring out the facts.

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield?

Mr. SCOTT. I have great respect for the Senator from Minnesota, but the Senator from Minnesota knows that the civil rights of the minority and the civil liberties of the minority are not all they should be.

I yield to the Senator from Minnesota.

Mr. HUMPHREY. I do not know that at all. I wish to know whether the Senator would have been available on Saturday to have been given this information.

Mr. SCOTT. No. The Senator advised the Rules Committee, most of the Members being present, that I would not be present on Saturday. At that time, it was the impression—which had been stated informally by members of the minority—that it was not expected a session would be held on Saturday. The Senator will recall that that session was ordered later in the Friday transactions. The information available was given to me at lunchtime by the Senator from Illinois [Mr. DIRKSEN] to the effect that he hoped a Saturday session would not be necessary. He hoped it could be avoided. He stated that he would confer with the majority leader.

Mr. CURTIS. The chairman of the committee was not available on Saturday to see if there was any opportunity to report to the Senate that a move was being made to close the hearings, and disregard our written request for witnesses.

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield further?

Mr. SCOTT. I am happy to yield, of course, but I submit to the Senator that if he wishes to speak on the merits of the question, it would be more helpful

than to discuss who notified whom of what.

Mr. HUMPHREY. I am not going to enter into this dispute. I am not a member of the committee, but there is such a thing as comity.

Mr. SCOTT. I am well aware of that.

Mr. HUMPHREY. The Senator obviously is a skilled investigator.

Mr. SCOTT. I do not claim that.

Mr. HUMPHREY. In view of the evidence now presented, it seems to me that he would be able to find the information on this sheet that he saw on both sides of the aisle. To do justice to the chairman of the committee, he should have been notified. The chairman of the committee should have been present, in order to defend his position. Counsel for the committee should have been notified. I believe it is only fair to say that had he been notified, he would have been present.

Mr. SCOTT. The Senator is well aware that all that would be necessary to gag me, to prevent me from having the use of the floor today, would be for a sufficient number of members of the majority of the Rules Committee to have absented themselves.

This is the only day on which I can speak. I will not be diverted further by a question of who was notified as to what. It seems to me Senators should be in the Chamber. The Senator says I am a good investigator. I make no such claim, but I am well aware when a poor investigation is taking place.

I am making the point that this is an incomplete investigation, and that we should like to proceed.

Mr. CLARK. Mr. President, will the Senator from Pennsylvania yield for one more question?

Mr. SCOTT. I am glad to yield, but after that I wish to proceed without yielding further. For the time being I yield to my colleague from Pennsylvania, with the understanding that I do not lose my right to the floor.

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

Mr. CLARK. Where was the Senator Saturday during the quorum call? The Senator was in Pennsylvania politicking, was he not?

Mr. SCOTT. No. As a matter of fact, I was in Pennsylvania meeting with a Greek-American group of my constituents. I thank the Senator from Pennsylvania for mentioning that fact.

Mr. CLARK. It was published in the Philadelphia Inquirer.

Mr. SCOTT. Not on Saturday. I have never heard a question addressed to a Senator quite like that. However, I was discussing a matter of interest—in private, not in a public speech—with some Greek-American constituents of mine, for whom I have the highest regard, as I have for the Kingdom of Greece.

Mr. President, for the time being, I shall now proceed without yielding.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. SCOTT. I turn now, Mr. President, to rule XIX, and we will get into this question of witnesses who were denied access to the committee through testimony.

Rule XIX adopted unanimously, which was a compromise decision agreed on by all members, reads as follows:

> 19. Any Member of the Committee may request that the Chairman direct one or more staff members to secure evidence and interview possible witnesses.

Let it be noted from the first sentence that only the chairman can direct staff members to pursue an investigation, and this also limits the scope of the minority investigator. But I will proceed to read the rest of the rule:

> Any Member of the Committee may request that a witness be called to testify before the Committee in executive session. Such requests shall be honored by the Chairman unless he finds that the evidence in question, or interview of a possible witness or the testimony of the witness is irrelevant to the investigation, in which case the question shall be determined by a majority vote of the Committee.

What does the rule provide? It provides that all Senators on the Rules Committee have equal rights, and that at any point any Senator may make a request to call witnesses. A substitute motion to the motion to terminate the investigatory phase of the investigation was based on this rule. This amendment would permit the names of various witnesses to be presented to the full committee before they were called.

Thereupon, the burden shifted to the full committee, and the chairman would be required to submit to a vote, if a vote were deemed necessary, if it were not unanimously approved or disapproved, the question of whether the calling of the witness was relevant or not. Let us examine the relevancy of some of the witnesses. I have already adverted to the request that Mr. Preston J. Moore be called, a request made on an earlier occasion.

Mr. Moore could have established a misappropriation of funds by Mr. Baker if that is what happened to them.

Another witness I sought to question was Mr. Jay McDonnell. Mr. McDonnell was an employee of Mr. Baker, as secretary to the majority. Mr. McDonnell had indicated a willingness to testify. He had been discharged, or his services were terminated by Mr. Baker, who on one occasion had said to him, "You will have to go, because you don't like the way I operate around here." Mr. McDonnell's tenure was preserved for a while by the intercession of various persons, but eventually he departed without Mr. Baker's blessings. The request to call Mr. McDonnell was obviously denied, and rule XIX was not even invoked.

There are others. The three minority members requested that 14 or 16 named persons be called. The minority requested that Mr. Reynolds be recalled in view of his affidavit in support of previous testimony, and directed to bring in new material. The affidavit of Mr. Reynolds would indicate that there had been further discussions with Mr. Baker and Mr. Walter Jenkins. The request to call Mr. Reynolds was refused. The request to call an important witness, the head of a telephone answering service, who would establish that, in fact, Mr. Jenkins had made certain calls to Mr. Reynolds, was refused.

All the minority Senators requested that Mr. Jenkins be called to testify, not that he might or might not establish any desired facts—no one wanted or desired that he prove one thing or another—but that he clarify certain points and establish whether or not the affidavit of the two other witnesses, the documentary evidence, and the proffered witness, of the telephone answering service, were true, and whether the witnesses were indeed telling the truth, or whether Mr. Jenkins was telling the truth in the affidavit submitted.

In this great democracy of ours, all men are supposed to receive equal treatment under law. All the witnesses who appeared before the committee, or who were regarded as important prospective witnesses, were required to appear under oath. One witness alone was excused, because he was undergoing basic military training, and his testimony was of slight relevancy at best.

The only important witness with material evidence to offer, who was not called by the committee, among all the evidence that was received, was Mr. Walter Jenkins.

The committee counsel interviewed him, and later presented an interview, but no affidavit from the witness. I believe an affidavit was subsequently obtained, to the effect that he swore that the interview was correct.

In spite of repeated efforts to point out that, in fairness, under our legislative proceedings, all witnesses should be required to undergo the same procedure under the rule, and appear and testify under oath, the committee displayed favoritism toward one witness, and it denied that treatment to any other witness, except in the compassionate case of the G.I., where the members of the committee agreed that it would be brutal to have him leave basic training on a matter of slight relevance, when he would have to complete the entire training from the beginning, if he were called.

At a later date, I shall give the names of other witnesses whom we sought to have called. The three minority members of the committee requested that all persons who had been employed by Mr. Baker during his tenure of office be called as witnesses, including the former wife of Ernest Tucker, now Mrs. Broom, and others. The committee arbitrarily refused to hear the testimony of such witnesses, offered by the minority, in spite of the Senate resolution, which directs us to investigate Senate employees and their relationships.

Among the witnesses who were suggested to be called was one Joseph Fabianish, as to whom at least some members of the Committee on Rules and Administration were concerned about what influence was used, if any—and we believe some was used—to bring about his transfer from the District of Columbia jail to Leavenworth. He was comfortably resting in the local jail in the District of Columbia until this investigation became hot.

Mr. Fabianish was serving a 9-year conviction on a white slavery charge.

A brother of Joseph Fabianish, according to the notes of our investigation, had said, among other things—there was also the indication that Fabianish could testify to the fact—that Bobby Baker had on one occasion beaten up a young girl. That was regarded by the committee as not bearing on the fiscal irresponsibility of Bobby Baker, or on any other impropriety, but regarded by me as a distinct impropriety.

Before Mr. Fabianish could be produced, he was transferred to Leavenworth. Before Ellen Romesch could be interviewed, she was sent back to Germany by a person or persons unknown. There are many other witnesses whom the committee has ignored. There is Juan LaBoy, the secretary of Juan Bosch, the former President of the Dominican Republic.

Our investigation indicates that there was a close and continued relationship between Bobby Baker and Juan LaBoy. Dr. Bosch turned this lead over to us. Dr. Bosch was not called; neither was Juan LaBoy.

In the opinion of some of the investigators, there is believed to be a tie-in between the efforts of Mr. Baker and certain gamblers, including Benjamin Siegelbaum, Edward Levinson, Torres, and others, to get the gambling concessions in the Caribbean.

A number of gamblers took the fifth amendment, in a sort of Bobby Baker cocktail party atmosphere, where they passed the fifth around for their mutual enjoyment.

These things were not pursued.

There was also the Lieutenant Governor of Nevada, who, with Levinson and another man, was alleged to have met with the International Hotel Corp. to arrange gambling concessions. He was never called, although it was said he was in Europe. I do not know whether he is still in Europe. It is certainly clear that the committee has no intention of waiting for him.

There are more, and it may be necessary to refer to them at a later time. I have certain matters that I wish to have included in the RECORD. Before doing so, I yield to the distinguished Senator from Nebraska, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Mr. President, there is objection.

Mr. CURTIS. Mr. President, the distinguished Senator from Pennsylvania—

Mr. CLARK. I object.

Mr. CURTIS. The Senator from Pennsylvania has referred to me by name.

Mr. CLARK. Mr. President, I object. I ask for the regular order.

Mr. CURTIS. The Senator from Pennsylvania——

The PRESIDING OFFICER. The Senate will be in order. The Chair will explain and state the situation. The Senator from Pennsylvania [Mr. SCOTT] has the floor. He can yield only by unanimous consent, unless he is yielding for a question only.

Mr. CLARK. I ask for the regular order.

Mr. CURTIS. I ask to be recognized in my own right.

The PRESIDING OFFICER. The Senator from Pennsylvania [Mr. SCOTT] has the floor.

Mr. CURTIS. I will ask to be recognized when the Senator from Pennsylvania has concluded his remarks.

Mr. SCOTT. When I have concluded, I am glad to yield to the Senator from Pennsylvania.

Mr. CLARK. I do not want the Senator to yield to me. I shall seek the floor in my own behalf as the acting majority leader, when the Senator from Pennsylvania has concluded his remarks.

Mr. SCOTT. I do not believe I am acting minority leader, but I shall continue if it is satisfactory to Senators.

Mr. CLARK. The Senator has the floor.

Mr. SCOTT. There are other matters which are of great interest. There is the matter of the charter of the national bank, and the question as to how that charter was obtained. There is the question of certain stock records, and whether these people are the kind of people who are normally associated with banking operations. I understand that a Member of the other body, a Representative from Ohio [Mr. OLIVER P. BOLTON], through a committee, is conducting an investigation along those lines, since we are unable to pursue it.

Among other important requests, we have not been permitted to follow, from time to time we have indicated that we would like to have the stock record and the stock transfer record, and every other record that pertains to anyone who owns or ever owned any stock in the MAGIC. If we could obtain access to those records, we are of the opinion that interesting revelations having to do with various fiscal irregularities tying in relevantly, we believe, with the current mandate, could be obtained. We are proceeding in the dark because the majority is not interested in obtaining the stock records of MAGIC.

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

Mr. SCOTT. I yield.

Mr. LAUSCHE. Will the Senator please identify this corporation by its full name?

Mr. SCOTT. Mortgage & Guaranty Insurance Corp., or Co., of Milwaukee, Wis.

Mr. LAUSCHE. It is located in Milwaukee?

Mr. SCOTT. It is located in Milwaukee, Wis.

Mr. LAUSCHE. As I understand, certain members of the committee want the records brought in so as to be able to trace the orders issuing stock and the sources of such stock.

Mr. SCOTT. Yes.

Mr. LAUSCHE. I ask the Senator if I am correct in my understanding that this mortgage company was used in issuing stock to certain individuals at a price far below what that stock was selling for on the market?

Mr. SCOTT. That is the testimony.

Mr. LAUSCHE. Is it the belief of some members of the committee that similar stock was issued to others than the ones who were identified by a portion of the testimony?

Mr. SCOTT. Yes. It is our responsibility to find that out, if we are able to do it. There is evidence or comment—I am not sure which—in the testimony which indicates that this company was to issue some $700,000 worth of stock to persons who could be helpful or influential in the development of this company, and this $700,000 worth of stock was supposed to be issued at less than the market value.

The committee has been able to unearth the issuance of between $100,000 and $200,000, but as to more than $500,000 worth of the stock, we are not even sure if it was issued. We believe it was issued, but we have no proof whatever. We believe it was issued because various sources of our information have indicated that the stock books and transfer books of MAGIC, would produce interesting material with reference to the framework of this investigation. We do not know whether $500,000 or more of the stock was issued. We have not had the opportunity to learn the facts.

Mr. LAUSCHE. What request did the committee make in respect to ways and means of finding out whether it was issued, at what price, and to whom it went?

Mr. SCOTT. We have a list of 16 witnesses. In the letter we added that there was other information which we sought to obtain, but we have been stopped at the 16. We have orally discussed from time to time the necessity of finding out who the other MAGIC stockholders are, but the committee has shown no interest in telling us, or in subpenaing the records. We are not able to proceed further upon this point, because we have asked for 16 witnesses.

I believe two or three of those were actually called after we asked for the 16. So let us say there is a list of 14 witnesses. Since we have been turned down on the 14 witnesses, we have not been able to proceed, with the exception of the two or three witnesses just mentioned, on which occasion certain records were demanded—I believe the records of MAGIC and possibly some additional records of the Serv-U Corp., and another record of, I would say, a less important nature.

Mr. LAUSCHE. Can the Senator confirm whether I am right or wrong in my understanding that there were some indications that there issued between $400,000 and $500,000 in stock at a price below what it was selling for in the market. Efforts had been made to bring in records and to run down the actual facts with a view of determining whether such stock was issued, at what price it was issued, and to whom it went?

Mr. SCOTT. Aside from certain gleeful references from the majority which involved one Member of the other body as to some question of stock ownership which was linked mysteriously, no other evidence of interest has appeared in the desire of some of us to ascertain what is the truth and who got the stock, if anyone did. But is it clear that they intended to issue 700,000 shares to peo-

ple who could be helpful, which I believe to mean influential because it is in the context of the testimony as to who could be helpful to advance the interest of this corporation.

Mr. LAUSCHE. What was the form of the testimony, and by whom was it given, showing that the general plan was to issue $700,000 of stock to individuals who could be helpful in achieving certain objectives?

Mr. SCOTT. Several witnesses were called. I am not sure I can remember the testimony of any witness, but among the witnesses called was a Mr. Max Karl, the president of the company; Mr. Tucker; and Mr. Hill. There are certain documents in the possession of the committee's investigators.

Certain references appear in certain documents in the possession of the committee investigators. All of this has since been published and a transcript has since been made available.

Mr. LAUSCHE. What is the present status of the investigation as it exists in the committee?

Mr. SCOTT. The present status of the investigation is unknown to the minority, is probably known to the majority, but the outcome of tomorrow's meeting is, let us say, in nebuli, if I may say so, from one lawyer to another—in the clouds. It is undetermined what will happen tomorrow. But as I said earlier, I think it is the firm intention of the majority to terminate the investigatory phase of his investigation tomorrow, although the committee is confronted by demands for witnesses and for records in accordance with the rules of the committee.

Mr. LAUSCHE. I would like to have the Senator give me an answer to the question as to how I should write to an Ohioan who wrote to me and said:

> If you are innocent in what has been going on in the Senate, you will press for a further investigation. If you are a participant, you will not do so. I will await your reply.

Mr. SCOTT. Each Senator is the keeper of his own conscience. The Senator from Ohio is known not only in the Senate, but also in his State and nationally, as a man of great conscience. While I cannot suggest anything to be said, I can express the opinion that if the Senator were in fact a member of the majority of the Rules Committee, I am quite certain that he would be very sternly demanding at this time a continuance of its investigation. I hope the Senator will send that message to his constituent, because I have every confidence it would be true.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the affidavit of Milton L. Hauft; a letter to Senator JORDAN from Senator WILLIAMS of Delaware, enclosing the affidavit of Mr. Hauft; a copy of committee rule XIX; the affidavits of Irene Clements, Don B. Reynolds, and the statement by Maj. Lennox P. McLendon dated March 13, 1964:

A statement by the chairman of the committee, at 3:45 p.m. on March 13, 1964.

A statement by the chairman of the committee on March 13, 1964, undated, but apparently prior to the statement at 3:45 p.m.

An editorial from the Washington Evening Star of March 12; and an article published in the Washington Star on March 6.

Mr. CURTIS. Mr. President, reserving the right to object, although I shall not object to the request for these insertions——

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. CURTIS. But he has requested unanimous consent——

Mr. CLARK. Mr. President, I call for the regular order, which does not permit a speech to be made in connection with a reservation of the right to object. I call for a ruling by the Chair on the point of order.

Mr. SCOTT. Mr. President, if the Senator will reserve his motion for a later time, I shall conclude by also requesting that there be printed in the RECORD an article from the Washington Star of March 9. That is the list of the items I wish to have printed in the RECORD.

Mr. CURTIS. Mr. President, reserving the right to object, at least one of the documents contains a false and untruthful statement about the junior Senator from Nebraska and reflects upon his character. I shall not object to having it printed in the RECORD; but I wish to reserve my right, under the Senate rule, to speak thereon.

Mr. CLARK. Mr. President, has my colleague concluded?

Mr. HICKENLOOPER. Mr. President——

Mr. SCOTT. I am about to yield to the Senator from Iowa for a question.

Mr. CLARK. I am perfectly willing to have that done. I merely wish to be recognized next.

Mr. HICKENLOOPER. Mr. President——

Mr. SCOTT. I yield to the Senator from Iowa for a question.

Mr. HICKENLOOPER. My question is as follows: In view of the published reports on the progress of the hearings, and as the view of one person who has read those published reports and finds there are so many loose ends of this matter which have not been caught up or explained or investigated or explored, I would ask the Senator from Pennsylvania whether he can tell me why there seems to be such a concerted effort on the part of the majority to close the hearing and to stop further examination into avenues which constantly seem to be opening up, and which need explanation, in light of the resolution which directs the committee to look into these matters.

Mr. SCOTT. I may say to the Senator from Iowa that I have mentioned that the majority seem under some compulsion or some sense of compulsion to terminate the proceedings. Although either side may well charge the other with the fact that any development affecting the Senate has political implications and overtones, and each side may well charge that the other side is indulging in political commentary, the one thing the public wants to know—and the public is not the least bit interested in knowing whether we speak as Republicans or as Democrats—is the answer to the question which was asked by Pilate: "What is the truth?"

So the public wants to know what is the truth in this case and why is there the determination to run away from completion of the hearing. Wherein lies the truth? It cannot harm the country or invade the legislative domain of the Senate to insist that that information be given the members of the committee, even if they do not wish to hear it.

Mr. President, I regret that it has been necessary to bring up this matter at all. Although it is fashionable for Members to accuse each other of having political motivation, and although I do not think any member of the committee can deny that he is a member of a political party, and that at times he is politically motivated—for it would be incredible if that were not so, under our two-party system—yet at the basis of this situation lies the quest for the truth.

Mr. HICKENLOOPER. Does the Senator from Pennsylvania feel that in connection with this affair there are perhaps unanswered questions which may raise or may continue to raise some suspicion in the minds of either Senators or members of the public about the integrity of the employee situation in the Senate in certain particulars?

Mr. SCOTT. I do. I feel that while the name of Bobby Baker may go down to its own special brand of infamy, and he himself may be dismissed as a first-grade hustler for a "fast buck" who took advantage of his position to become a millionaire and who attempted to damage or tended to damage some few others who may have been associated with him, yet this is not a political issue. One thing the American people have a right to ask, whenever they wish to ask it, is whether a legislative investigating committee should hastily terminate its investigation, and whether the decision to terminate it is dictated by outside influences—outside the legislative body or within it, but outside this committee. What is at issue at all times—not politically, but it is a highly important issue to the American people, regardless of politics—is why is there the coverup? Why was this swept under the rug? Why is it that, of all places, in the U.S. Senate there is no disposition beyond a certain point to clear the name of the U.S. Senate, in other words, to assume that one can be half-safe or half-clean, as the advertisements say? I do not think any such thing is proper.

Mr. HICKENLOOPER. Mr. President, will the Senator from Pennsylvania yield for one more question?

Mr. SCOTT. I yield.

Mr. HICKENLOOPER. Does not the Senator from Pennsylvania think, therefore, that the very integrity of the Senate and of the Senators themselves as a body and of the Senate's system is in question at all times to some degree, in connection with this matter, and that it should be clarified by a thorough exposure, to a reasonable and proper extent, of the ramifications of this matter?

Mr. SCOTT. That is what the Senator from Nebraska [Mr. CURTIS], the Senator from Kentucky [Mr. COOPER], and I have

advocated throughout the proceedings; and we still advocate it. But, in my judgment, tomorrow we shall be overruled in advocating it, because of the strange compulsion which besets our friends and colleagues.

It is a pity to have the investigation end in this fashion. I do not think it will end there with the American people. If we do an inadequate job or a partial job or if we quit when there is another group of witnesses to be heard—perhaps one-third as many witnesses—who can testify to material matters, as compared with the number already called, or perhaps half as many—I do not think the people ever will think this investigation was other than what one newspaper characterized it, that is, a tawdry investigation—and that a stain will remain on the integrity of the Senate.

Mr. HICKENLOOPER. I congratulate the Senator for bringing the issues to a point at this time this afternoon. It is healthy for us to know what the circumstances are. I earnestly hope that the committee will pursue the issues until doubt and question as to the integrity of the Senate as an institution or its employees has been cleared up, exposed, or remedied, whatever the case may be. I congratulate the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania to have printed in the RECORD the various documents that he previously requested the Chair to authorize?

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

MARCH 12, 1964.

I, Milton L. Hauft, living at 3801 Archer Place, Kensington, Md., do give this affidavit to Senator JOHN J. WILLIAMS, of Delaware, of my own free will.

On this date I was called to the Internal Revenue Service to give information relative to tax returns I had prepared for Robert G. Baker.

During the course of presenting the information in my possession I was questioned about some partnership tax returns prepared for the Carousel Motel. During the course of my association with Mr. Baker I had never prepared any returns for the Carousel Motel. When presented with the return by the Internal Revenue Service I noted that the signatures purported to be mine were forgeries.

As the result of this I went back to the personal returns for Mr. Baker prepared by me, and on looking at the signatures on these returns I noted that the signatures as to the person preparing these returns were also forgeries and were not my signatures.

This was reported immediately to the investigators of the Internal Revenue Service, and samples and specimens of my handwriting were also presented to them for matching purposes.

MILTON L. HAUFT.

WASHINGTON, D.C.

Sworn to and subscribed before me this 12th day of March 1964.

[SEAL] KATHERYN M. COULTER,
Notary Public.

My commission expires April 14, 1965.

MARCH 12, 1964.

HON. B. EVERETT JORDAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JORDAN: Mr. Milton L. Hauft, the accountant who testified before your committee as having prepared Mr. Robert G. Baker's tax returns, has just left my office after preparing the enclosed affidavit.

It seems that Mr. Hauft, while being interviewed by the Treasury Department officials, discovered that the tax returns in the Department's files are not the ones which he prepared but that these returns bear his forged signature.

A copy of the affidavit which he has given to me today to that effect is enclosed herewith.

Yours sincerely,

JOHN J. WILLIAMS.

[ENCLOSURE]

19. Any Member of the Committee may request that the Chairman direct one or more staff members to secure evidence and interview possible witnesses. Any Member of the Committee may request that a witness be called to testify before the Committee in executive session. Such requests shall be honored by the Chairman unless he finds that the evidence in question, or interview of a possible witness or the testimony of the witness is irrelevant to the investigation, in which case the question shall be determined by a majority vote of the Committee.

AFFIDAVIT

State of Maryland, County of Montgomery, to wit:

I hereby certify that on this —— day of March, A.D. 1964, before the subscriber, a notary public of the State and county aforesaid, personally appeared Irene Clements who, by me having been first duly sworn in the manner and form required by law, on oath deposes and says:

1. That she is an adult, a citizen of the United States, a resident of the State of Maryland, county of Montgomery, competent to testify, and has personal knowledge of the matters and things hereinafter set forth.

2. That she is the owner and operator of that business, situate, lying and being in Montgomery County, Silver Spring, Md., known as the L and I Answering Service, 8412 Georgia Avenue, Silver Spring, Md.; that there are among the subscribers to her service, one Don B. Reynolds, who was a subscriber to this service during the month of January 1963, and at all times hereinafter mentioned and subscribed.

3. That during the month of January, A.D. 1963, I received, among other calls, a call for Mr. Reynolds from a person who identified himself as Walter Jenkins, and left a number, Capital 4-3121, extension 5141, for Mr. Reynolds to call; that thereafter, to wit, in the month of April 1963, I received another call for Mr. Reynolds, from a person who identified himself as Walter Jenkins, in which the caller stated that it was urgent that he reach Mr. Reynolds; that thereafter, about 2 weeks later, another call was received from a person who identified himself as Walter Jenkins, again stating that it was important that Mr. Reynolds be located, and stating further that he (Mr. Jenkins) would wait in his office until the call was returned. I located Mr. Reynolds in the office of Congressman JOHN MCMILLAN and delivered the message. The time was about 6 p.m.

IRENE CLEMENTS.

AFFIDAVIT

State of Maryland, County of Montgomery, to-wit:

I hereby certify that on this —— day of March, A.D. 1964, before the subscriber, a notary public of the State of Maryland, personally appeared Don B. Reynolds who, by me having been first duly sworn in the manner and form required by law, on oath deposes and says:

1. That he is an adult, a citizen of the United States, a resident of the State and county aforesaid, competent to testify, and has personal knowledge of the matters and things hereinafter set forth, and that the statements hereinafter set forth are true and correct to the best of his knowledge, information and belief; that heretofore, to-wit, on or about the 20th day of February 1963, while a guest at the Racket Club in Montego Bay, Jamaica, I received a telephone call, charged to my Silver Spring phone number, from Robert G. Baker, secretary to the majority, U.S. Senate; that I am informed and believe, and believing ever, that the said Secretary did make repeated efforts to call on this date; that the purpose of the said call was to advise me that the Vice President, Lyndon B. Johnson, desired to know the amount of rebate, or kickback of commission, he would receive from his life insurance conversion of $100,000 term to $100,000 permanent, retroactively to date of issuance of term; that I declined to discuss the matter, stating I would seek information on my return to the Continental United States; that Mr. Baker stated he would advise Walter Jenkins and the Vice President of our conversation; that during the conversation Mr. Baker asked me to contact his dear friend, Mr. Bill Dougherty, former head of the Postal Workers and Mail Carriers Union, then Ambassador to Jamaica; that following this call, I contacted the Ambassador personally by telephone, and on February 22, 1963, again talked to the Ambassador; that thereafter, in March or April 1963, Mr. Baker asked me to call Walter Jenkins who, when contacted, asked if the insurance conversion was complete; that in April or early May 1963, in the office of John McMullen, I received a call from my answering service advising me that Walter Jenkins was urgently calling me; that I called Mr. Jenkins and was asked if I had received my commission and I stated I had; he then stated that whatever I wo ked out with Mr. Baker should be given to Mr. Baker in cash and Mr. Baker would bring it in.

DON B. REYNOLDS,
———— ————,
Notary Public.

STATEMENT BY LENNOX P. MCLENDON TO RULES COMMITTEE, MARCH 13, 1964

Mr. Chairman and members of the committee, about 4 weeks ago I became convinced that the investigation under Senate Resolution 212 was rapidly reaching a point of no return. At that time a number of witnesses remained to testify and we had not completed some specific investigations then underway, such as those in Puerto Rico and the Caribbean area.

I am now prepared to state to the committee my views with respect to the future activities of the committee and of its staff. Before stating these views, I would like to review briefly what has been done to date.

More than 180 individuals have been interviewed at length, and approximately 50 more have been interviewed briefly. Some of these persons have been interviewed twice and some even three times. Written reports of these interviews, numbering more than 180, have been prepared and placed in the files and studied by the legal staff. Fifty-nine witnesses have been examined and five of these in both executive and public sessions. A total of 42 witnesses have been examined in public sessions. Records of more than 35 banks and financial institutions have been carefully examined. Information and assistance have been sought and obtained from a number of Government agencies. The committee has held 18 public sessions—3 of these consuming both morning and afternoon. It has met in executive session on 22 days and 6 of these meetings have been in both the morning and afternoon. It is of some significance that of the total of 59 witnesses examined, all but 5 have volunteered to be interviewed and have appeared and testified voluntarily. In the course of the investigation extending to

31 cities, States, and countries, including Puerto Rico and the Dominican Republic, the committee has compiled a list of more than 700 individuals and organizations identified in interviews, or in public records, or in the public press as having some knowledge of the subject matter under investigation.

This enormous amount of work has been done by a relatively small staff consisting of four former FBI-trained investigators, three trained and competent accountants from the General Accounting Office, one former FBI-trained investigator assigned by the minority, and five permanent staff members of the Rules Committee, including an associate counsel assigned by the minority.

It must be borne in mind that the committee, in its investigations and in taking evidence, is bound by the limitations of the Senate resolution under which it functions. The express language of the resolution confines the investigation to "financial or business interests or activities of any officer or employee or former officer or employee of the Senate." I would like to emphasize that all evidence deemed by me, as general counsel, to be pertinent under this language of Senate Resolution 212 has been produced under oath before the committee, except such evidence as witnesses have declined to give in reliance upon their claimed legal and constitutional rights, and except such as I have deemed insignificant, repetitive, or cumulative. Although I have conferred and consulted fully with other members of the staff, I take full responsibility for these decisions required in the orderly conduct of the investigation.

I think two conclusions may be drawn from this extensive investigation. First, it is highly unlikely that any additional evidence can be found materally differing from the type of evidence already placed in the record of the committee's hearings; and second, that it is a reasonable certainty that any additional evidence which can be produced will be repetitive and cumulative. If evidence differing substantially from the pattern of evidence already presented is in existence, surely it would have been discovered in the course of this investigation.

Although it is not my responsibility to make factual conclusions and judgments for the committee, it is my responsibility to express to the committee my legal opinion as to the probative value of the evidence presented to the committee under my direction.

It is my carefully considered opinion that the evidence fully justifies the committee in finding the existence of conditions which have made possible a multitude of acts by some of the officers and employees of the Senate, which acts are incompatible with the responsibilities of the Senate, violative of the generally accepted standards of official conduct rightfully expected by the American people of their public officials and employees, and constituting improprieties of the grossest character within the meaning of Senate Resolution 212. The further and inescapable conclusion follows that additional laws, rules, or regulations are necessary for the purpose of prohibiting or restricting such activities and conduct.

I would be remiss in my duty to the committee if I did not make some observations concerning other legal aspects of this investigation. Notwithstanding widely entertained and often asserted opinions to the contrary, the committee has no authority to conduct a trial or trials either civil or criminal, of anyone. If, in the orderly conduct of its investigations, the evidence shows the commission of a crime, the responsibility for prosecution of the indicted criminal falls upon the Department of Justice which, at the appropriate time, should have full access to the committee's records and files.

It is of importance to note that when basic facts are once established from which the committee may draw reasonable conclusions with respect to the exercise of its legislative duty of making recommendations to the Senate for remedial and preventive legislation, or rules and regulations, any further investigations and exposures of the conduct of individuals find unqualified condemnation in the applicable court decisions holding that exposure for exposure's sake is both legally and morally indefensible.

It is also of importance to take note of the inescapable legal conclusion that the committee would be detoured completely away from its area of jurisdiction if it proceeds to try individuals for the purpose of determining, if possible, whether a particular witness has not testified to the truth or has testified falsely respecting details of pertinent transactions. What is material and relevant to the subject matter defined in Senate Resolution 212—was there a business or financial transaction, participated in by an officer or employee of the Senate, constituting a conflict of interest (as defined by Federal law) or constituting any other impropriety (meaning other than a conflict of interest)? If the answer is "yes," then the transaction, its operation, and its purpose are helpful to the committee in the performance of its legislative purpose—if the answer is "no," then the transaction loses its probative value, however curious or even sensational it may be. This is not to say the committee is not interested in the commission of perjury by witnesses, but in this connection, it must be remembered that the basis for the crime or perjury is that the alleged perjured testimony must be material to the subject matter—meaning helpful to the committee in coming to a judgmatic conclusion with respect to its recommendations for legislative action. I can think of few things more unseemly and positively violative of the accepted standards of fair and objective investigation than would be a series of trials in instances where real or imaginary conflicts of testimony have occurred with respect to details of transactions, which transactions themselves are adequately established or proven.

With this background and subject to the authority of the committee to control its future proceedings, I recommend:

1. That investigations and hearings concerning any financial interest or business activities of officers or employees and former officers or employees of the Senate, for the purpose of ascertaining whether any such interest or activities (financial or business interests or activities) have involved conflicts of interest or other impropriety, be discontinued; and

2. That the staff and such other assistants as the committee may choose be instructed to begin immediately the preparation of the committee's report and its recommendations to the U.S. Senate.

STATEMENT OF SENATOR B. EVERETT JORDAN, 3:45 P.M., MARCH 13, 1964

At 3:20 this afternoon, I was astonished to learn that Senator CARL T. CURTIS, Republican, of Nebraska, had released to a few reporters the report, or parts of the report, made by the committee's general counsel, Maj. L. P. McLendon, in an executive session held this morning. This act of Senator CURTIS is violative of the rules under which this committee has functioned from the beginning in that all actions and proceedings heard in executive session are considered confidential until released by a majority vote of the committee.

In view of the conduct of Senator CURTIS, I deem it necessary, in fairness to the committee, to release the report and recommendations of the committee's general counsel to the entire press and the public.

The written report, which is attached to this statement, was followed by an oral presentation of Major McLendon, in some detail explaining the pains taken by him and all members of the staff, including the minority members, in surveying the work done by the staff and in considering the possibility that other persons might be interviewed and even examined. He also reported on each of the persons on the list dated March 9, 1964, which was furnished by the Republican members of the committee. Because of the receipt by me late yesterday afternoon of an affidavit made by Milton Hauft, which I immediately passed on to Major McLendon, he stated that his recommendations with respect to future investigations and hearings before the committee were subject:

(1) To the authority of the committee to control its future proceedings and subject to the presentation to the committee of any evidence with respect to the matter raised by Mr. Hauft's affidavit.

Senator CURTIS admitted in the executive meeting that he had requested the minority leader of the Senate to raise objection to the sitting of the Rules Committee while the Senate was in session. This objection having been made, it was necessary for the committee to recess at approximately 12:30 p.m. The recess was taken until Tuesday, March 17, 1964, at 9 a.m.

I again express my great regret that the Republican members of the committee have seen fit to resort to tactics designed to prevent the committee from meeting its responsibility under authority of Senate Resolution 212. If the same tactics are followed in subsequent meetings, it is highly improbable that the committee can transact any business until such tactics are discontinued. Surely the Members of the Senate and the public generally will not condone the effort of the minority members of this committee to convert this investigation into a political football. I repeat, there is nothing more important in the U.S. Senate today than the necessity of courageously facing the adoption of effective laws, rules or regulations designed to put a stop to the sort of conduct on the part of its officers and employees which the evidence before this committee now discloses.

Since there can be no doubt about the fact that the evidence already heard will abundantly support, both in law and in fact, a courageous report and recommendations to the Senate, there can be no justification for the effort being made by the Republican members of the committee to throw out a dragnet and interview dozens of citizens who are merely supposed to know something about the subject matter of the investigation.

We have reached the point where the taking of further testimony in this situation would serve no legislative purpose.

We therefore have the duty and responsibility to begin work on specific and constructive measures to prevent the kind of activities we have discovered during our investigation from happening again.

This is the duty of the U.S. Senate—not that of the Democrats or of the Republicans. Throughout this investigation, I have bent over backwards to be fair and nonpartisan.

I will continue to take this approach because I think the Senate—the whole Senate—has a responsibility it must meet.

STATEMENT BY SENATOR B. EVERETT JORDAN, CHAIRMAN, COMMITTEE ON RULES AND ADMINISTRATION, MARCH 13, 1964

For some time, it has been apparent that we were approaching the end of the investigation we have been conducting under Senate Resolution 212.

I called a meeting of the committee this morning for the purpose of receiving a report from our chief counsel on the status of the investigation.

He gave a very comprehensive report and recommended that the committee terminate the hearings in the Baker investigation and

begin work on a report to the Senate with the understanding that the committee will consider any newly discovered evidence as it continues its work.

After a thorough discussion of the matter, the committee voted six to three to follow Major McLendon's recommendations.

I think it is obvious to anyone who makes a fair appraisal of the work we have done that it is time for us to move from the investigating stage to the reporting stage.

The committee has been carrying on this investigation for 5 months. We have piled up a tremendous amount of evidence. We have uncovered situations that are unfortunate, tragic, and completely incompatible with the conduct rightfully expected of those who hold positions of public trust.

We have reached the point that we feel that the taking of further testimony on this situation would be purely repetitious and would serve no legislative purpose.

We therefore have the duty and responsibility to begin work on specific and constructive measures to prevent the kind of activities we have discovered during our investigation from happening again.

This is the duty of the U.S. Senate, not that of the Democrats or of the Republicans. Throughout this investigation, I have bent over backward to be fair and nonpartisan.

I will continue to take this approach because I think the Senate—the whole Senate—has a responsibility it must meet.

There are those who, of course, do not agree with the action the committee has taken. There are those who have sought to make this investigation a razzle-dazzle game of partisan politics. There are those who would continue the investigation on and on, and plow the same ground over and over again just for the sake of partisan political advantage.

In looking at the matter objectively, I guess we must expect this from those whose main interest is to draw political blood. This is to be expected because, after all, this is an election year.

But this committee and the Senate have a responsibility to rise above partisan politics and take action on the situation we have uncovered.

As chairman of the committee, I sincerely feel we must move in this direction without further delay.

I plan to make a report to the Senate on the committee's action just as soon as possible, and I intend to get the full committee to work on a final report and recommendations in the very near future.

[From the Washington Evening Star, Mar. 12, 1964]

WHITEWASH

Those who have been trying to identify that unpleasant odor floating around the Senate side of the Capitol need go no further. It's whitewash.

There is every indication that the Senate Rules Committee, under the chairmanship of Senator JORDAN of North Carolina, is preparing to give up the ghost in its investigation of the Bobby Baker scandal. Apparently the committee, or the controlling members of the committee, have had enough. They don't want to develop the whole truth for the edification of the public.

The excuse offered is that there are no other useful witnesses who might be called. This is nonsense.

What about Senators? What about party girls? What about unexplored statements regarding campaign funds? What about Jay McDonnell, who was fired as assistant to Bobby Baker because he didn't agree with all aspects of the Baker method of operation? What about a lobbyist named I. Irving Davidson, who might have some important testimony to give?

Most important of all, what about Walter Jenkins, longtime aid to Lyndon B. Johnson?

Senator WILLIAMS, Republican, of Delaware, has just given the committee an affidavit from Don R. Reynolds, Silver Spring insurance man, which raises grave questions respecting Mr. Jenkins. Shouldn't these be explored—at least to the extent of trying to pin down the truth?

And what about the deal in which Mr. Reynolds said he bought $1,280 worth of useless advertising time on the Johnson television station in Texas after he had sold a $100,000 life insurance policy to Mr. Johnson? Mr. Reynolds has testified under oath that he discussed this advertising project with Mr. Jenkins. Mr. Jenkins has never been called to testify. But he has denied in a sworn statement that he had "any knowledge" of the arrangements between Mr. Reynolds and the station.

Is this not important? Mr. Jenkins was a Senate employee at the time. Why has he not at least been called as a witness and cross-examined in an effort to clear up this apparent discrepancy? Mr. Reynolds undoubtedly paid for the time. Somebody made the arrangements. Why is the committee so afraid to explore the matter?

Whitewash is a useful commodity for sprucing up fences and outbuildings. But it serves only one purpose in this instance—to leave in the public mind a deep and fully justified suspicion that the Senate Rules Committee is trying to cover up a major scandal with far-reaching ramifications.

[From the Washington Evening Star, Mar. 6, 1964]

THE $10,000 QUERY TO BAKER—ENIGMATIC QUESTION NEEDS CLEARING UP TO FORESTALL DOUBTS, WRONG IMPUTATIONS

(By Richard Wilson)

Senator HUGH SCOTT, Republican, of Pennsylvania, directed the following question to Robert Baker, former secretary of the Senate Democratic majority:

"Mr. Baker, did not Mr. Fred Black give you $10,000 in cash in $100 bills in an envelope in the Carlton Hotel in Washington, these moneys to be delivered to one of the presidential candidates for use in his campaign?"

No answer.

"Mr. Baker, did not he state at the time of the delivery of that $10,000 in cash in $100 bills—did not Mr. Black state to you at the time of delivery of said $10,000 in cash in $100 bills, that $90,000 would be coming for the same purpose to aid the candidate in the 1960 election?"

No answer.

Robert Baker had one interest in the presidential campaign of 1960. He was working for the nomination of his boss and patron, Senator Lyndon Johnson, as the Democratic candidate for President.

Senator SCOTT's enigmatic questions were thus of special interest. No testimony has been offered that Baker's friend, Black, handed Baker the handy little packet of $100 bills. Black is the Washington representative of defense contractors who has testified that he had Caribbean gambling interests.

Cash money in copious quantities has, however, previously been associated with Baker. Testimony was given that he kept large sums of cash in a cabinet in his office in the Capitol where he served as Senator Johnson's lieutenant in operating the Senate. According to the testimony, Baker handled this cash familiarly, counting it out in sums up to $13,500, which he placed in envelopes and on one occasion accidentally counted out $1,000 too much.

The derivation of this cash is not established. What appears to be established—at least as an allegation—is that Baker was an associate of persons engaged in legal gambling operations. The most recent testimony on this point is that Baker arranged discussions on Caribbean gambling concessions for Las Vegas gamblers whom he described as "clients and friends."

Thus an unpleasant association of ideas has been set up, whether justified or not, and the senatorial investigating committee has been trying to get at the facts. Additional testimony is expected on the matter to which Senator SCOTT referred; that is, the question of the availability of $100,000 in cash "to be delivered to one of the presidential candidates for use in his campaign."

It is assumed, in fact it has never been denied, that Baker played some part in the collection of funds to aid Senators in their campaigns for reelection. There is nothing unusual nor necessarily irregular about this. Both parties have senatorial campaign committees which raise funds to help incumbents get reelected.

But it has long been a matter of curiosity and concern where such funds come from and how they are disbursed, whether strings are tied to their disbursement, and whether the giving or withholding of such sums may be used by the party leadership to enforce political regularity.

To this extent, therefore, the questioning of Baker on the $100,000 in cash has a true legislative purpose. It would be prudent for the Senate to consider whether or not additional legislation would be desirable to enforce strict control over and accounting of such cash sums, or political contributions in any form, but particularly if in cash.

But entirely aside from that aspect, the whole matter raised by Senator SCOTT needs to be cleared up so that there will be no lingering doubts or wrongful imputations. A contribution of $100,000 in cash is quite a large sum, and very unusual, especially when its origin is in doubt.

This is a matter of more importance than the gift of a stereo set or the whereabouts of Nancy Carole Tyler at any given time. The mere fact that Baker refuses to testify on this and other points does not excuse the committee from finding out more about the questions raised by Senator SCOTT.

[From the Washington Evening Star, Mar. 9, 1964]

INTERPRETATION: HILL REFORMS UNLIKELY FROM BAKER INQUIRY

(By Paul Hope)

Democrats on the Senate Rules Committee are getting ready to fold the tent on Capitol Hill's Bobby Baker show.

And the inquiry into the former Senate employee's private affairs has about as much chance of reforming anything on Capitol Hill as Bobby Baker has of becoming the vice-presidential nominee.

So far as the Senate is concerned, the inquiry seems likely to end about where most everyone thought it would: The whip will be applied to Mr. Baker but the Rules Committee will make sure no Senators get stung by the backlash.

The committee, of course will hold a few more hearings. One was held today. But it reportedly has decided not to venture into any news areas of inquiry that have not already been broached.

DEMOCRATS SEEK HALT

Most of the Democrats on the Rules Committee apparently have agreed that the committee has peeked into enough corridors of Mr. Baker's life and that any more exploration might only lead to grief for their side.

As they apparently see it, the job was to investigate Senate employees and to recommend some rules for the conduct of Senate hirelings. It is highly doubted that they will recommend any for the bosses.

Republicans on the committee who would like to exploit the Baker affair for a campaign issue are expected to make a last-

ditch stand to keep the investigation going, but they probably won't have the votes. The showdown might come next week.

Republicans claim the White House has prevailed upon committee Democrats to shut down the investigation because the administration doesn't want the hearings dragged further into the presidential election year.

FEARED SENATE PROBER

One thing that has kept the investigation going as long as it has is a fear by the Democrats that the Republicans—especially Senator JOHN J. WILLIAMS of Delaware, who spearheaded the move for the investigation—haven't revealed all they know. The Democrats now apparently are willing to gamble that the Republicans don't have any significant factual material that could prove embarrassing if the investigation is closed.

The probe apparently will be ended without going into issues such as party girls and campaign funds.

One reason the committee won't go into the party girl issue is the Senate's natural instinct to protect its own.

For example, one witness said that when first interviewed by staff investigators he started telling some stories about party girls. The witness was asked if any Senator were involved and he said yes. When the witness appeared before the Senators on the committee for interrogation, he wasn't asked a single question about the girls.

The committee has the names of at least four of the so-called party girls but none of them has been called before the committee.

The party girl aspect of the Baker case has been like some other areas of the investigation—each time there seems to be the possibility of involvement of a Senator, the committee has shied away.

AIRLINES BILL CITED

The committee has never called anyone to testify why Bobby Baker was presented a bill last year for $16,000 for a Riddle Airlines charter flight to Las Vegas carrying 80 passengers—most of them lobbyists and congressional staff members—to a fundraising dinner for Senator CANNON, Democrat of Nevada. Senator CANNON is a member of the Rules Committee.

The bill was never paid and the Civil Aeronautics Board this week fined the airline $750 for violating Federal regulations in connection with the flight.

When it was disclosed that Senator SMATHERS, Democrat of Florida, cut Mr. Baker in on a land deal in Florida, the Rules Committee didn't think it necessary to call Senator SMATHERS. Committee Chairman B. EVERETT JORDAN, Democrat of North Carolina, said the committee wasn't investigating Senators.

There has been no attempt to find out how Bobby Baker handled senatorial campaign funds.

At one point in Mr. Baker's high-flying career he was secretary to the Senate Democratic Campaign Committee in addition to his post as secretary to the Democratic majority.

REYNOLDS OFFERS TIPS

One witness, Don B. Reynolds, said he told committee investigators he had some information about Mr. Baker's handing of campaign funds but they didn't seem interested.

One of the things he said he would have told the committee, had they asked him, was that he saw Fred B. Black, Jr., who was fired last week as North American Aviation's Washington representative, hand Mr. Baker $10,000 in a Washington hotel for Lyndon B. Johnson's 1960 campaign for the presidential nomination. He quoted Mr. Black as saying that $90,000 more would be forthcoming.

Another person closely associated with Mr. Baker on Capitol Hill has told reporters that Mr. Baker's office was like a headquarters for the 1960 presidential primary campaign in West Virginia of Senator HUMPHREY, Democrat of Minnesota, who now is Senate majority whip.

Mr. Reynolds has said he was present when Mr. Baker made statements about channeling funds into the Humphrey campaign to stop the John F. Kennedy bandwagon so Mr. Johnson would be in a better position for the nomination.

N. Joe Rahall, a Beckley (W. Va.) businessman who loaned Mr. Baker $10,000 in 1962, told a reporter last week that Mr. Baker was working on the scene in West Virginia for Senator HUMPHREY and "touched base two or three times" in Beckley during the campaign.

BAKER FIRED AID

The Rules Committee probably could learn a lot about Mr. Baker's operation on Capitol Hill from Jay McDonnell, former assistant to Mr. Baker who was fired because he frequently was at odds with the majority secretary on the way things should be handled. If the Rules Committee has talked to Mr. McDonnell, it hasn't disclosed it.

Neither has the committee seen fit to question Mr. Reynolds in public. Testimony taken in closed session from the Silver Spring insurance man and made public later provided some of the more sensational aspects of the case—the gift of a stereo set to President Johnson and the controversial advertising time Mr. Reynolds bought on the Johnson family's television station.

Nor has the committee seen fit to call Walter Jenkins, a White House aid, to testify about the apparent discrepancy between a sworn statement he made to the committee and the testimony of Mr. Reynolds about the television time.

Mr. Reynolds said he was persuaded by Mr. Jenkins to buy $1,280 worth of advertising on the Johnson station after he was permitted to write a $100,000 insurance policy on Mr. Johnson's life. Mr. Jenkins said in a statement—not in testimony—that he knew nothing about the arrangements.

CONFLICT OF INTEREST STUDIED

The avowed purpose of the investigation is to determine whether the private business affairs of any present or former Senate employee constituted a conflict of interest with official duties and whether any legislation is needed to control such activities.

At the time of the advertising transaction, Mr. Jenkins was on the Senate payroll as administrative assistant to then Senate Democratic Leader Johnson. He also was a stockholder and official of the L.B.J. Co., the Johnson family's holding company.

The resolution authorizing the investigation does not limit the inquiry to Mr. Baker, in fact it does not mention his name. But the Rules Committee has given no indication—at least publicly—that it is very much interested in finding out what other Senate employees or former employees are doing or have done on the side.

There is no indication that the committee plans to call I. Irving Davidson, a Washington lobbyist whose name has come up at least twice in testimony.

One of Mr. Baker's associates, Thomas D. Webb, Washington representative of the Murchison family of Texas, said Mr. Davidson introduced him to Teamster Boss James R. Hoffa. Mr. Webb later negotiated a loan from the Teamsters for a Florida land venture in which Mr. Webb and Mr. Baker and several others had an interest.

A Chicago meatpacker said Mr. Davidson was the first person to ask him if he would be interested in importing meat from a slaughterhouse in Haiti owned by the Murchisons.

Mr. Baker is getting a commission on imports by the Chicago firm and at the same time is reported to be getting a cut of the profits from the slaughterhouse.

It was reported that last year Mr. Baker delivered to the Senate Foreign Relations Committee some documents Mr. Davidson had to fill out in connection with an investigation of agents of foreign clients. He also was reported to have made telephone calls to the committee office on Mr. Davidson's behalf.

Mr. Davidson, who has share an office with columnist Drew Pearson's associate, Jack Anderson, has been a longtime agent for the Nicaraguan Government and recently registered as agent for the Government of Haiti. He also lists in his foreign agent's file that one of his clients is Tecon Corp., a heavy construction company owned by the Murchisons.

The transcript of the Foreign Relations Committee hearings shows that Mr. Davidson paid the hotel bills at the 1960 Democratic convention for Mr. Pearson and Mr. Anderson. In a letter to the Foreign Relations Committee, Mr. Anderson said that to the best of his recollection Mr. Pearson settled the bill with Mr. Davidson. Mr. Davidson also said in his foreign agent's file that he accompanied Mr. Pearson in 1959 on a trip to several Caribbean countries.

Mr. Pearson has been accused by Republicans on the Rules Committee of trying to smear Mr. Reynolds through the publication of confidential Air Force records which they claim the White House leaked to Mr. Pearson.

The Rules Committee wanted to find out what connection Mr. Baker had with the District of Columbia National Bank which was granted a Federal charter in 1962, the first to be authorized in Washington in 29 years. The committee quizzed the executive vice president about loans made to Mr. Baker but it didn't call the man listed by Mr. Baker as his reference on an application for stock in the bank.

BUYS 1,500 SHARES

Mr. Baker was allowed to buy 1,500 shares in the first sale of stock, a sale that reportedly was heavily over-subscribed. In his application for the stock, Mr. Baker listed as his reference Max Kampelman, former administrative assistant to Senator Humphrey. Mr. Kampelman is attorney for the bank and one of the organizers of the bank.

The committee apparently is not interested in getting Matthew McCloskey, big Democratic Party fund raiser and former ambassador to Ireland, to tell whether he had any dealings with Mr. Baker.

Mr. Reynolds testified that he was present in Mr. Baker's office when Mr. McCloskey and others were there discussing bidding on the District of Columbia Stadium. The Reynolds insurance firm, in which Mr. Baker was listed as vice president, got the construction bonding business on the stadium after Mr. McCloskey got the contract.

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

Mr. SCOTT. Mr. President, I yield to the Senator from Wyoming, with the understanding that I shall not lose my right to the floor.

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

Mr. CLARK. Mr. President, I call for the regular order. The Senator from Wyoming is quite within his rights to ask a question, but not to make a speech.

Mr. SIMPSON. I do not intend to make a speech. I should like to preface my question by saying that I am grateful to the Senator from Pennsylvania [Mr. SCOTT] for his presentation before the Senate. I find myself in the same situation as that in which the Senator from Ohio and the Senator from Iowa find

themselves with respect to the correspondence.

One question that continually crops up is as follows: Have the majority members of the committee refused to hear the testimony of Mr. Jenkins, Presidential aid, with respect to his impugning the evidence of Mr. Reynolds?

Mr. SCOTT. They have refused to hear the testimony of Mr. Jenkins. That situation arose in the following manner: One of the Senators on the minority side made the request. The other two Senators joined in it. At that point, or shortly thereafter, after some debate, a motion was made to terminate the investigatory phase of the proceedings. We were not even given any reason why the majority did not wish to hear that witness or other suggested witnesses.

Mr. SIMPSON. I thank the Senator.

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

Mr. SCOTT. I am glad to yield to the Senator from Iowa for a question.

Mr. MILLER. In view of some comments that were made on the floor of the Senate a few moments ago, I should like to ask a question to make clear the scope of the investigation.

Is it the Senator's opinion that, to the extent that the improprieties may affect not only Members of the Senate and the staffs and employees of the Senate, but also members of the executive branch of the Government, the various agencies, and the like, that the investigation should properly be directed?

Mr. SCOTT. I suspect that the Senator will never know, because of the pending action of the committee. I have indicated that raw files were taken from the investigatory agencies. An answer from the Air Force was equivocal, evasive. It took 12 days for them to answer. An answer from the FBI was given to me within the hour of my request of the FBI. I was advised by Mr. J. Edgar Hoover that this investigation had been turned over to the Department of Justice. As to the Air Force, I was not only not advised of the answer to my question, that is, who raided those files improperly to ruin forever the character and reputation of a witness, but I was answered falsely when the letter to me stated that the information had been made available to committee counsel on either the 19th or the 29th of January. Committee counsel said that indeed the information had been given to him, and the man who called concluded his call by saying words to the following effect:

Major, let us understand that I have not given you anything.

So someone in the Air Force deliberately undertook to prevent the truth from coming out. That is how bad the situation is.

But the Senator from Iowa will never know, and neither will the Senator from Pennsylvania, because the committee may not make any effort to find out.

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

Mr. SCOTT. I yield.

Mr. MILLER. I should like to get at the following point: To the extent that an employee of the Senate, or a Senator himself for that matter, or an employee in a Senator's office, would be involved in an impropriety with respect to one of the Federal agencies, whether it be a Federal agency relating to the granting of bank charters or relating to the granting of import licenses or anything else involving the executive branch of the Government, would not the Senator believe that to the extent that such improprieties, if there were any, involved employees of the Senate, Senators, or members of their staffs, that situation would be a proper subject for the committee to investigate?

Mr. SCOTT. Investigation of anything contained within the scope of the resolution, as clarified by the colloquy between the various Senators to whom I made reference earlier, would be proper.

Mr. MILLER. Some people have suggested that all of the improprieties merely involve the Senate Chamber and the Senate Office Building, and perhaps have nothing to do with the executive branch of the Government. Would the Senator elaborate on that question, so that we may know whether or not we are confining the investigation to one locale?

Mr. SCOTT. To name Government agencies, except in cases in which I have named them, where there is an actual obligation, would be an injustice. But testimony did reveal, and future testimony, if ever taken, in my judgment, would reveal, that Bobby Baker, to whom I have special reference, and others, used their influence with Government agencies; that those Government agencies stood in awe of him; that they jumped at his command; and that he was able to obtain large sums of money, and projected a pretty good salary, though not big—less than $20,000—into a situation in which he could show financial assets of over $2 million. That is the sort of thing that I say is not repetitive. It is not cumulative, in spite of the good will of our counsel, who says that he does not want to look into the question any more because the testimony would be cumulative and repetitive. Many of the questions have never been looked into before.

The Preston Moore case on misappropriation of funds has never been looked into. The forgery of the income tax returns has never been looked into. That testimony would not be cumulative. It would be important and relevant. The investigation should continue. It should continue fearlessly. It should continue until the truth is made known, so that the Senate may have the material on the basis of which to consider the adoption of new rules and regulations or new laws.

With that statement I conclude.

Mr. CLARK. Mr. President——

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The Senator from Pennsylvania is recognized.

Mr. CLARK. With some reluctance I rise to comment on the speech made by my colleague from Pennsylvania. I had not intended to do so; first, because I was far from sure that he was going to speak this afternoon; second, because I am the next to the junior member of the majority on the committee, and I would have expected that Senators who are my senior on that committee would have carried the initial burden of commenting on what the Senator from Pennsylvania has said.

Unfortunately, as has appeared in the colloquy so far, the junior Senator from Pennsylvania did not notify any member on the committee that he intended to speak this afternoon until 15 minutes before he spoke—with one exception. The junior Senator did tell me last Friday that he might speak this afternoon. As I recall, he asked me to keep that information in confidence, which I did.

Mr. SCOTT. That is correct.

Mr. CLARK. Mr. President, I regret very much that a certain partisan aroma arises from the floor of the Senate this afternoon. I shall do nothing either to increase the smoke from which that aroma comes or to permit it to be fanned into flames.

I believe, however, that, in the interest of accuracy, it is important to state now for the record, in view of the comments by my colleague from Pennsylvania [Mr. SCOTT], the basic background of this investigation, where it stands, now, and what my own view is, as an individual member of the committe, as to where we should go from here.

I speak for no one but myself, but I speak as a member who has conscientiously tried to keep on top of the course of this investigation, although there have been many days when, because of other committee meetings which I felt had priority, or because I was bored with some of the testimony which had been taken, I was not present at the public or private hearings.

On October 10, 1963, the Senator from Delaware [Mr. WILLIAMS] submitted Senate Resolution 212. The Senator is on the floor, and I ask him to check me if my statement is not accurate.

After having conferred with both the majority and the minority leaders with respect to its terms, and having obtained their agreement that the resolution was appropriate under the circumstances, and also having obtained their promise of support for its adoption, the resolution was agreed to, without dissent from the floor of the Senate, on October 10.

While I am not sure of it, I believe many, if not all, of the Members of the Senate, and most, if not all, of the members of the press are familiar with what the resolution sets forth. I think it important, in view of the comments made by the junior Senator from Pennsylvania, to state quite clearly just what that resolution calls for.

It directs the Committee on Rules and Administration:

To make a study and investigation with respect to any financial or business interests or activities of any officer or employee of the Senate * * * for the purposes of ascertaining (1) whether any such interests—

And I interpolate that the words "such interests" can refer only to business and financial interests or activities, and to nothing else. That is the clear and unambiguous meaning of that word.

I quote again—

such interests or activities have involved conflicts of interest or other impropriety;

and (2) whether additional laws, rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities.

I continue the quotation:

The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

The committee proceeded to organize, and immediately a demand was made by the minority for their own counsel and for their own investigators. This demand was acquiesced in by the majority.

The minority investigators, I am informed, have been assiduous in the performance of their investigatory duties. The minority counsel has had an opportunity to interview any witnesses he wanted to interview, and has been present at all meetings of the committee, and has, indeed, participated quite actively, through the advice he has given to the minority members of the committee, in the proceedings of the committee.

Early in the proceedings the committee again—I think my recollection is correct, and the Senator from Nebraska [Mr. CURTIS] will correct me if it is in error, at the instance of the Senator from Nebraska [Mr. CURTIS], the senior minority member of the committee—adopted rules of procedure governing the investigation into the financial or business interests of any officer or employee or former officer or employee of the Senate.

The Senator from Nebraska has for long been a valued member of the Committee on Government Operations, and he has had in that capacity probably more experience in investigations of this sort than has any other member of the committee.

It is my understanding—and the Senator will correct me if I am in error—that these rules of procedure were modeled on the procedures of the McClellan committee, otherwise known as the Committee on Government Operations.

I ask unanimous consent that a copy of the rules of procedure may be printed in the RECORD at this point in my remarks.

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

COMMITTEE ON RULES AND ADMINISTRATION, U.S. SENATE, RULES OF PROCEDURE GOVERNING THE INVESTIGATION INTO THE FINANCIAL OR BUSINESS INTERESTS OF ANY OFFICER OR EMPLOYEE OR FORMER OFFICER OR EMPLOYEE OF THE SENATE

[Adopted November 14, 1963]

[88th Cong., 1st sess.]

SENATE RESOLUTION 212

In the Senate of the United States, October 10, 1963, Mr. WILLIAMS of Delaware submitted the following resolution; which was considered and agreed to:

"*Resolved*, That the Committee on Rules and Administration or any duly authorized subcommittee thereof is authorized and directed to make a study and investigation with respect to any financial or business interests or activities of any officer or employee or former officer or employee of the Senate, for the purpose of ascertaining (1) whether any such interests or activities have involved conflicts of interest or other impropriety, and (2) whether additional laws, rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable."

[88th Cong., 1st sess., Rept. No. 626]

SENATE RESOLUTION 221

In the Senate of the United States, NOVEMBER 1 (legislative day, OCTOBER 22), 1963, Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following resolution, which was considered and agreed to:

"*Resolved*, That for purposes of discharging its responsibilities pursuant to Senate Resolution 212, to inquire into the financial or business interests of any officer or employee or former officer or employee of the Senate, agreed to October 10, 1963, the Committee on Rules and Administration is authorized (1) to make such expenditure as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $1,600 than the highest gross rate paid to any other person employed under the authority of this resolution; and (3) with the prior consent of the heads of the departments or agencies concerned, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

"SEC. 2. Expenses of the committee, under this resolution, which shall not exceed $50,000 through January 31, 1964, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee."

RULES OF PROCEDURE GOVERNING THE INVESTIGATION INTO THE FINANCIAL OR BUSINESS INTERESTS OF ANY OFFICER OR EMPLOYEE OR FORMER OFFICER OR EMPLOYEE OF THE SENATE, NOVEMBER 14, 1963

1. The investigation authorized by Senate Resolution 212, agreed to on October 10, 1963, will be conducted by the full membership of the Committee on Rules and Administration (hereinafter referred to as the "committee") rather than by any subcommittee thereof.

2. Any three members of the committee shall constitute a quorum for the purpose of taking testimony under oath; *Provided, however*, that once a quorum is established, any one member can continue the hearing.

3. Any absent member may vote by proxy on any issue which comes before the committee for decision except as otherwise designated in these rules.

4. Subpenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the committee chairman or by any other member of the committee designated by him.

5. The chairman shall have the authority to call meetings of the committee. This authority may be delegated by the chairman to any other member of the committee.

6. Should a majority of the membership of the committee request the chairman in writing to call a meeting of the committee, then in the event the chairman should fail, neglect, or refuse to call such a meeting within 10 days thereafter, such majority of the committee may call such meeting by filing a written notice thereof with the clerk of the committee, who shall promptly notify in writing each member of the committee.

7. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearings, and to advise such witness while he is testifying, of his legal rights; however, counsel shall not have the right to interrogate witnesses. This rule shall not be construed to excuse a witness from testifying in the event his counsel is ejected for contumacy or disorderly conduct; nor shall this rule be construed as authorizing the counsel to coach the witness, answer for the witness, or put words in the witness' mouth. The failure of any witness to secure counsel shall not excuse such witness from attendance in response to subpena.

9. Any person who is the subject of an investigation in public hearings may submit to the chairman of the committee questions in writing for the cross-examination of other witnesses called by the committee. With the consent of a majority of the members of the committee present and voting, these questions shall be put to the witnesses by the chairman, by a member of the committee, or by counsel of the committee.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the counsel or chairman of the committee 24 hours in advance of the hearings at which the statement is to be presented. The committee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, or physical discomfort, that during his testimony, television, motion picture, and other cameras and lights shall not be directed at him, such request to be ruled on by the committee members present and voting at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive or public hearings. The record of his own testimony whether in public or executive session shall be made available for inspection by witness or his counsel under committee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his expense if he so requests.

13. Interrogation of witnesses at committee hearings shall be conducted by members and authorized committee staff personnel. Every witness shall first be heard in executive session prior to being heard in an open hearing, unless otherwise determined by the committee.

14. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a committee member or counsel, tends to defame him or otherwise adversely affect his reputation, may (a) request to appear personally before the committee to testify in his own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the committee for its consideration and action.

15. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the committee.

16. All staff members shall be confirmed by a majority of the committee. After confirmation, the chairman shall certify staff appointments to the financial clerk of the Senate, in writing.

17. Subject to the general supervision of the chairman of the committee, the general counsel will have the overall responsibility for conducting the investigation and will set up guidelines for its direction.

18. Subject to the general supervision of the chairman of the committee and under the immediate supervision of the general

counsel, the chief investigator will have responsibility for the investigation proper. All inquiries conducted by investigators or other staff members will be under the direction and supervision of the chief investigator and no investigator or other staff member will conduct independent inquiries on his own authorization.

19. Any member of the committee may request that the chairman direct one or more staff members to secure evidence and interview possible witnesses. Any member of the committee may request that a witness be called to testify before the committee in executive session. Such requests shall be honored by the chairman unless he finds that the evidence in question, or interview of a possible witness or the testimony of the witness is irrelevant to the investigation, in which case the question shall be determined by a majority vote of the committee.

20. All inquiries conducted and all information received from any source will be made a matter of record and included as a part of the committee's files of the investigation. All files of this investigation will be available to properly accredited personnel.

21. These rules may be modified, amended, or repealed by a decision of the committee, provided that a notice in writing of the proposed change has been given to each member, at least 48 hours prior to the respective action.

Mr. ERVIN. Mr. President, I wonder if the Senator will yield to me for a brief comment, with the understanding that he does not lose the floor?

Mr. CLARK. I am glad to do that, if the minority leader has no objection.

Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina for the purpose of making a statement, with the understanding that I shall not lose the floor.

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

Mr. ERVIN. Mr. President, I am sorry my colleague, Senator JORDAN, who is chairman of the Rules Committee, is not present today. I am also sorry I was not in the Chamber of the Senate at the time of the discussion about the Bobby Baker investigation.

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

Mr. ERVIN. I yield.

Mr. CLARK. I hope the Senator will stay, because we are still talking about it.

Mr. ERVIN. Yes. Unfortunately, I must keep an engagement. I will do the best I can.

My colleague, Senator JORDAN, is as honorable a man as can be found anywhere in the United States.

My colleague from North Carolina [Mr. JORDAN] fully anticipated that there would be a vote in the committee and that the vote of a majority of the members of the committee would be to the effect that the investigation had fulfilled its purpose under the resolution of the Senate, which directed it merely to investigate circumstances relating to the business interests of former employees or present employees of the Senate, to ascertain whether there was any conflict of interest between business transactions of such former or present employee and his duties as an employee of the Senate.

On many occasions I have sat in the Chamber and seen other Senators who took time by the forelock by having prepared statements concerning the events which it was anticipated would occur and which necessarily did occur before they released the statements.

I have seen the majority leader, on many occasions, whether he was a Democrat or a Republican, and I have seen other Senators who were handling bills on the floor, both at the time the Senate was in the control of the Democrats and also when it was in control of the Republicans, anticipate certain action being taken, and who, immediately after the action was taken, stood on the floor of the Senate with prepared statements which they read.

That is all my colleague from North Carolina has done in this case. There is some mystery as to how the prepared statement came into the hands of another member of the committee when it was never released by my colleagues. This is a very interesting and intriguing mystery.

I was interested in reading the statement of committee counsel in the press. I have known the counsel for many years, long before I lost the chlorophyll out of my hair. There is not a finer lawyer anywhere in the United States than Major McLendon, the committee counsel. There is not an abler attorney. There is not a more honorable gentleman. I have never known a more capable person anywhere, in any of my wanderings. I thought his statement made a very good case for the proposition that the investigation has been completed, and that it has revealed all the information necessary for the committee to make a report in the performance of the mission given it by the Senate.

Of course, Senators have a right to disagree, but I was intrigued by the release of the Senator from Pennsylvania [Mr. SCOTT] with reference to an alleged nongenuine signature on the tax return. The contents of that tax return may have been germane to the question the committee was investigating, but my understanding is that the tax return has been in the hands of the committee for months. The question of whether it was a nongenuine signature or not was not relevant to the inquiry. That shed no light whatever upon whether there was any conflict of interest.

The only thing to which it would be relevant would be an inquiry as to whether someone had violated an existing statute with respect to making false statements. There is plenty of law on this subject already on the books. That should be investigated by the Department of Justice, either through some other agency or the FBI. It did not have relevancy—in my opinion as a lawyer—to the question the committee was appointed to investigate.

If the Senate Rules Committee goes so far afield as to investigate contributions to campaign funds, or whether false statements have been made in respect to a matter not relevant to the inquiry, investigation can be kept in progress forever. But I respectfully submit, in view of the statement I saw in the press by Major McLendon, that the committee, for all practical intents and purposes, has fulfilled its mission and is in possession of testimony on which it can make a proper report.

I believe my colleague prepared a statement anticipating certain action, but he never released the statement. He prepared the statement in advance of action which he thought should be taken and believed should be taken. He was merely emulating the example of virtually every man in public life, called upon to account, through the media of communications in this country, as to what has happened and what he anticipates happening; and perhaps he took time by the forelock. I see no basis for any legitimate criticism of him.

I thank the Senator for yielding.

Mr. CLARK. I thank the Senator from North Carolina for his helpful intervention.

Mr. President, in the course of organizing for their duties, the majority members of the committee concluded, and the minority members concurred without objection, that it would be desirable to retain independent counsel rather than to rely solely upon counsel already retained by the committee.

As the senior Senator from North Carolina has said, on recommendation of the chairman, the Senator from North Carolina [Mr. JORDAN], Maj. Lennox Polk McLendon—who I believe is a direct descendant of James K. Polk, former President of the United States—at least he so advises me——

Mr. ERVIN. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. ERVIN. I believe he is not a direct descendant of former President Polk, but he is a collateral relation.

Mr. CLARK. A collateral relation. I thank the Senator for that information. I suppose it is as irrelevant and immaterial as much of the testimony that was taken before the committee.

In any event, Major McLendon, whom I had never seen in my life before, made an immediate impression on me—as a former lawyer—for the breadth and depth of his legal knowledge, and for what seemed to me at least to be his unquestioned and rugged integrity. I am glad to have the views of the Senator from North Carolina [Mr. ERVIN] that he bears the highest reputation in the North Carolina Bar Association.

Some weeks after the resolution had been adopted and referred to committee, counsel and investigators having been appointed, we went to work.

I should like to review briefly what has been done to date.

One hundred and eighty individuals or more have been interviewed at length. Approximately 50 more have been interviewed recently, some of them twice—some even three times.

Written reports numbering more than 180 have been prepared and placed in the files, and studied by the legal staff—which of course includes the legal staff of both the minority as well as the majority.

Fifty-nine witnesses have been examined, five of them in both executive and public sessions.

Forty-two witnesses have been examined in public sessions. Records of more

than 35 banks and financial institutions have been carefully examined.

In response to the colloquy between my colleague from Pennsylvania and the senior Senator from Ohio [Mr. LAUSCHE], the financial and stock records and every other available written record of the Mortgage Guarantee Co. of Wisconsin—known as MAGIC—have been fully investigated by the staff of the committee, and, to the extent that those records are relevant, they have been placed in evidence.

Information and assistance have been sought and obtained from a number of government agencies among our investigators and former members and employees of the Federal Bureau of Investigation who came to us highly recommended by Mr. J. Edgar Hoover and his subordinates. Two or more trained accountants from the General Accounting Office were loaned to the committee. They have been most helpful in attempting to untangle the complicated financial transactions with which we found ourselves faced.

The committee has held 18 public sessions, 3 of them consuming both morning and afternoon. It has met in executive session on 22 days, and 6 of the meetings consumed both morning and afternoon.

Of the total of 59 witnesses examined, all but 5 volunteered to be interviewed and appeared and testified voluntarily.

In the course of the investigation, employees of the committee went to 31 cities, States and countries—including Puerto Rico and the Dominican Republic. The committee has compiled a list of more than 700 individual organizations identified in interviews, or in public records, or in the public press as having some knowledge of the subject matter under investigation.

Naturally, at some point, the question will arise as to when the committee should stop further investigation.

The first question which was directed to us by the Senate was whether the financial or business interests or activities of any officer, employee or former employee of the Senate involved conflicts of interest or other improprieties.

This, of course, must be a matter of judgment, which the committee has not yet made. There has been no decision as to whether the time has come to terminate its investigation. At the same time, it must be obvious that we are under a duty to comply with the direction of the Senate, to report at the earliest practicable date the results of our study and investigation, then to proceed with the second duty with which we were charged, which is to state whether additional laws, rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities.

Early in March—I do not recall the exact date—counsel for the committee and several of the majority members of the committee came to the view that the time had come to terminate the first part of the investigation. Counsel was requested by the majority members of the committee to prepare for the committee a report and recommendation as to whether or not the time had come to terminate the taking of further testimony.

Let me say quite frankly for the record that in view of the way the investigation has developed—I regret that it has developed in this way, but it clearly has—it became obvious some months ago that the committee was going to split—in fact, did split—along partisan lines in its deliberations; and, as has been done in my experience so frequently, and as has been done, as I understand, since the foundation of the Republic, the Democratic members of the committee, sometimes all, more frequently not all, and sometimes not even a majority of the six, would gather together in an informal caucus to discuss with one another and with counsel what our next move should be.

That is so because in the end the majority have the responsibility for the appropriate and proper conduct of the investigation and for determining, since we have the majority of the votes, if we are in agreement, when further testimony would be neither useful nor desirable.

Major McLendon prepared such a report. It has been placed in the RECORD by my colleague from Pennsylvania [Mr. SCOTT]. It was given to the press after our executive session last Friday. I shall not undertake to read it at length, but I should like to quote from a few comments which counsel made in the course of the report to the full committee, which was presented to the full committee on Friday, and as to which no action has yet been taken.

Counsel said:

> The express language of the resolution confines the investigation to "financial or business interests or activities of any officer or employee or former officer or employee of the Senate."

Counsel then advises us that, taking full responsibility for his action as counsel for the committee, he believes two conclusions may be drawn from this extensive investigation:

> First, it is highly unlikely that any additional evidence can be found materially differing from the type of evidence already placed in the record of the committee's hearings; and second, that it is a reasonable certainty that any additional evidence which can be produced will be repetitive and cumulative. If evidence differing substantially from that pattern of evidence already presented is in existence, surely it would have been discovered in the course of this investigation.

Then counsel for the committee gives us what he describes as his considered legal opinion of the probative value of the evidence already presented.

This, I believe, is very important. Counsel says—and I agree, and I know that all the majority members of the committee also agree, because I have discussed it with them, that—

> the evidence fully justifies the committee in finding the existence of conditions which have made possible a multitude of acts by some of the officers and employees of the Senate, which acts are incompatible with the responsibilities of the Senate, violative of the generally accepted standards of official conduct rightfully expected by the American people of their public officials and employees, and constituting improprieties of the grossest character within the meaning of Senate Resolution 212. The further and inescapable conclusion follows that additional laws, rules, or regulations are necessary for the purpose of prohibiting or restricting such activities and conduct.

Senators will recall that the obligation in the second area of investigation, that is, to recommend laws, rules, or regulations, was clearly placed upon the committee by Senate Resolution 212.

I should like to take strong issue with something said by my colleague from Pennsylvania earlier this afternoon. Counsel for the committee tells us:

> The committee has no authority to conduct a "trial" or "trials," either civil or criminal, of anyone.

We are not engaged in trying individuals. We are engaged in trying to find out if financial improprieties have been committed by employees or former employees of the Senate. If we find them, we are to make them known to the Senate and to the public at large, and what should be done to prevent a repetition. If any criminal act has been revealed, or any basis of civil liability has been revealed, it is not for the committee to pass upon it. It is the function of the civil courts to proceed in civil cases. It is known that civil litigation is now pending in this case. If criminal activities have been revealed, it is the function of the Department of Justice to prosecute. If it involves delinquency with respect to taxes, it is the responsibility of the Internal Revenue Service to see to it that appropriate criminal proceedings are instituted, and to give such evidence as it may be able to bring to bear in the interest of obtaining a conviction.

Committee counsel then states:

> When basic facts are once established—

And in my opinion they have been established—

> from which the committee may draw reasonable conclusions with respect to the exercise of its legislative duty of making recommendations to the Senate for remedial and preventive legislation, or rules and regulations, any further investigations and exposures of the conduct of individuals find unqualified condemnation in the applicable court decisions holding that exposure for exposure's sake is both legally and morally indefensible.

Earlier this afternoon my colleague from Pennsylvania, took exception to that statement by committee counsel. He said he knew of no case that so held. I should like to call to his attention and to the attention of other Senators the following quotation:

> There is no congressional power to expose for the sake of exposure.

That is from *Braden* v. *U.S.*, 272 Fed. 653. Certiorari denied by the Supreme Court of the United States in 365 U.S. 431. Petition for rehearing also denied.

The rule is that congressional committees may not investigate solely for exposure's sake. There must be a legislative purpose. This appears also in the case of *United States* v. *Miller*, 259 Fed. 2d, 187. Those decisions, and perhaps one or two others which our counsel may bring to our attention, make the validity

of the legal opinion given to us and to the whole committee by Major McClendon absolutely clear.

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

Mr. CLARK. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. Does not the Senator recall an opinion of the Supreme Court in a comparatively recent case—about 4 years ago—the Watkins case, which stated that a congressional committee had no right to make an exposure for exposure's sake?

Mr. CLARK. The Senator from North Carolina is far more learned in the law than I. I stopped practicing law about 13 years ago. I have complete confidence in the legal erudition of the Senator from North Carolina. If he says that is correct, I am sure it is.

Mr. ERVIN. I should like to ask the Senator if he recalls the Kilbourn case, one of the first cases on this subject, in which, as I recall, one of the Houses of Congress—I forget which—undertook to have the Sergeant at Arms imprison Kilbourne for contempt of Congress for failure to answer a question.

Mr. CLARK. Again, I am unable to answer the Senator in the affirmative; but again, I am confident the Senator is correct.

Mr. ERVIN. I thank the Senator. If it will not endanger the Senator's right to the floor, the court, in the case of Kilbourn, as I recall, laid down the doctrine that a congressional committee has no right to call upon a witness for either personal testimony or affidavits which are not relevant to the matter which the committee has been assigned to investigate.

Mr. CLARK. I thank the Senator from North Carolina.

Counsel for the committee advised us last week that the committee would be detouring completely away from its area of jurisdiction if it proceeded to try individuals for the purpose of determining, if possible, whether a particular witness was testifying to the truth or had testified falsely with respect to the details of pertinent transaction.

What is material and relevant to the subject matter defined in Senate Resolution 212 is: Was there a business or a financial transaction participated in by an officer or employee of the Senate constituting conflict of interest as defined by Federal law or constituting any other impropriety, meaning other than a conflict of interest? If the answer is "Yes," then the transaction and purpose are helpful to the committee in the performance of its legislative business. If the answer is "No," then the transaction loses probative value, however curious or even sensational it may be.

In the light of that background, counsel recommended to the committee, first, that investigations and hearings concerning any financial interest or business activities of officers or employees and former officers or employees of the Senate, for the purpose of ascertaining whether any such interest or activities have involved conflicts of interest, or other impropriety, be discontinued. I point out that this recommendation was prepared by counsel and was mimeographed before the Senator from Delaware [Mr. WILLIAMS], who is now in the Chamber, called to the attention of the committee, in a most helpful way, as he has been most helpful in the past, affidavits made by Mr. Hauft, the accountant who prepared some, if not all, of Mr. Baker's income taxes, and the affidavit made by the young woman who was employed by the telephone answering service.

The Senator from Delaware will correct me if I am in error, but my best recollection is that those affidavits came over to the committee either late last Thursday afternoon—as I think they did—or early Friday morning.

Mr. WILLIAMS of Delaware. They were delivered to the committee Thursday afternoon, to Senator JORDAN. I delivered a copy to Senator JORDAN, chairman of the committee, and a copy to Senator CURTIS, the ranking Republican member of the committee, on Thursday afternoon, about 5 o'clock.

Mr. CLARK. I thank the Senator from Delaware for that statement. I should like to make it abundantly clear that the recommendation of Major McLendon was mimeographed before Senator WILLIAMS of Delaware had delivered the affidavits, of which no member of the committee, or its counsel, had the slightest knowledge, to the committee on Thursday afternoon.

The second recommendation of counsel was that the staff and such other assistants as the committee might choose be instructed to begin immediately the preparation of the committee's report and its recommendations to the Senate.

Mr. President, I will not deny—indeed, I am proud to aver—that the substance, although not the exact language, of the report of Major McLendon was discussed by the majority members of the committee in caucus. I see nothing inappropriate about that. I think it was a highly proper procedure in the light of the way the hearings had been going.

Then it was concluded that a meeting of the full committee, at which counsel would report his recommendations, should be called for 9 a.m. last Friday. I reiterate that when that meeting was called, no member of the committee or of the committee's staff had the slightest idea about the affidavits presented by the Senator from Delaware.

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

Mr. CLARK. I am happy to yield.

Mr. CURTIS. Will the Senator repeat what he just said?

Mr. CLARK. I said that when the report was originally prepared and mimeographed, no member of the committee or its counsel had the slightest idea of the affidavits which the Senator from Delaware sent to the committee at 4 o'clock on Thursday afternoon, as he just said.

Mr. CURTIS. What time was the report mimeographed?

Mr. CLARK. I do not know; but it was done before that. It must have been, because I saw it the day before.

Mr. CURTIS. Is it the Senator's suggestion that when the committee met on Friday, it was not known about the affidavits that alleged forgeries?

Mr. CLARK. Of course not. I shall treat that in just a moment. I cannot remember when I first heard about the affidavits, but my recollection is that it was sometime late Thursday afternoon, or during the course of Thursday evening. So when we came to the meeting at 9 o'clock Friday morning——

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. WILLIAMS of Delaware. As I recall, the Senator from Pennsylvania and I had a discussion on the floor of the Senate Thursday afternoon, about 1 hour after the chairman of the committee had received the affidavits. I told him at the time——

Mr. CLARK. The Senator from Delaware is quite correct. He has refreshed my recollection. He did tell me about them. At that time, he was kind enough to let me read copies of the affidavits.

I hope the Senator will confirm what I say. I asked him whether he had any other information available to the committee which he thought the committee should consider before we determined whether we ought to take further testimony. My recollection is that the Senator said, in substance, this:

> I do not, now. I have never held back information from the committee. Everything that has come to my attention has been promptly forwarded to the committee. That is what I have done in the past; that is what I shall do in the future.

Mr. WILLIAMS of Delaware. The Senator is correct about that. I stated when I introduced the resolution that I would cooperate fully with the committee. I have appeared a couple of times before the committee. On other occasions I have transmitted certain papers and documents which I thought it should have. I told the chairman that I most certainly would continue this practice so long as the committee was functioning. I will transmit to the committee any information which I might develop. Now as to what the committee has done with this information after I transmitted it, the committee is in a better position to make that judgment than I.

I will state again that I felt I would be subject to criticism if I did not cooperate with the committee after having asked that it be established. I have cooperated and shall continue to do so. If something came to my attention tonight, it would be turned over to the committee as promptly thereafter as I could get it to them if I thought it was pertinent.

However, the Senator should realize that the information comes at various times. Whether something further will be developed after the committee had concluded its investigation is a question that neither he nor I could answer.

Mr. CLARK. I wish to state for the RECORD, that in my opinion the Senator from Delaware has been completely fair with the committee, and also has been extremely useful to the committee; and he assisted in its deliberations and point-

ed out items from the inquiries which might not have been known to us except for the information he furnished; and if the chairman of the committee, the Senator from North Carolina [Mr. JORDAN], were present at this time, I am sure he would join in my statement that the Senator from Delaware has been eminently fair.

Mr. President, I return to the situation which confronted the committee a few minutes before 9 o'clock on Friday morning. I may say that—not entirely to my surprise—as I approached the door to the committee room where the hearing was to be held, I found my distinguished and beloved colleague from Pennsylvania [Mr. SCOTT] already engaged in a national television show, in which he was reading to the assembled reporters from the wire services and the great television stations and radio stations the entire affidavit which had not then been brought up before the committee. My recollection is—although I hated to deprive myself of the advantage, and therefore I cannot be sure on this point—that at the same time he was making the same somewhat critical comments about the majority members of the committee that he has been making in the Senate Chamber this afternoon. So certainly there can be no thought that the affidavit has been covered up.

During the session of the committee, it was, in my opinion, quite clear that new and, I believe, fairly important evidence had been called to our attention by the Senator from Delaware [Mr. WILLIAMS]; and at 9 o'clock that morning, with every member of the committee present, we began our session, which lasted the better part of 3 hours and 15 minutes, and resulted in some conduct which I shall not undertake to criticize; but I shall say that in my judgment it was rather unusual, and it resulted in the minority's insisting upon—and I think they were within their rights—a long presentation as to why in their opinion the recommendations by the counsel of the committee should not be approved.

But I wish to make crystal clear that every member of the majority agreed—and I hold in my hand a notation in my own handwriting, which was written in the language which was agreed to at that meeting, and it was agreed to orally—that immediately after the Major's recommendation that the investigation and hearings be discontinued, he proposed that this language should be inserted:

except with respect to the matter raised by the affidavit concerning the signature to Robert G. Baker's income tax, filed with the committee this morning.

"This morning" is probably a minor and immaterial error; probably it should have read "late yesterday afternoon."

But the majority has never had the slightest thought that it was going to push under the rug the questions raised by this affidavit; and in my mind there is no doubt that we shall take further testimony in that regard.

But the affidavit clearly indicates that there is a possibility that a crime may have been committed against the United States; and the prosecution of crime and a trial for the commission of a crime are not for the Senate Committee on Rules and Administration; instead, the prosecution is for the Department of Justice, aided in such case by the Internal Revenue Service; and the conduct of the trial and the ultimate judgment on the indictment, if one is brought, is for the courts of the United States, although I believe it would be highly desirable to take some relatively brief testimony, particularly from the accountant, Mr. Hauft, who already has testified before the committee with respect to this further development, of which he did not know—and I ask the Senator from Delaware whether he knows this to be a fact—until about 2 or 3 days ago. He did not, did he?

Mr. WILLIAMS of Delaware. I think it was last Thursday afternoon when he discovered it. He called my office; and it was around 3 or 4 o'clock when he came down there and told me about it. He made the statement, which was sworn to, and it was transmitted to the committee. As I have outlined, it was within the possession of the chairman of the committee within 1 hour from the time I had the information.

Mr. CLARK. So within a relatively few hours, thanks to the cooperation of Mr. Hauft and the Senator from Delaware, this affidavit was presented to the committee—as I have said—in the late afternoon of last Friday.

Mr. WILLIAMS of Delaware. That is correct.

Mr. CLARK. Mr. President, as I have said, we began the committee hearing, and there was extended discussion. I shall not say it was bitter, but I shall say it was spirited. About 2¾ hours after we had convened at 9 a.m., the respected President pro tempore of the Senate, the senior member of the committee in terms of service there, and also the senior member in terms of service in this body, the Senator from Arizona [Mr. HAYDEN]—presented a motion which incorporated the recommendations of the counsel for the committee, as amended, to include the further investigation of the matter involved in the affidavit of Mr. Hauft.

Before that amendment could be voted upon—in fact—and the Senator from Nebraska will correct me if I am wrong—before it had been very much discussed, except to the extent that the minority were rather sure that such a motion was going to be made before the committee meeting was over, and there was some discussion in that regard—but before the motion could be voted upon, the Senator from Pennsylvania proposed an amendment. I do not recall its terms, and it is not particularly pertinent for the purposes of this discussion, because before we could vote on my amendment, the Senator from Kentucky [Mr. COOPER] proposed a substitute resolution, and made a relatively brief speech in support of it, the purport of which as that before determining whether to terminate further hearings with respect to the first part of Senate Resolution 212, the committee proceeded to discuss, witness by witness, the testimony which the minority thought would be given by a series of witnesses—I do not remember how many—12 or 16, or perhaps more in the background—for the purpose of determining whether their testimony was pertinent, relevant, and more than merely redundant.

About the time when the Senator from Kentucky [Mr. COOPER] presented his motion, the bell rang, to show that the Senate was in session. The minority Members sprang to their feet and said, "We cannot go any further, because committees are not allowed to sit while the Senate is in session. So we cannot go any further now."

A few minutes earlier I had taken the precaution to call the distinguished majority whip, the Senator from Minnesota [Mr. HUMPHREY], and to ask him to obtain unanimous consent for the committee to meet while the Senate was in session last Friday. He told me he would do his best, but that he did not know what luck he would have.

At that point, some very wise and shrewd member of the committee or of its staff called to our attention the Church resolution, which permits Senate committees to sit—even though the Senate is in session—during the morning hour. So we sat during the morning hour of the Senate—whose briefness I deeply regret.

Thereafter, the bells for a quorum call rang; and, following a telephone call, it became obvious that in the Senate Chamber the morning hour was over, and we were advised from the floor of the Senate that objection had been made to the request for authority for committees to sit while the Senate was in session, and that the objection had been made by the Senator from Nebraska [Mr. CURTIS].

That is where we stand at this moment.

Tomorrow morning, the committee will convene at 9 a.m., to vote on the Cooper resolution. I have no way of knowing whether that resolution will be adopted. Frankly, I shall wish to hear what the counsel for the committee, in summarizing the reports of the investigators, will have to say with respect to the desirability of calling any of these witnesses. It is not my opinion that we should engage in further extended discussion on this point, because I believe that all of the evidence which it is thought the witnesses might be able to bring to the committee has already been covered in the extensive investigation already made, to the extent that such evidence is pertinent, not merely redundant.

But I have an open mind, and I shall see what happens tomorrow. If the Cooper resolution is adopted, of course there will have to be further executive sessions, which I hope will not be too extended.

If the Cooper resolution is rejected, I have no doubt that my able colleague will propose one amendment, or perhaps many amendments, to the resolution offered by the Senator from Arizona [Mr. HAYDEN].

Who can tell what the parliamentary situation will be tomorrow? I shall state only my own conviction that once we are through looking into the Hauft affidavit to the extent that an investigating

committee of the Senate can do so without prejudicing a possible criminal indictment, I believe we should stop taking further testimony and go on to the second part of our investigation.

It is not my purpose to indulge in personalities, nor is it my intention to discuss, before I know all the facts, just what testimony, if any, which is relevant, pertinent and not merely redundant, could be given by the large number of witnesses whom the minority wish to hear. I believe we shall cross that bridge when we get to it. But I for one would like to see us move ahead in accordance with the recommendations of our eminent and able counsel as promptly as we can to proceed to determine whether additional laws, rules or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities so that we can comply with the mandate of the Senate, which is to report at the earliest practicable date the results of our studies and investigation.

In conclusion, I wish to end as I started. I deplore the partisanship which has been evidenced on the floor of the Senate this afternoon. I do not wish to do anything to fan that partisanship into active flame. In my considered judgment my colleague from Pennsylvania, whom I hold in high regard, has made a number of statements this afternoon which are not entirely in accord with the facts. I do not say that that is anything other than inadvertence, and perhaps the result of enthusiasm on the part of a former chairman of the Republican National Committee for a case which he believes would be of great assistance in the coming campaign.

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

Mr. CLARK. I am happy to yield.

Mr. CURTIS. Did the senior Senator from Pennsylvania inform the junior Senator from Pennsylvania that he expected to state on the floor of the Senate that the junior Senator from Pennsylvania had made statements that were not true?

Mr. CLARK. I informed my junior colleague in his presence that I intended to comment on his speech. If he chose to leave the floor, that was his own privilege and his own right.

Mr. CURTIS. Will the Senator particularize those points in respect to which the Senator did not state the truth—if the Senator can do so?

Mr. CLARK. I ask the reporter to read back what I actually said, because I do not believe that the Senator from Nebraska has accurately repeated what I have said.

Mr. CURTIS. Mr. President, is it proper for that to be done?

The PRESIDING OFFICER. Unanimous consent must be requested in order to have the RECORD read.

Mr. CLARK. Mr. President, I ask unanimous consent that the reporter may read back at this point the comment I made relative to the statement made by my colleague.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The reporter will read the statement made by the senior Senator from Pennsylvania concerning the junior Senator from Pennsylvania.

(At this point Mr. SCOTT entered the Chamber.)

Mr. SCOTT. Mr. President, reserving the right to object, may I inquire what the statement was? I was called from the Chamber to speak to a mutual friend of ours, a judge in the county of which Philadelphia is a part. I have no objection to any statement of mine being read back.

The PRESIDING OFFICER. The statement of the senior Senator from Pennsylvania will be read.

The Official Reporter of Debates, Mr. Joseph J. Sweeney, read as follows:

In conclusion, I wish to end as I started. I deplore the partisanship which has been evidenced on the floor of the Senate this afternoon. I do not wish to do anything to fan that partisanship into active flame. In my considered judgment my colleague from Pennsylvania, whom I hold in high regard, has made a number of statements this afternoon which are not entirely in accord with the facts. I do not say that that is anything other than inadvertence and perhaps the result of enthusiasm on the part of a former chairman of the Republican National Committee for a case which he believes would be of great assistance in the coming campaign.

Mr. CLARK. At that point the Senator from Nebraska [Mr. CURTIS] arose to take what appeared to me to be umbrage because I made the statement in the absence of my colleague. If the Senator has any objection to the statement, I shall be glad to yield to him.

Mr. SCOTT. I have long since run out of umbrage. The bottle of vitriol is empty; the stock of ire has to be renewed at the Food and Drug Administration.

I have no feelings in this case. I do not believe that the investigation of the Committee on Rules and Administration is making any heroes. It is a most unpleasant task. I am quite tired of arguing my own feeling that we should proceed until we find the truth. As to whether I made any inaccurate statements, the Senator has merely used some sort of broad net. He probably cannot recall what I said, but rather hopes that something I said was inaccurate which, the Good Lord knows, is possible with all of us fallible human beings. But, to the best of my knowledge, considering my 1½-hour recitation of some of the complicated factors involved in one of the most tragic and scandalous occasions of our times, I do not recall any inaccurate statement.

I would be glad to have any specific inaccuracy called to my attention, and if, prone to err, I have indeed erred, I would be very glad to take this opportunity to correct it. But to the best of my knowledge what I have said is factually supported by others present, by the testimony, by the transcript, by the notes of the investigators that I would be glad to have the Senator, as my senior colleague, and, to some degree, my guide, my counselor, and my friend——

Mr. CLARK. The Senator's campaign manager, it has been alleged.

Mr. SCOTT. Yes, at times my colleague has been accused by his own party of being associated with me in a Damon-and-Pythias relationship.

Mr. CLARK. The Senator knows that that relationship does not exist.

Mr. SCOTT. I do not know who would be Damon and who would be Pythias. One got into more trouble than the other.

I should be glad to have the Senator point out any statement which I made in which he thinks I have fallen in any degree short of accuracy.

Mr. CLARK. I should be happy to enlighten the Senator with respect to only three of the inaccuracies to which I referred. In each instance one would have to read the CONGRESSIONAL RECORD tomorrow morning. But my clear recollection is that the answer which the Senator from Pennsylvania [Mr. SCOTT] made to the inquiry of the senior Senator from Ohio [Mr. LAUSCHE] with respect to the Magic Corp.—the Milwaukee Mortgage Guaranty Co.—was quite inaccurate in that the Senator in his answer did not reveal that every pertinent book and record, including every stock record, relating to that corporation has been investigated by the staff of the committee. To the extent that such document was pertinent or relevant, it has been placed in the RECORD.

Second——

Mr. SCOTT. May we take the items one at a time?

Mr. CLARK. Certainly.

Mr. SCOTT. I do not believe that the stock transfer book showing every single transfer of the stock of that company has ever been disclosed to the membership of the Committee on Rules and Administration. Certainly it has not been shown to me.

I ask the Senator if he is satisfied that all of the $700,000 worth of stock was either issued or was not issued? I have said quite clearly today that I am not aware of whether or not all of the securities were issued for the purpose of helping the company to secure the people who could be of benefit to the company—the shareholders. I do not see anything inaccurate in that statement.

Mr. CLARK. Mr. President, I adhere to my view already expressed in that regard. I suggest that we await the RECORD tomorrow morning, examine it, and if an apology is in order, I shall make it. I am quite confident that an apology will not be in order.

May I now go to the second item?

Mr. SCOTT. Yes. I would suggest to the Senator that rather than quibbling with me on questions of recollection, in which we are both sincerely trying our best to be most accurate, the Senator might do something about it tomorrow by asking the committee thoroughly to investigate all the stock books to find out if there are any mysterious or undisclosed shareholders.

Mr. CLARK. During the course of the colloquy, the majority whip, the Senator from Minnesota [Mr. HUMPHREY], at my request, located Major McLendon and asked him if the statement made by my colleague was accurate. He said it was not. On the basis of that statement, and also on the basis of my own recollection, I have stated that specific instance.

Mr. SCOTT. With all due respect to Major McLendon, who is a fine lawyer, I have found that the major has been in error on matters of both law and fact. That happens to all of us; and I do not dignify the major's statement as indicating that the subject has been fully investigated, because we still do not know whether or not there were shareholders who received shares after the first 100,000 or 200,000, up to the number 700,000, which the transcript at some point shows was intended to be issued to persons in a position to benefit the company.

The good major may have the greatest recollection in the world—and I have the greatest regard for him; he is a fine and able lawyer, and he is doing the best he can under circumstances which must be thoroughly frustrating—but I cannot believe that, in the short time that has elapsed, the major has read all the testimony.

Mr. CLARK. I stand on the record, and also my own recollection.

Mr. ERVIN. Mr. President, will the Senator yield for a comment, since a constituent of mine has been mentioned?

Mr. CLARK. Mr. President, will the Senator yield to the Senator from North Carolina without losing the floor?

Mr. SCOTT. If the Senator from North Carolina will be brief.

Mr. ERVIN. Mr. President, I shall be very brief. I had the experience of being a superior court judge in my State for 7 years, and I also had the experience of being a judge of the supreme court for 6 years. During my 13 years as a judge, Major McLendon appeared before me, in one court or the other, on scores of occasions. I would like to bear testimony that during those 13 years I never saw any occasion when he made an incorrect statement either about a fact or about the law. I would regret it if he erred in either of those respects in any proceeding before the Rules Committee.

Also, I have never known Major McLendon to take any position with respect to a question of fact or a question of law except after he had studied all the facts and the law applicable to the situation involved.

Mr. SCOTT. May I comment on the statement by saying I think Major McLendon is an eminent lawyer, but to say that any lawyer has never made a mistake in fact or in law implies a degree of perfection which does not fall to the rest of the members of the bar.

Mr. ERVIN. He comes as near to being perfect as any member of the bar I have known since I obtained my license to practice law many years ago.

Mr. SCOTT. I am glad to know that.

Now, will the Senator from Pennsylvania proceed to the next point?

Mr. CLARK. I think the Senator was quite inaccurate, I am sure unintentionally—and I take umbrage, and I have some to take——

Mr. SCOTT. The Senator has more to take than I have——

Mr. CLARK. When he said the Senator was not telling the truth, as he observed, when the comment was—which I had read back—that the committee has never refused to hear Walter Jenkins, and the majority has never denied the minority any vote on that question. That is what is involved in the Cooper motion, which will be pending tomorrow.

Mr. CURTIS. Mr. President, will the Senator yield for a correction?

Mr. CLARK. I yield.

Mr. CURTIS. On March 9 the three majority members made a written request for Mr. Jenkins' testimony because a portion of the testimony of Don Reynolds was contradictory and because the former had refused to clear up the matter. We therefore requested the committee to call as a witness Walter Jenkins and George Sampson.

Mr. CLARK. The committee has never acted on such a motion.

Mr. CURTIS. The request was never acknowledged. The committee never granted the request. No meeting was ever called to consider the request. The statement that no request had been made for the testimony of Walter Jenkins does not conform to the written record of the committee.

Mr. CLARK. I never made any such statement. The Senator is putting words in my mouth. I said the committee has not refused to hear Mr. Jenkins. My colleague [Mr. SCOTT] said the committee had refused to hear Mr. Jenkins. Whether the committee is to hear Jenkins or not is involved in the Cooper motion, which will be the pending business tomorrow morning.

Mr. SCOTT. We are at least agreed that the request was made of the committee, which has not been acted on until today. That request was made by three Senators. I believe the request will be renewed in open session.

Mr. CLARK. The Senator has already done it.

Mr. SCOTT. It will be renewed tomorrow, if we are given an opportunity. Then the committee can turn its back on our civil rights and civil liberties at that time.

Shall we go to the third alleged inaccuracy?

Mr. CLARK. Only to make the statement that, from the colloquy, it seems to me quite clear that the Senator from Nebraska and the Senator from Pennsylvania both admit that the statement made by the junior Senator from Pennsylvania that the committee refused to hear Mr. Jenkins is inaccurate.

Mr. CURTIS. No; it is true.

Mr. SCOTT. I renew it. I do not withdraw it, because what I said was that we wanted these witnesses called, and notwithstanding our request to call them, a member of the majority, with the obvious approval of the other majority members of the committee present, moved that the investigatory phase be ended.

At that point the Senator from Pennsylvania played the card that he did not want any witnesses called. The greater includes the lesser, and if he did not want any witnesses called, he was refusing to call Walter Jenkins.

Mr. CLARK. The constant reiteration of a statement which is inaccurate does not make it accurate, and I do not propose to prolong this discussion. May I go to the next point?

Mr. SCOTT. Yes.

Mr. CLARK. The third inaccuracy which the Senator undoubtedly unintentionally perpetrated this afternoon was in answer to the inquiries of the Senator from Iowa [Mr. MILLER] with respect to what the Senator called the looting of the Air Force files with regard to the Air Force record of Mr. Reynolds.

Mr. SCOTT. Raiding.

Mr. CLARK. I think the word was "looting." We can look at the record. It is about the same thing.

If it becomes pertinent, which I do not think it will, there will be ample opportunity to state the facts.

Mr. SCOTT. May I comment on that? What I said referred to the raiding of the Air Force files. What I said, and what I repeat, was that the Air Force records were, indeed, raided. The Air Force does not deny it. It took 12 days to reply. The Air Force made a full statement that they had offered this material or evidence to the counsel for the committee, and counsel for the committee on that same day said, "Oh, no, no, no." Then he went on to say that the man, when he came to see him, said, when he left, words to this effect: "Major, remember, I haven't given you anything."

So again we shall have to rely on the record.

There are only two Senators from North Carolina. But if there were a third, and if that third were Major McLendon, we would have his answer to it.

Mr. CLARK. Mr. President, I have identified specifically three matters in proof that the charge made by my colleague [Mr. SCOTT] was, let us say, inaccurate in his statement with respect to facts in a number of matters.

I conclude—and I am about to yield the floor—by saying that, in my opinion, counsel for the committee was correct when he recommended to us last week that, first, it is highly unlikely that any additional evidence can be found materially differing from the type of evidence already placed in the record of the committee's hearings; and second, that it is a reasonable certainty that any additional evidence which can be produced will be repetitive and cumulative.

I believe the conclusion drawn by counsel with respect to the next proceeding which the committee should undertake is correct.

I again call to the attention of my colleagues the fact that what we have done—and, as the RECORD shows, we have done a great deal—fully justifies a finding of the existence of conditions which have made possible a multitude of acts by some of the officers and employees of the Senate, which acts are incompatible with the responsibilities of the Senate, violative of the generally accepted standards of official conduct rightfully expected by the American people of their public officials and employees, and constituting improprieties of the grossest character within the meaning of Senate Resolution 212. But the further and inescapable conclusion follows that additional laws, rules, and regulations are necessary for the purpose of prohibiting and restricting such activities and conduct.

Mr. President, unless the minority brings forward tomorrow incontrovertible evidence which could be given by witnesses not called to date which is relevant and pertinent and probative to the inquiry in which we are engaging, I shall vote to terminate further hearings with the exception only of calling whatever witnesses or documents which may be necessary to ventilate and develop the affidavits with respect to the income tax return of Mr. Baker, prepared by Mr. Hauft, which was brought to the committee, I repeat that after the original draft of counsel's recommendation had been mimeographed, the recommendation was amended at the meeting on Friday, to make it clear this was a matter the committee should go into.

Mr. President, I do not like to see a situation develop in which the integrity—indeed the devotion to the Senate and its traditions—of six Members of this body is called into question on the floor of the Senate. I do not have to answer for my conscience to any other Senator, least of all to the three members of the minority on the Committee on Rules and Administration, for each of whom I have the most profound personal respect. My conscience is clear. We should get on with the job the Senate has charged us to do, to prepare recommendations which to the extent they can be made the law will prevent or at least deter repetition of these unfortunate events which have brought the Senate, its officers, and its employees into disrepute.

Mr. President, I yield the floor.

Mr. CURTIS. Mr. President, at this late hour, I shall not try to cover all phases of the investigation. It is my opinion that if the investigation were stopped, it would be a travesty upon justice. It would be the greatest whitewash job in the history of the Senate. I believe it would be deserting the hundreds of fine men and women who work under the dome of the Capitol, who perform an honest day's work, who are not taking kickbacks, who are not engaging in unlawful activities.

The investigation should go on. It has been a sordid picture. The principal object of the investigation has taken refuge behind the fifth amendment, which he has the right to do; but it so happens that several of his business associates have likewise taken the fifth amendment—gambling figures and other partners of his in corporations, banks, and various business activities.

I have the highest regard for the chairman of the committee. I do not believe he is at all happy at being pressured to stop the investigation. It is apparent that that is what is happening.

Today, I wish to confine my remarks to the denial of the rights of an individual Senator and of the minority to proceed under the written rules of the committee.

Rule XIX gives to every member of the committee the right to request the calling of a witness. He must make the request of the chairman, and the chairman must grant it, unless he finds it is irrelevant, in which case the committee will then decide by majority vote. The record is clear that requests have been made for witnesses, in order to clear up some of these facts, or to obtain new facts. We have proceeded under rule XIX, and our request has been denied.

I invite the attention of Senators to the CONGRESSIONAL RECORD of last Friday, March 13, page 5219, which sets forth a letter which was delivered to the chairman of the committee on March 9 in which the minority Senators requested that certain witnesses be called. I invite attention to the language:

> Our hearings should include all Senate employees and past employees who were associated with Mr. Baker in his duties during the period covered by the investigation, therefore, our request for witnesses is as follows:

Is there any lawyer anywhere who would say that their testimony would be irrelevant? These are the people who worked with Mr. Baker and under him. Mr. Baker took the fifth amendment. We are directed to inquire into his activities. Three members of the committee availing themselves of rule XIX asked that they be called. Their names are: Mrs. Margaret Broome; Mr. Rein J. Vander Zee; Mr. Jessop McDonnell—and some unnamed pages.

What else did we ask for? We also requested the calling as witnesses of certain persons who have had business transactions with Mr. Baker, or who are officers or partners in one or more of Baker's enterprises. Again we have Mr. Baker taking the fifth amendment, and we asked that those who were in business with him, who were his partners in one or more business enterprises, be called as witnesses.

No lawyer would contend that their testimony would not be relevant. If it was allowed under the written rules, any Senator had a right to have them called. Mr. Matthew McCloskey was included among the prospective witnesses.

Mr. McCloskey appeared in the office of Mr. Baker. They had a meeting. They discussed the stadium. They discussed the contractor's performance bond. Mr. Reynolds was present. Mr. Reynolds wrote the bond. The commission was more than $10,000. He made a kickback to Mr. Baker of $4,000. He gave $1,500 to the clerk of the House Committee on the District of Columbia. We wish to call Mr. McCloskey and ask him what happened at that meeting. It is relevant. Other Senators say it is not. Whitewash—it is a whitewash that casts shame on the Senate.

I submit that if the question of calling these witnesses were submitted to the Senate as a whole, they would be called. In addition to Mr. McCloskey, we asked that the committee call Mr. Max Kampelman, Mr. Paul Aguirre, Mr. Warren Neil, Messrs Jack Anderson, and James H. Carmichael of Riddle Air Lines, Mr. Charles Baker, and Mr. Nick Popich.

All of them had business transactions with the secretary to the majority, who filed a financial statement which states that he is worth $2 million, made under the dome of the Capitol.

The committee refused to call those witnesses. I say, "You can have all the phony opinions by counsel and everything else to justify your conscience, but it is a whitewash, and nothing else."

Because a portion of the testimony of Don Reynolds was contradicted, and because of the conflict of testimony, we said we wished to take the testimony of Mr. Walter Jenkins and Mr. George Sampson. What happened to our request? The rules provide that we are entitled to hear those witnesses. That request was delivered to the chairman of the committee on the morning of March 9. Did the committee call them? No. Did we get acknowledgement of the request? No. There has been too much time and attention and expense to the taxpayers used to cover up and to whitewash, energies that should have been used to find the facts.

I called the chairman of the committee, urging that he call a meeting, so that we could present this request. Finally I reached him on the telephone. The meeting was called. What did the notice of the meeting state? It stated that it was to hear a report of counsel. Those witnesses were denied the opportunity to give testimony, in violation of the rules of the committee.

We received a written notice of that meeting, to be held last Friday. The notice said it was for the purpose of hearing the report of counsel. I wish to read a portion of that report. The report was made after the request that certain witnesses be called had been pending for days. The committee was insulted with language like this. I say "insulted" advisedly. Then counsel states:

> I recommend:
>
> 1. That investigations and hearings concerning any financial interest or business activities of officers or employees and former officers or employees of the Senate, for the purpose of ascertaining whether any such interest or activities (financial or business interests or activities) have involved conflicts of interest or other impropriety, be discontinued.

I say to the Senate that it was not within the power of counsel to recommend that the hearings be discontinued. The rules of the committee gave to the minority the right to call witnesses. That right was ignored. There was no authority for any employee of the committee to recommend that the hearings be stopped. It was in violation of what was agreed to, that if we made a request for a witness, he would be called, unless that testimony was irrelevant. How could the testimony of any of these people be irrelevant?

They were all involved in Baker's transactions. We could not get any information from Baker. He took the fifth amendment, as did several of his business partners.

I left the committee room and read this recommendation of counsel to the press. I read that paragraph. I also read the second paragraph:

> 2. That the staff and such other assistants as the committee may choose be instructed to begin immediately the preparation of the committee's report and its recommendations to the U.S. Senate.

I was rather astounded to find that the chairman of the committee should issue the statement that he issued on March

13, 1964. I do not know who prepared it for him. I know that Senator JORDAN of North Carolina would not do such a thing. I believe he was taken advantage of.

Mr. ERVIN. Mr. President, will the Senator yield at that point?

Mr. CURTIS. I will yield as soon as I have finished with this point.

The report was issued at 3:45 p.m. on March 13, 1964. It states:

> This act of Senator CURTIS is violative of the rules under which this committee has functioned from the beginning in that all actions and proceedings heard in executive session are considered confidential until released by a majority vote of the committee.

What are the facts? The only rule that refers to this point is rule XV, which states:

> All testimony taken in executive session shall be kept secret and shall not be released for public information without the approval of a majority of the committee.

No testimony was taken on Friday, March 13. No witness was sworn. How could I release testimony when none was taken? No rule of the committee prevents a member from going outside the committee room and telling what happened. The rule prohibits the release of testimony. Therefore the statement that the Senator from Nebraska violated the rule is without any foundation.

I did not even violate the practice of the committee. Day after day, after executive sessions, the chairman of the committee, accompanied by counsel, went outside and met with the press and told the press what had happened. I followed the custom which had been established. The only rule as to secrecy is that testimony of witnesses should not be disclosed. I did not violate that rule, because no witnesses had been sworn that day.

I now yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I have always been under the impression, in all the time that I have served in the Senate, that an executive meeting is a secret meeting, and that the only report that is made of an executive meeting is as to what action was taken. That is usually made by the chairman of the committee. I am glad to have this information, because I have been on many committees when other members have gone out and made statements; whereas I have always remained silent, because I was under the impression that an executive meeting was in effect a meeting in which Senators could discuss things freely without having them disclosed to the press immediately afterward. However, I am not concerned about that.

Mr. CURTIS. I am charged with violating the rules. The rules under which we are operating are written. I am not in violation of any rule.

Mr. ERVIN. I am not charging anything. I merely wished to ask the Senator a question. I do not know what happened before the Rules Committee. I am not a member of it. I am interested in my colleague from North Carolina. There has never been a Senator who has served in the Senate, from the day George Washington took his oath of office as President, who has had a finer colleague than I have had. I do not know the circumstances. I ask the Senator what notice, if any, was given to my colleague that this matter was to be brought up on the floor of the Senate on this occasion?

Mr. CURTIS. It was impossible to give any notice, because it was a question of either making the statements now or going into the meeting tomorrow morning where, apparently, the predetermined action will be carried out to stop the investigation.

Mr. ERVIN. May I ask the Senator something that is none of my business?

Mr. CURTIS. It is the business of every Senator.

Mr. ERVIN. When did my friend and the distinguished junior Senator from Pennsylvania decide to make their speeches on the floor of the Senate today?

Mr. CURTIS. I decided to make my speech about 2 or 3 hours ago.

Mr. ERVIN. My colleague lives a very short distance from the Durham-Raleigh Airport. If the Senator from Nebraska had given my colleague a very short notice, perhaps he would have been up here in an hour and 20 minutes, flying time.

Mr. CURTIS. I do not wish to make any charge whatever against the junior Senator from North Carolina [Mr. JORDAN]. He is a fine man. He has been imposed upon. Whoever prepared this material for him did him a disservice. He has had thrust upon him a most unpleasant task.

I am convinced that outside pressures are forcing him to stop the investigation, but I have the highest regard for him. I do not believe that he, individually, would care at all to engage in a whitewash.

Mr. ERVIN. I say to my good friend from Nebraska that Senator JORDAN is one of the most bullheaded persons I know. He is a man who possesses that quality which close friends call firmness and enemies call stubbornness.

I assert that, in my belief, Senator JORDAN cannot be pressured to doing anything which he believes he ought not to do.

The Senator from Nebraska is making some reflections on Senator JORDAN when he says or insinuates that Senator JORDAN is some kind of puny individual who can be pushed here, there, and everywhere.

If the Senator from Nebraska desired to make a statement of that kind, he ought to have notified Senator JORDAN, so that he could have been present and could have spoken in his own defense, and not have had to depend for a defense on his colleague, who is not familiar with the matters under discussion.

Mr. CURTIS. I am not talking about Senator JORDAN. I am stating that unless the committee changes its mind, continues to live under the rules and grant the request for witnesses, made under the rules, it will engage in a whitewash.

Mr. ERVIN. The Senator from Nebraska and I can disagree as to what constitutes a reflection on a man; but, in my opinion, it is a reflection on a man to say that he is merely putty in the hands of some nefarious forces.

I thank the Senator for yielding.

Mr. CURTIS. I did not say that at all. I said there were pressures outside. Does the Senator deny that? Does he deny that there are pressures which are attempting to put a stop to the investigation?

Mr. ERVIN. I cannot answer that question.

Mr. CURTIS. The Senator might ask his colleague.

Mr. ERVIN. I read dispatches in two newspapers about 10 days ago in which certain newspapermen insinuated that the investigation had served the mission that was entrusted to it by the Senate, and it was considered that the investigation would soon come to an end. All I know about the investigation is what I read in the newspapers.

Mr. CURTIS. I confine my complaint to the fact that under the written rules any member of the committee can request that a witness be called. The three minority members made a request in writing. We received no acknowledgment. Our request was denied. We asked for a meeting to consider the request. A notice was issued for a meeting at which we were to hear a report from counsel. That was to be the order of business when the committee convened. I say that is a violation of the rules. The only way to get all the facts is to call the witnesses. Keep in mind that we are not conducting the investigation of ordinary outside citizens, from which to get a pattern of misconduct to gain information needed for legislative purposes. We are investigating our own household. We want to call as witnesses persons who met in the Capitol Building and the Senate Office Building and divided loot. Oh, yes, they did. Reynolds gave Baker $4,000. Reynolds gave Karl $1,500. We want to ask all the others who were present what took place. All the fancy opinions in the world will not change that. Either it will be a revelation of the facts, or it will be a whitewash.

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

Mr. CURTIS. I yield.

Mr. SCOTT. In view of the colloquy regarding the quite unworthy allegation that the Senator from Nebraska [Mr. CURTIS] violated the rules in releasing matters which were not testimony and which are not included under the rules as matters which cannot be released, even if he had released information of what took place in executive session, the same page shows that the chairman of the committee himself released what took place in executive session. I find no fault with that. The Senator from Nebraska is arguing that it was right and proper for the chairman to do so.

Mr. CURTIS. It was proper for the chairman and the counsel to go outside the committee after an executive session and tell the press what took place.

Mr. SCOTT. What I am suggesting is that the argument was self-defeating. At the top of the page it stated that the Senator from Nebraska stated certain

things which happened in the executive session. Then it goes on, and the author of that very statement says:

I am now going to tell you some of the things that went on in the executive session.

He says further:

Senator CURTIS admitted at the executive meeting that he had requested the minority leader of the Senate to do certain things.

So they cannot have it both ways, and that is what I am suggesting to the Senator.

Mr. CURTIS. That is an interesting item. The rights of the minority have been totally disregarded in this investigation.

I received a telephone call while the committee was in session. They asked me if I wanted the committee to meet while the Senate was in session. I said, "No." That telephone call was eavesdropped on by a majority employee, and reported to the majority side of the Senate. I was asked if it was true and I said: "Yes; it is true."

I stopped the meeting because if I had let the meeting continue, they would have stopped the investigation. Notwithstanding that, the statement was made outside the door that I made an objection to transacting business. I made an objection to having the committee put out of business.

Mr. SCOTT. Mr. President, will the Senator yield at that point?

Mr. CURTIS. Yes.

Mr. SCOTT. If any member of the Committee on Rules and Administration is so concerned over the release of matters which occur within the committee, perhaps the chairman or the majority members of the committee might want to investigate leaks to the outside by an employee or employees of the Committee on Rules and Administration. Those leaks have been reported to the committee chairman, and to counsel, and so far as I am concerned, no action has been taken regarding this misconduct. I have made a report on it and filed it.

Mr. CURTIS. I thank the Senator, I want to make my position abundantly clear about this premature press release, stating they heard the recommendation of the counsel, and his recommendation was approved by a vote of 6 to 3.

I have no fault to find whatever with preparing a press release in advance. It is not unethical. I do not criticize it. I call it to the attention of the Senate and the public for this reason, and this reason alone: It was a united front on the part of the majority to stop the investigation. It was a united front on the part of the majority to deny the request of the minority, made under the rules, that certain witnesses be called. That is the only significance that it has. It is not improper to anticipate the result and to prepare a release declaring it.

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

Mr. CURTIS. I yield.

Mr. HUMPHREY. Who made the press release? Did the Senator from North Carolina [Mr. JORDAN], the chairman of the committee, actually release that statement to the press?

Mr. CURTIS. No. I made it.

Mr. HUMPHREY. In other words, the drafted proposal on the part of the Senator from North Carolina, from which the Senator quotes, was not released by the Senator from North Carolina?

Mr. CURTIS. That is correct.

Mr. HUMPHREY. It was released by the Senator from Nebraska?

Mr. CURTIS. That is correct.

Mr. HUMPHREY. How did the Senator from Nebraska get the press release of the Senator from North Carolina?

Mr. CURTIS. It was in the committee room.

Mr. HUMPHREY. It is a most unusual procedure.

Mr. CURTIS. There were papers around there. It was handed to me, and I had no request that I give it back. I cite it merely for the purpose of showing a united front to ignore the rules of the committee and a refusal to call witnesses that the rules say must be called.

Mr. HUMPHREY. Mr. President, will the Senator from Nebraska yield again?

Mr. CURTIS. I yield.

Mr. HUMPHREY. This business of "a united front" reminds me of the story about a union election. An election for officers was held, and the first vote was 17 for Olson and 1 for McGuire. Then a vote was taken for another officer, and the result was 17 for Peterson and 1 for Patrick. When all the votes had been taken, Olson and Peterson got together and said, "That Irish bunch are sure clanny, are they not?"

The Senator from Nebraska said the six Democrats stick together, and make a united front. Then he says the three Republican members stick together, and that is independent action. I cannot understand the difference.

Mr. CURTIS. I make no criticism of a united front except when it is a united front for the purpose of stopping the investigation. I wish those members would be united for a good cause.

Mr. HUMPHREY. So I understand that the Senator from Nebraska says he is part of a united front for a good cause.

Mr. CURTIS. That is correct.

Mr. HUMPHREY. And he feels that he and his associates are correct, but that the other six members—who are tried and true Senators, good men, highly intelligent, with good motives, high character, good background, and all highly honorable, and who have taken the oath to uphold the Constitution—are subject to criticism when they say they think the time has come to halt the investigation. The Senator from Nebraska says that, therefore, they are wrong. On the other hand, when the three members on the other side of the issue want to have the investigation continued, it is the opinion of the Senator from Nebraska that they are right.

Mr. CURTIS. It is my view that the rules of the committee should be observed.

Mr. HUMPHREY. I agree.

Mr. CURTIS. If a member has a right to call witnesses, and requests that the witness be called, the witness should be called. We have been denied that right, and we have suffered all the humiliation that anyone could possibly suffer in that committee, including an absolute refusal to live up to the rules of the committee.

Mr. HUMPHREY. Mr. President, will the Senator from Nebraska yield again to me?

Mr. CURTIS. I yield.

Mr. HUMPHREY. A little while ago I heard the Senator from Nebraska proclaim his affection and respect for the chairman of the committee, the Senator from North Carolina [Mr. JORDAN]; and he said the chairman of the committee is a fine, honest, honorable and prudent man; and the Senator from Nebraska denied that he would attempt to cast any reflection on the chairman of the committee.

But now I find that the Senator from Nebraska thinks the chairman of the committee has been acting like a tyrant because he would not permit the minority members to have their way.

I think the Senator from Nebraska must do either one or the other; either he must charge the chairman of the committee and the majority members of the committee with certain acts not included within the rules of the committee, and thereby charge that they have violated their oath as Senators, or else he must say that they are good and true men.

The Senator from Nebraska has referred to the committee hearings. I did not know the facts in that connection.

However, I do not think it is proper to say that a united front is bad when six Senators wish to call the hearings to a halt, and then to proceed to ask for the approval of a resolution which would keep the hearings from being called to a halt.

Mr. CURTIS. But did he hold a hearing?

Mr. HUMPHREY. Who controls the committee?

Mr. CURTIS. I ask the Senator from Minnesota please not to force me to answer the question of who controls the committee.

Mr. HUMPHREY. I wish the Senator from Nebraska would answer it. The chairman of the committee is the Senator from North Carolina, is he not?

Mr. CURTIS. I ask the Senator please not to force me to answer that question, or else I might do so.

Mr. HUMPHREY. I think the Senator from Nebraska should answer it.

Mr. CURTIS. One day in the committee the junior Senator from Pennsylvania asked a question. The witness objected, on the ground that the question was irrelevant. An employee of the committee—not the chairman; and the record will show this—spoke up, and took the part of the witness. The witness did not answer, and left the committee room. A few days later, another witness came before the committee. I asked the witness, "Whom did you see after you reached the city, before you testified?"

The reply was, "We went to Mr. Baker's office. Mr. Baker was there, Mr. Black was there, and others."

I asked, "What did you talk about?"

The reply was, "We talked about relevancy."

I do not know whether Robert Baker is running this investigation, or who is running it; but I let the record speak for itself. Senators can find from the printed record that an employee of the committee interfered with what a Senator wanted to say. I say that resulted in depriving that Senator of the right to ask the questions he wished to ask and to call a witness. So we have been denied our rights.

Mr. SCOTT. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. SCOTT. We have heard a great many skillful attempts to divert attention from the purpose for which we rose to speak today—namely, to complain about the committee's unwillingness to proceed to finality, and, therefore—hopefully—to proceed to ascertain the truth. We have heard many purely diversionary attempts to draw attention from what we are saying—attempts by launching upon criticism of the persons who are saying it. A great many alligator tears have been shed because of the fact that the chairman of the committee is not now in the Chamber. But that is not the fault of any Senator on this side of the aisle; and when I sent a notice to the chairman of the committee, I did so in good faith, assuming that he would be here, because he knew I would be here; I told him so on Friday.

But although we are so much concerned about the distinguished chairman of the committee, of whom we have spoken highly, I should like to ask this question of the Senator from Nebraska: When the chairman of the committee issued a statement at 3:45 p.m. on March 13, the Senator from Nebraska did various things at which the chairman of the committee took umbrage; and later the chairman of the committee released to the press a criticism by him of the Senator from Nebraska. Did the chairman of the committee give notice of that to the Senator from Nebraska, or did he not?

Mr. CURTIS. He did not. A public statement was made; in it, it was stated that I had violated the rules. But that statement did not contain one iota of truth; and I first learned about it at about 6 or 7 p.m., on March 13.

Mr. President, the fact remains that there is unfinished business.

There are Senate employees who worked with Baker and worked under Baker during the period the committee is investigating and those employees should be called as witnesses. Baker has taken the fifth amendment, so we cannot obtain any information from him. There are other persons who were business partners of his or who had business transactions with Baker, and they should be called as witnesses. Walter Jenkins should be called as a witness. Before the committee works on legislative recommendations, it should obtain all the facts. Either the committee will honor its written rules and will obtain the facts, or the investigation will be a whitewash. All the words and all the oratory cannot change that. The record stands.

Mr. WILLIAMS of Delaware. Mr. President, I am not interested in becoming involved in a controversy between the members of the Rules Committee, nor at this time am I presenting any opinion as to whether I think the Rules Committee has or has not completed its job.

I do remind Senators, however, of the importance of the current investigation and of the fact that it transcends partisan politics.

This investigation involves a question of the integrity of the U.S. Senate; and it was so recognized by the majority leader of the Senate and by the minority leader of the Senate at the time when we submitted the resolution.

We can be satisfied with nothing less than a full disclosure of all the facts.

The American people are entitled to have all the facts, regardless of who may be involved. Personally, as one Member of the Senate, I shall be satisfied with nothing less.

The resolution, as submitted, was definitely broad enough to give the Rules Committee all the authority it needed to investigate any financial transactions or any actions of impropriety; and the resolution was so interpreted by me, as the author of the resolution, and by the majority leader of the Senate and by the minority leader of the Senate, both of whom supported the resolution wholeheartedly.

Certainly under this resolution the Rules Committee does have the authority to investigate questions of morality as they may involve either our employees or Members of the Senate.

I repeat, the resolution was interpreted as being broad enough to cover not only the improprieties or activities of our employees and former employees but even the Members of the Senate itself. Some Senators who are lawyers have tried to place a more narrow interpretation upon the resolution. I am not a lawyer. Many times I have envied the approximately 60 Senators who are lawyers for their legal talent. At other times I have noticed how no two of them can agree on a subject, and then I am grateful I am not a lawyer.

The resolution as approved on October 10, 1963, was broad enough to authorize more than an investigation into just financial transactions. Had there been any doubt on the part of anyone as to the breadth of the resolution, it would have been a very simple procedure to extend it.

I merely remind all Senators of what I have said earlier: We should not forget that the integrity of the Senate is at stake, and whether an employee, a former employee who may today be holding a higher position, or whether a Member of the Senate itself is involved is immaterial. What is important is that the full story be told. We Senators can be satisfied with nothing less.

At a later date I may have more to say on this subject. But tonight I shall conclude by merely stating that the question at issue is not always whether a law has been violated by a public official. It is not necessary that a public official be imprisoned in the penitentiary to prove that he is not qualified to hold public office. There is a question of morality which transcends even the law. A public official should never forget that his office is a public trust.

I ask unanimous consent that Senate Resolution 212, under which the Committee on Rules and Administration is operating, be printed at this point in the RECORD.

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

Resolved, That the Committee on Rules and Administration or any duly authorized subcommittee thereof is authorized and directed to make a study and investigation with respect to any financial or business interests or activities of any officer or employee or former officer or employee of the Senate, for the purpose of ascertaining (1) whether any such interests or activities have involved conflicts of interest or other impropriety, and (2) whether additional laws, rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

Mr. HUMPHREY. Mr. President, I am very pleased that the Senator from Delaware has spoken. I concur fully in what he has said. It is my view that any investigation of this nature should be a full investigation, it should be a relevant investigation, and should be directed toward the purposes of the investigation.

My only argument is that there has been a tendency, whether we like it or not, to accuse the majority of the committee—six good Members of this body—of whitewashing. That is the charge which has been made. That whitewash charge is a reflection upon the six members of the committee who are listed as members of the majority.

Mr. President, we have heard testimony here today that the counsel for the committee, is a man of good character. I do not know him. I met him once. I talked with him this afternoon for the second time when I was asked by the distinguished senior Senator from Pennsylvania [Mr. CLARK] to inquire about the facts relating to a statement made in this body. I shall not go into that again except to say I reported what I was told by the counsel, and the report of the committee counsel was disputed by the junior Senator from Pennsylvania.

Who is right or who is wrong will have to be settled when the transcript of the proceedings of today is printed, when it can be carefully examined.

Mr. President, the counsel for the committee has the responsibility of making preliminary recommendations. He analyzes the testimony. He is employed for that purpose. He has the responsibility to give advice and counsel, or he would not be fulfilling the responsibility of his position.

The counsel of the committee came to the conclusion, and made a recommendation—only a recommendation—that the first part of the resolution had been satisfied by the testimony thus far. That part of the resolution reads:

Resolved, That the Committee on Rules and Administration or any duly authorized

subcommittee thereof is authorized and directed to make a study and investigation with respect to any financial or business interests or activities of any officer or employee or former officer or employee of the Senate, or the purpose of ascertaining (1) whether any such interests or activities have involved conflicts of interest or other impropriety, and

This is the first obligation. The counsel of the committee did not come forth with a report or recommendation that there had been no impropriety. He did not say that there had been no conflict of interest. To the contrary, he said there had been gross impropriety and that there had been all sorts of conflict of interest. I quote from his statement:

Although it is not my responsibility to make factual conclusions and judgments for the committee, it is my responsibility to express to the committee my legal opinion as to the probative value of the evidence presented to the committee under my direction.

It is my carefully considered opinion that the evidence fully justifies the committee in finding the existence of conditions which have made possible a multitude of acts by some of the officers and employees of the Senate, which acts are incompatible with the responsibilities of the Senate, violative of the generally accepted standards of official conduct rightfully expected by the American people of their public officials and employees, and constituting improprieties of the grossest character within the meaning of Senate Resolution 212.

The further inescapable conclusion follows that additional laws, rules, and regulations are necessary for the purpose of prohibiting or restricting such activities and conduct.

Mr. President, is that a whitewash? That recommendation charges that there have been violations of a public trust, as was stated, of the grossest character.

No one has been spared. But the purpose of the resolution was not only to discover the evil doing, the tawdry, the sensual, the dramatic, and spread it out for all to see, read, and hear, but also to determine whether a condition exists, that should be statutorily remedied.

Does any Senator feel that there is no need for corrective action? Of course, there is such a need. What did the Senate direct the committee to do? It directed the committee to ascertain—

(2) whether additional laws, rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

So the counsel for the committee—a gentleman who I understand is held in high respect in legal circles by the bar associations and by members of the committee—said to the members of the committee, "Gentlemen, you have arrived at a point at which you have unmistakable evidence that there has been evil doing. Witnesses have so testified. The time is at hand for you to do something except merely investigating; the evidence is sufficient to substantiate that bad things have been going on under the roof of this Capitol."

The counsel said, "Perhaps you had better settle down to business and do something that is worthwhile. Revise your rules and regulations, enact some laws, do something that is constructive and productive and remedial of the situation."

I know that such a statement or change in direction of the committee's work does not make very many good headlines. It is always better if the public can read something sensational. But that good man who is the committee counsel advised the committee that it was time for the committee to do something productive, constructive, and remedial.

Does anyone deny that there is not something wrong? Of course, there is something wrong. The majority of the committee thought that if something was wrong, the committee ought to fulfill its duty and try to remedy it. So I reject, from the floor, the charge that there has been a whitewash. There has been no whitewash.

I reject the charge that because three members of the committee ask that something be done, and six members consider sufficient work has been done to complete one phase of the responsibility of the committee, those six want a so-called whitewash. Since when have those three a right to hold themselves up as paragons of virtue while the other six are to be held up as their antitheses?

It is obvious that there have been differences. It is evident that the differences have been partisan. We are not fooling anybody. It is quite obvious that the American people want the committee to come forth with some recommendations. I do not know what the rules are with respect to all witnesses, but if witnesses are to be called, it is up to the committee to make a judgment on that question. When the Senator from Nebraska objected to having the committee "put out of business," that was not a legitimate objection, because that committee's business is not only to investigate; the committee's business is also to determine "whether additional laws. rules, or regulations are necessary or desirable for the purpose of prohibiting or restricting any such interests or activities." The business of the committee is to report to the Senate "at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable."

The majority of the committee was trying to get the committee to do what it was designed to do; namely, to correct a miserable, deplorable situation. No one denies that an investigation was needed. A bad aroma was created around the Capitol. The source of the aroma has been found and the question boils down to whether there should be more stink or possibly some remedy to prevent its recurrence.

A remedy never is quite as dramatic. It does not get the same kind of attention. But ultimately, that is what is needed.

Finally, when anybody says "whitewash," let the record be clear that such is the furthest thing that is being done to the revelations before the committee; the Internal Revenue Service is investigating this case with more investigators than the entire Senate Rules Committee has, and they are good investigators; the Federal Bureau of Investigation and the Justice Department are on the case and who questions their efficiency and effectiveness; if anything this study has been an investigation in depth.

I am not experienced in the law, because, as I have said, I am not a lawyer, but the fact that a man came before the committee and took the fifth amendment shows neither guilt nor innocence. It is my view that the fifth amendment has been grossly abused although I do not deny the right of anyone to use such a right. Nor do I consider it proper to judge a man as guilty because of his exercise of this constitutional right. When the Department of Justice is investigating a matter, as this case is being investigated, and when the Internal Revenue Service is investigating a case, as this one is being investigated, including alleged perjury, I do not believe much new light is capable of being shed on it by a committee or its nine members, in addition to what can be developed through an investigation by a trained investigating service; especially when in the opinion of the special counsel for the investigation has recommended that sufficient evidence has been presented to fulfill the function and resolve of the committee.

So this Senator rejects out of hand the charge of whitewash. If somebody is saying that he wants to get more evidence, all well and good. If someone wants to say, "I have another witness, or two or three witnesses, who ought to be called," that is different and that question should be met on the basis of whether the evidence will be cumulative or not and will assist in performing the function of the committee's work. But to say "whitewash" is to say that no evidence has been taken.

The charge of whitewash is to indicate that nothing was found, or, if it was, that it was covered up. No member of the committee can say that, because it is not true. Things have been found that were wrong. There has been a discovery of a conflict of interest. Witnesses have been brought in. Most of them came in voluntarily. The committee staff has investigated many witnesses, or would-be witnesses, who would not come in.

From what I have been told by the Senator from Pennsylvania and others, I respond only because I am in the position today of acting majority leader. I do not want the RECORD to appear as though the majority leadership is not concerned about charges against the majority.

I voted for the Williams resolution. I think it was a good one. The Senator from Delaware has not made any accusations. I joined with him in his plea to let us complete the job. Let us keep the houses of representative government beyond reproach. We can do it. We have had to learn the hard way. Everyone of us feels bad about this matter. I know I do.

I am of the opinion that, better than merely to punish because it is satisfying and dig further although we are but

turning up the dirt in the same hole and rather than wallow around in new filth, it is time to get on high ground and let the American people know we have recognized our sins, that we have recognized and discovered much wrongdoing, and that we are taking steps to repair, change, and cleanse ourselves. We have found our wrong, now let us get busy with a remedy.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

[No. 84 Leg.]

Anderson	Fong	Morton
Bayh	Gruening	Muskie
Beall	Hart	Nelson
Bennett	Hartke	Neuberger
Bible	Hill	Pearson
Boggs	Holland	Proxmire
Brewster	Humphrey	Ribicoff
Case	Inouye	Robertson
Church	Johnston	Smith
Clark	Keating	Tower
Dirksen	McClellan	Williams, N.J.
Dodd	McIntyre	Williams, Del.
Douglas	McNamara	Yarborough

The PRESIDING OFFICER. A quorum is not present.

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

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

The motion was agreed to.

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

After a little delay, Mr. AIKEN, Mr. CURTIS, Mr. DOMINICK, Mr. GORE, Mr. HAYDEN, Mr. JACKSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MECHEM, Mr. PASTORE, Mr. RUSSELL, Mr. SCOTT, Mr. SPARKMAN, and Mr. SYMINGTON entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. HOLLAND obtained the floor.

Mr. HOLLAND. I understand that the acting majority leader wishes me to yield to him briefly, which I am glad to do, provided that in doing so I shall not lose my right to the floor.

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

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, I move that when the Senate completes its business tonight, it stand in recess until 11 a.m. tomorrow.

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

THE PEOPLE LIKE PRESIDENT JOHNSON

Mr. HUMPHREY. Mr. President, all across America the people are responding to President Johnson. Today, in the State of South Dakota, President Johnson is the overwhelming favorite. In a three-newspaper poll, the President would gather 55 percent of the vote against Nixon, 56 percent against Goldwater, 59 percent against Lodge, 55 percent against Romney, 61 percent against Scranton, and 64 percent against Rockefeller.

In 1960, Nixon swept South Dakota with 58.2 percent of the total vote.

Why this abrupt change in South Dakotan feelings? Why do the people of South Dakota like President Johnson? First, because they believe in him and what he is trying to do for all America. Second, because they know that he was born and reared on the land; he endured hard times; he knows firsthand about droughts and flood; he has been an active participant in the problems of the farmer and the rancher. And most of all, they like him because they know that President Johnson is trying his deadlevel best to be the kind of President whom they can respect and love and follow.

THE PRESIDENT REPORTS TO THE NATION

Mr. HUMPHREY. Mr. President, last night on nationwide television, the President of the United States had a conversation with the American people. In frank, warm, friendly tones, the President told the people about the problems that face the Nation. Last night, the people of America heard their President and their response has been overwhelming in their approval.

Here is an article published in the New York Times of March 16, written by James Reston which recounts what the people saw and heard. It is ample evidence that this Nation is pleased and proud of their strong, compassionate, courageous President.

I ask unanimous consent that a transcript of the interview and Mr. Reston's article may be printed in the RECORD.

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

[From the New York Times, Mar. 16, 1964]

TRANSCRIPT OF JOHNSON'S ASSESSMENT IN TV INTERVIEW OF HIS FIRST 100 DAYS IN OFFICE

(WASHINGTON, March 15.—Following is the transcript of the telecast discussion tonight by President Johnson with three television newsmen, David Brinkley, of the National Broadcasting Co., Eric Sevareid, of the Columbia Broadcasting System, and William H. Lawrence, of the American Broadcasting Co.:)

Question. Mr. President, considering the violent and abrupt manner of your succession to the Presidency, I think everyone agrees that the transition has gone remarkably smoothly. Did this just happen, or did you start to plan these things, say, in those few hours in Air Force 1 as you flew back from Dallas?

Answer. Well, we had a lot of help in the planning, Mr. Lawrence, a lot of thoughts that went through my mind, as I left the hospital, and on the way to Air Force 1, and while we were waiting for Judge Hughes [Federal Judge Sarah T. Hughes, who administered oath of office] and Mrs. Kennedy to come aboard, I wasn't sure whether this was an international conspiracy or just what it was, or what might happen next. I was sure that the whole Nation had been shaken and the world would be in doubt.

As I rode back, I recognized that our first great problem was to assure the world that there would be continuity in transition, that our constitutional system would work. I realized the importance of uniting our people at home and asking them to carry forward with the program, so I immediately planned to have the bipartisan leaders come to the White House upon my arrival.

MEETING HELD AT AIR BASE

I asked the members of the Cabinet who were then in town, the Director of the National Security Council, and Mr. McNamara and others to meet me at Andrews [Air Force Base, Camp Springs, Md.] and I appealed to all of those men to work with me on the transition and to try to so conduct ourselves as to assure the rest of the world that we did have continuity and assure the people of this country that we expected them to unite.

Very shortly thereafter, President Eisenhower came down and spent some time with me exploring the problems that he expected to arise confronting a new President. President Truman came in and gave me his counsel, and we started off with the help and plans of a good many people and substantially well organized.

I don't know how well the Government did its part of the transition, but the people's part was well done.

Question. What were your first priorities, Mr. President?

Answer. The first priority was to try to display to the world that we could have continuity and transition, that the program of President Kennedy would be carried on, that there was no need for them to be disturbed and fearful that our constitutional system had been endangered.

UNITY WAS EMPHASIZED

To demonstrate to the people of this country that although their leader had fallen, and we had a new President, that we must have unity and we must close ranks, and we must work together for the good of all America and the world.

Question. Well, did you have any concern about the international posture that you must adopt so that: one, all of our allies would be reassured; and our potential enemies wouldn't get any wrong ideas?

Answer. Oh, yes, and I spent the first full week meeting with more than 90 representatives from the nations of the world, and trying to explain to them our constitutional system, and what they could expect under it and how we carry on the program that we had begun, and that I had been a part of the Kennedy-Johnson ticket that won the election in 1960; that we had a Kennedy-Johnson program, that I had been a participant in the formulation of that program and that we would carry it on, maybe not as well as the late President could have, had he lived, but as best we could, and they need have no fear or no doubt.

Question. What was the image that you wanted the potential enemy to get?

NOT TO TREAD ON US

Answer. That we were sure, and we were confident that we were united, that we had closed ranks, and not to tread on us.

Question. Mr. President, on November 22, both the President and you, the Vice President, were in the same city, and six Cabinet officers were in the same airplane, going to Tokyo. Have there been any dispositions or regulations since to avoid such concentration?

Answer. Yes; I don't think we realized at that time that so many Cabinet officers were on this trip to Tokyo. And, of course, in retrospect we can see a good many things that took place that we wish we had made better plans for.

But immediately upon returning to Washington, I made it clear to the Cabinet that we didn't want any goodly number like that leaving town at the same time, and that when the President and the next in line of

succession were out of town, that we wanted most of the Cabinet here. And the President since that time has not been out of town with any appreciable number of Cabinet officers absent.

Question. Is there anything that can be done, sir, that affords better physical protection for the President?

Answer. Not that I know of. I am not an expert on security, but we have a very dedicated and faithful number of men in it, FBI, and in the Secret Service. They work together.

Question. Do you always follow their instructions, sir?

Answer. Yes, with rare exceptions now and then, like marching in the funeral procession and occasionally, they prefer to have two or three policemen between me and the crowds, and I ask them to move out so I can see some of the people. I want to be a people's President, and in order to do so, you have to see the people, and talk to them, and know something about them, and not be too secluded.

I think they would feel better if the President kept 100 yards distance from every human being, but that is not practical.

HOW WAS LEADERSHIP EXERTED?

Question. Well, when you got back here, one of your—obviously one of your immediate jobs was to keep the Government going as a matter of effective politics and leadership. How, specifically, did you think you would go about that? How did you let it be known in Washington that there was a new man here, that things are going to continue more or less as they had been, and how did you think was the best way to make it as smooth as possible?

Answer. First, to ask the very unusually talented individuals that had associated themselves with the Kennedy administration to stay at their posts of duty during this critical period and without exception, they answered the call.

Second, I called the Governors together and made an appeal to them to help me in every way they could in establishing this confidence and letting the people in the country know that their Government was going on and will function and was strong, that it would work.

And hour after hour, day after day, that first week, I—while I was preparing my message to Congress, preparing to go on television to the people, and the Thanksgiving message, I was spending my days and nights, and way into the mornings, talking to the leaders out in the States and trying to instill confidence in them and to ask them to help me with the awesome responsibilities that were mine.

Question. Mr. President, is there any one particular memory that is more vivid than the others for you, from those 4 horrible days?

MRS. KENNEDY LAUDED

Answer. Yes. I have rarely been in the presence of greatness, but as I went through that period, I observed Mrs. Kennedy—Jackie Kennedy. I saw her greatness, her gallantry, her graciousness, her courage, and it will always be a vivid memory, and I will always appreciate the strength that came to me from knowing her and from associating with her.

Question. Did you send any kind of private message to Chairman Khrushchev soon after you became President?

Answer. No. We had representatives from all the nations here. I spent 2 or 3 days speaking to those representatives.

Mr. M'koyan was here, and I had a long visit with him, and I talked to him about the visit that Premier Khrushchev had made me when I was leader in the Senate, and we exchanged views for a period of time here in the office, just about the time of the funeral.

Question. Did the subject come up of a possible exploratory, get-acquainted session with Mr. Khrushchev?

NO MEETING PLANNED

Answer. No. We both expressed desire in our discussions that we understand each other better and that we would be glad to meet at some time when we felt that the agenda was such that would give promise of reaching some solution to the many problems that confront the two countries. But no definite plans were made for a meeting. None were proposed, but it was accepted as a possibility.

Question. You mentioned, Mr. President, part of the reason for the transition being so smooth was that your predecessor's Cabinet staff stayed on. In fact, they are still here almost intact. Would you expect it to continue that way? Would you——

Answer. I would certainly hope so. Each Cabinet member stayed, most of the undersecretaries are here, most of the assistant secretaries.

We have brought in about three young men who have been associated with me through the years, and we have lost Mr. Schlesinger and Mr. Sorensen. But basically the staff is the same, the duties are the same. The work goes on each day just as it did when Mr. Kennedy was here.

Question. Mr. President, I wonder if you would talk a moment about this problem of Presidential succession. I think you have not endorsed any of the specific proposals that are up for discussion now. But oughtn't there be some mechanism so that there would always be a Vice President?

CALLS ACTION PROPER

Answer. Yes, and I think the Congress is giving attention to that, and I think it is quite proper that they do, and I have no doubt that in the next few months when we select the Vice President—but what is very likely is that the Congress will take some action—I don't know just what kind of action—to make it possible to replace the Vice President if he becomes President.

I think it is important that we do that. I don't have any deep-set views on just how that should be done. I participated in passing the measure that establishes the line of succession now, and I think that that's very good.

President Kennedy sat down with me in the early days of his administration and discussed the possibilities of takeover, transition, if the President became disabled.

We had an oral agreement on what should be done under those circumstances. The first—one of the first things I did was to ask the distinguished Speaker of the House, JOHN W. MCCORMACK, to come to my office, and I made an agreement with him exactly as President Eisenhower had made with Vice President Nixon, and as President Kennedy had made with me, and that is now in writing and in existence if I should become disabled.

But the Congress should consider replacing the Vice President when they have one no more. They are doing that now.

I rather doubt that they will explore all the angles of it and make any realistic progress toward constitutional amendments or the necessary statutes this year, but I am sure once we have a Vice President that they will face up to it and take prompt action.

Question. Haven't we really reached a point in the history of this country where the selection of a vice-presidential candidate must be nothing but his competence for the highest office?

BEST MAN SHOULD BE SOUGHT

Answer. Yes, I would hope that the only thing that would appeal to any delegate would be this question: Is this the best-equipped and best-trained and best-fitted man to serve as President should he be called on to do so?

Question. Yet it is a choice which is peculiarly that of the presidential candidate, is it not, sir?

Answer. I think that the delegates are always interested in getting the recommendations of the President, and in most instances, not all instances, but most instances, the presidential nominee makes his recommendation.

I don't—I recall one or two instances where the President chose not to make any recommendation. But the Vice President is very close to the President. They have to agree on the same platform, and they have to run on the same ticket, and in order to be prepared for what might happen, the President must have great confidence in the Vice President, and make known to him his thoughts, his views, and all of his secrets, so that he can have the background for taking over if it becomes necessary, so the President's recommendation should not be treated lightly.

ATTORNEY GENERAL'S ROLE

Question. There have been reports, Mr. President, that you have become displeased with Attorney General Kennedy because efforts have been made in his behalf to have him nominated for Vice President. There even have been published reports that you are not even speaking. Is there any truth in those reports?

Answer. No. The Attorney General's statement, I think, was a very good one, 2 or 3 days ago. I think most of that is newspaper talk.

I would be less than frank if I said that I thought that it was wise at this stage of the game for either the President or the Vice President to be carrying on a campaign for the office.

The Attorney General and I have talked about that and I think he understands my viewpoint, and I take his word that he has done nothing to enccurage those efforts, and all of this stuff that you read about is newspaper talk.

Question. Well, speaking of newspaper talk, Mr. President, it is widely believed among reports around town that you object rather strongly to being criticized in papers and on the air. Would you give us what your true feelings on that subject are? How do you feel about it?

Answer. I assume that almost anyone is human and would rather have approval than disapproval.

Question. Mr. President, [President] Kennedy once said in a similar conversation about a year ago or more that he thought the press ought to be as tough as it could be on any administration, so long as it was after truth and not merely a political operation. Is that a good definition of your views?

NO OBJECTION TO TOUGHNESS

Answer. I would have no objection to that. I would agree to it, and I don't think—it is not the toughness that any President objects to.

I think it is sometimes their inaccuracies and—I frequently see stories from 10 or 15 papers that I think are quite accurate, very well done. On occasion, you will see something that is reported as a truth that you never heard of, where you are the principal participant. And if you call attention to it, then you become sensitive.

Question. How many papers do you read a day, sir?

Answer. I guess about 10 or 15.

Question. Mr. President, during these 100 days there has been one persistent political issue, which is the investigation of Bobby Baker in the Senate aimed at you because he was your protege and your friend. As a political animal, sir, what is your estimate of this as a campaign issue in 1964?

NOT A PROTEGE OF HIS

Answer. Well, without agreeing with your assumptions about why the investigation or who it is aimed at, I would say that one of the finest committees in the Senate made up of both parties has been conducting this investigation of an employee of theirs, no protege of anyone. He was there before I came to the Senate for 10 years, doing a job substantially the same as he is doing now. He was elected by all the Senators, appointed by no one, including the Republican Senators, and I think that their investigation will be a just one, and a fair one, and that they will make recommendations to the Senate that will be proper, and whatever they recommend I am sure the Senate will carry out.

Question. Well, quite apart from what the Senate committee may recommend, sir, have you formed a personal judgment, a judgment for yourself? You and Mr. Baker used to be friends. Do you continue to be friends?

Answer. I haven't seen him since he resigned from the Senate or haven't talked to him since he resigned from the Senate, and I think every man is entitled to a fair trial and I would like to see what conclusion is reached and what the evidence shows with which I am not familiar before I would make a judgment.

Question. Mr. President, if I could make you a self-critic for a moment, what, if anything, that has happened in these last 120 days would you do differently were you to do it again?

WOULDN'T ALTER RECOMMENDATIONS

Answer. Well, I don't know about that. I am sure that we have made a good many mistakes, but I don't know of any recommendation that I have made that I would change.

I would favor the same measures that I have recommended to the Congress. I would handle the developments and the foreign policy fields such as Panama and Guantanamo and Zanzibar, Cyprus, as we have handled them.

So while I am sure that we could improve on them if we had more time, in the light of what developed I wouldn't change any.

Question. I believe the first big problem you had to tackle was the budget, the time for making final decisions, and you devoted nearly all of the first month to this. Why was the budget so terribly important?

Answer. Because I think it told the people of the country and the people of Congress what you are willing to pay for.

And if I had it to do over again, I would much prefer to have 68 days than to have 38 days to make a budget of $98 billion. We have been adding to our budget about $5 billion a year. We had about $3 billion in built-in increases. Our last budget was $98.8 billion.

BUDGET CUT A BIG PROBLEM

So my big problem was to find ways and means of cutting money out of the budget that we did not need and we did not need to appropriate and we could save in order to have some money available to meet the many unfilled needs we had. Particularly in the welfare field, in the poverty field, in the training of manpower field.

Question. During the budget cutting, Mr. President, you made one little talk which caused some controversy in which you said that to meet the unfilled needs of the people, you would take from the haves and give to the have-nots. Now, just how did you mean that?

Answer. Well, we have a budget of $52 billion in the Defense Department. We have those installations set up, and those needs have been planned for. We no longer find they are necessary. They have the money.

We say to them that we are going to take from this picture 69 bases that you now have, we are going to close those bases, we are going to take some of these oversea employees and cut them 15 percent, and have some people double up on our jobs, and squeeze out additional productivity, and out of that money that we save, money that we have and have used for these purposes, we are going to take it over here and take the young boys that have dropped out of school and have nothing to do, and no job and no work, and unemployment, and we are going to try to train them to be good citizens.

SLASH IS QUESTIONED

Question. You meant, Mr. President, to redivide the money among the Government agencies, not some kind of a new soak-the-rich scheme as some interpreted this "take from the haves and give to the have-nots?"

Answer. No; we made no recommendations on soaking anybody. We are reducing taxes, not increasing them. Our tax reduction is in excess of $11 billion, $9 billion plus for individuals. Everyone is the beneficiary of that, already—and corporation taxes have been reduced some $2½ billion, so we weren't soaking anyone. But we were taking money that was being used for things that we did not need, or that we could avoid, and taking that money and applying it to meet the unfilled needs of our poverty-stricken people.

President Roosevelt talked about the third that were ill clad, ill fed, and ill housed. Thirty years we have worked on it but there is still one-fifth of the people that earn less than $3,000 a year.

POVERTY FUNDS FROM DEFENSE

So out of the billion there that we cut from the Defense Department budget we will add almost a billion in the new budget for a poverty program. So it will come from those who have it, to those who don't have it.

Question. Have you had any second thoughts, Mr. President, about erecting another agency to deal with root causes of poverty, health is one, education, and other things, on top of the agencies and departments that already exist that have been dealing with these things?

Answer. No, we are going to have a very small staff to coordinate the poverty program. We realize it is a beginning, it is not an extremely comprehensive program. We are going to have Sargent Shriver in charge of coordinating the program between the agencies who already are working in that field. The Agriculture Department, the Justice Department, in the dealings with the juvenile delinquency, the Health, Education, and Welfare Department on health and education, the Labor Department in training manpower. And we don't want to create more agencies, we want to use the ones we have.

So, the President is going to have as his chief of staff a poverty director, administrator, and through him his orders will be carried out through existing agencies.

Question. Mr. President, the hundred days are over now, and the transition is over. This is now the Johnson administration. Could you give us an idea—not necessarily specific, unless you care to—what direction you would say your administration would take hereafter? What new approaches or ideas or philosophies we might see?

DETERMINATION IS NOTED

Answer. Well, I think a message going to the Congress on Monday will indicate one approach. We are determined, and we have a group of dedicated men that are going to try to get at the roots and the causes of poverty that causes 20 percent of our people to live off less than $3,000 a year.

We are going to try to get at the roots and the causes and find the solution to doing something about half a million men that are rejected each year because of mental or physical reasons for service.

We are going to try to recognize and proceed on the basis that illiteracy and ignorance and disease cost this Government billions of dollars per year, and make for much unhappiness.

And the program of poverty this year is one example of what I would like to think will be carried on and grow in the years to come. I want this Government first of all to be dedicated to peace in our time, with anyone, to resolve some of the differences that exist among mankind.

In order to do that, this Government must be prepared and we must maintain strength and power that would insure our safety if attacked. In order to have peace, and to be prepared, we must be solvent and fiscally responsible. So, for that reason, we have tried to eliminate waste at every corner.

A GOOD EXAMPLE CITED

I don't believe that we are going to make the Treasury over by cutting out a few automobiles or turning out a few lights. But I do think it is a good example when you walk through the corridor and you see the closets where lights burn all day and all night just because someone didn't turn them off.

So we have tried to set that example and we want a government that is seeking peace, that is prepared for any eventuality, that is fiscally solvent and that is compassionate, that meets the needs of the people for health and for education, and for physical and mental and spiritual strength. And our Government—that is the kind of a Johnson administration I would like to have and that is the kind that we are working toward.

Question. Mr. President, administrations come to have rather handy labels. New Deal, or Fair Deal, or Crusade, or New Frontier. Has any ever come to your mind for the Johnson administration?

A BETTER DEAL FOR ALL

Answer. No, I don't think so. I have had a lot of things to deal with the first 100 days, and I haven't thought of any slogan, but I suppose all of us want a better deal, don't we?

Question. Mr. President, I don't want to overdo the business of labels, but many of us have long been a little baffled watching your career in the Senate and out here as to whether to call you a conservative or liberal, or southerner or westerner. How do you think of yourself if you apply those labels at all to yourself?

Answer. Well, I don't believe in labels. I want to do the best I can, all the time. I want to be progressive without getting both feet off the ground at the same time. I want to be prudent without having my mind closed to anything that is new or different.

A FREEMAN FIRST

I have often said that I was proud that I was a freeman first and an American second, and a public servant third and a Democrat fourth, in that order, and I guess as a Democrat, if I had to take—place a label on myself—I would want to be a progressive who is prudent.

Question. While we are talking about Democrats, Mr. President, what is your timing on your election-year effort?

Answer. I would hope that we would not have to—we would not have to begin an active campaign—the Democratic Party—until around convention time, after the Congress disposed of its business. I am going to carry out some commitments that President Kennedy made for fundraising dinners from time to time, but I think after the convention we will have ample time to give our views to the people.

In the meantime, I would like to have the cooperation of the members of both parties in carrying out a program that is best for America. I am the only President this country has, and I would like to be as free from

partisanship as possible, at least until convention.

JOB IS TO SEE THE PEOPLE

Question. Well, Mr. President, in this interim between now and the convention, do you think we might see a few old-fashioned, nonpolitical conservation tours or inspection tours of that kind?

Answer. We will see them before and after the convention. They are part of the work of the President.

I think part of the President's job is to get out and see the people and talk to them about what the Government is doing and make reports. That is why I am on this—having this little visit with you fellows this afternoon—so that the people may know something about my views and how I feel and my approaches, and may know how much I need them and need their help in the job that I am trying so hard to do.

Question. Mr. President, some people have thought that you put in too long and hard a day, that you might endanger your own health that way. How do you protect your health from day to day?

Answer. We do have long days and the problems are—that require attention, require time. And you never have as much time as you want to spend before making these decisions, but you must make decisions.

ADJUSTED TO A SCHEDULE

The first 100 days were filled to almost the breaking point. But I have adjusted myself to the schedule and with the help of the most competent people that President Kennedy surrounded himself with, I am now able—I wake up in the morning and read my papers and read the documents that were left over from the night before that I need to pass upon and have my briefings, and my breakfast, and come to the office between 9 and 10 o'clock.

Then I work at a rather feverish rate until 1:30 or 2 and I have a swim and take out 15 or 20 minutes. Then I go and have a lunch or—usually a business lunch, working lunch and about 3 I take a little nap of 20 or 30 minutes, and that breaks the day for me, and than I am good until 8 or 9 that night, and have my dinner.

After dinner I see TV news, and then I engage in my night reading, and I usually read until about 1. I don't require too much sleep. But I am never in better health. I enjoy the work that I am doing, and the people with whom I am working. I never felt better in my life.

Question. Mr. President, you did manage to quit cigarette smoking some years ago. Have you any advice for those of us who haven't managed?

GLAD NOT TO BE SMOKING

Answer. I gave up cigarette smoking because the doctor recommended that I do so, and I have missed it every day, but I haven't gone back to it, and I am glad that I haven't.

Question. Mr. President, I gather from what you say that we need not expect any kind of political announcements from you until very close to the convention. Is that so?

Answer. I would not want to preclude one. Unless I—there is substantial consideration involved—I see no reason to make any now, and I don't anticipate it, but if the circumstances indicated that one would be fruitful or necessary, I wouldn't hesitate to face up to it.

Question. While we are on politics, I wonder—we have heard everybody else's analysis of what happened in New Hampshire. Would you give us yours?

Answer. I really don't know. I think that we always incline to put too much emphasis on the actions of one primary. But it seemed to me that the people of the State heard all the candidates and decided to select one of their neighbors that apparently they knew and approved. I have very high regard for Ambassador Lodge myself, as I do for some of the other candidates.

BACKS LODGE'S WORK

Question. Has his serving in Vietnam during a political campaign been at all awkward or embarrassing for the administration?

Answer. Not to the President. So far as I have been able to detect from his actions, he has been doing nothing but the job as Ambassador, and doing it as best as he could, and I have seen nothing that has interfered with that work.

Question. Did Secretary McNamara bring you any new word from Mr. Lodge just recently when he returned, about Mr. Lodge's future plans, how long he might stay on the job, and so forth?

Answer. No, no; I have had no indication that he plans to leave the job at all, and if he did, I am sure he would let me know.

Secretary McNamara brought me some recommendations concerning the situation out in Vietnam, in which Ambassador Lodge expressed his views, and in which they were in general agreement with Mr. McNamara and other members of the team, but nothing political.

Question. Is it your opinion that Mr. Lodge has behaved properly and within the scope of his role as an Ambassador, considering that he has been injected into the political arena?

Answer. Yes.

Question. You have had reports in the last day or two from the Ambassador to France [Charles E. Bohlen] and from Secretary McNamara. Can you tell us anything of what he reported to you from Vietnam?

ANXIOUS TO HELP VIETNAMESE

Answer. Yes, he made a very lengthy report and I think a responsible and constructive one. We are going to consider it in the Security Council further the early part of the week. We have problems in Vietnam as we have had for 10 years. Secretary McNamara has been out there, this is his fourth trip. We are very anxious to do what we can to help those people preserve their own freedom. We cherish ours and we would like to see them preserve theirs. We have furnished them with counsel and advice, and men and materiel to help them in their attempts to defend themselves. If people quit attacking them, we would have no problem but for 10 years this problem has been going on.

I was reading a letter only today that General Eisenhower wrote the late President Diem 10 years ago, and it is a letter that I could well have written to President [Major General Nguyen] Khanh and sent out by Mr. McNamara.

Now, we have had that problem for a long time. We are going to have it for some time in the future, we can see, but we are patient people, and we love freedom, and we want to help others preserve it, and we are going to try to evolve the most effective and efficient plans we can to continue to help them.

Question. Mr. [President] Kennedy said, on the subject of Vietnam, I think, that he did believe in the falling domino theory, that if Vietnam were lost that other countries in the area would soon be lost.

MUST DO EVERYTHING WE CAN

Answer. I think it would be a very dangerous thing, and I share President Kennedy's view, and I think the whole of Southeast Asia would be involved and that would involve hundreds of millions of people, and I think it's—it cannot be ignored, we must do everything that we can, we must be responsible, we must stay there and help them, and that is what we are going to do.

Question. Mr. President, during the New Hampshire primary campaign, Governor Rockefeller criticized what he called "divided counsel" that was going out from Washington to the leaders of Vietnam. He said that while you and Secretary Rusk and Secretary McNamara were committed to winning the war and defeating the Vietcong, the Senate Majority Leader, Senator MANSFIELD, seemed to find favor with the idea of neutralization advanced by President de Gaulle of France. What is your reaction to Governor Rockefeller's criticism?

MANSFIELD SPOKE FOR HIMSELF

Answer. Well, I think the Governor should know that Senator MANSFIELD is very experienced in the field of foreign relations and served as a distinguished member of that committee, and when he made his speech in the Senate he spoke for himself, and so stated. He was not speaking the administration viewpoint and he did not leave any such impression. From time to time he has given me his counsel over the years in this general area of Southeast Asia, but when he made this speech he spoke for himself entirely, and there is no division in the administration between Secretary Rusk and Secretary McNamara and myself. We all feel alike on the matter.

I think that there could even be some division between Mr. Rockefeller and Mr. Lodge. judging from what you have said. Mr. Lodge sees things pretty much as we do, and we are going to continue with our program, and it is going to be a responsible one, and we think a fruitful one.

Question. Do the recommendations that Secretary McNamara brought back from his last trip envisage a continuing role for Mr. Lodge in handling policies in South Vietnam?

AMBASSADOR IS "TOP MAN"

Answer. Yes, yes, he has a very important role. He met with me in my office 2 days after I became President, and I said to him at that time that "You are my top man there, and I want you to have the kind of people you want, and I want you to carry out the program you recommend and you will have our support here."

He has worked very hard at that job and we have sent him some new people from time to time, and we will be sending more. He has command of the full resources that we have out there, and he works very well with our people.

Question. One of your speeches at the University of California in Los Angeles indicated a kind of hint to me that we might carry the war to the North Vietnamese if they didn't quit meddling in what you call a "dangerous game." Are there any such plans that you can talk about at this time, sir?

Answer. No, and I made no such hint. I said it was a dangerous game to try to supply arms and become an aggressor and deprive people of their freedom. And that is true, whether it is in Vietnam or whether it is in this hemisphere—wherever it is.

Question. Mr. President, do we face the decision on Vietnam of the order of magnitude of Korea, for example?

NOT OF SAME MAGNITUDE

Answer. No, I don't think so. I think that we have problems there. We have difficulties there. We have had for 10 years, and as I told you, a good many things have come and gone during that period of time. As long as there are people trying to preserve their freedom, we want to help them.

Question. Well, Mr. President, not only do we have a new administration in this country, but we also have what might be described as a new world, since it is said now that the postwar world is over, and the American leadership is challenged and questioned both by friends and enemy alike in many places now. So it is an entirely different world, very different world, from what it was a few years ago. What is your view and assessment of it? How do you see the American role from here on, now that we are no longer the unquestioned leader of the entire West?

HAVE 120 FOREIGN POLICIES

Answer. Well, I think that as long as we are living in a world with 120 nations, that we have got to realize that we have got 120 foreign policies. And we are living in a world where we recognize 114 other nations, and some that we don't recognize, and so I think at this time that our Nation is held in high esteem and respect and affection generally among the peoples of the world, the free world.

I realize that we have discouraging incidents from time to time, and we have problems, sometimes the role of the peacemaker is not a very happy one. And so, for that reason, we have to do things that we don't want to do sometimes, and are rather irritating—and sometimes we are abused because we do them, and sometimes we are misunderstood. But if the final result is good, then our action is justified.

IS DIVERSITY SAFER?

Question. Mr. President, about 10 years ago an American Secretary of State [John Foster Dulles] termed neutrality as something immoral. Not long ago President Kennedy talked about making the world safe for diversity. Is a more and more diverse world, with the diminishing of the importance of great alliances, a trend toward a safer world?

Answer. Yes, I think so. And you must remember this: That we are having all the new nations that are emerging, and they are coming in without experience, and they have their pride. A good many of them have the feeling that—pent-up feelings, that they have nurtured for years and years. And they have an opportunity to express themselves, and sometimes it looks a little odd for the prime minister of a new country to come in with a pistol in his hand and arrest an American chargé d'affaires.

But that does happen, and we have to be prepared for those developments and try to understand them and try to provide leadership that will keep us from getting in deeper water or more trouble, and that is what we are doing.

Sometimes our people become very impatient. They cut the water off on us in Cuba, and I have got a good many recommendations from all over the country as to how to act very quickly. Some of them have said—some of the men have even wanted me to run in the Marines, send them in immediately.

Well, upon reflection, evaluation and study, realizing not many people want more war, and none of them really want more appeasement, you have to find a course that you can chart that will preserve your dignity and self-respect, and still bring about the action that is necessary. So instead of sending in the Marines to turn the water on, we sent one admiral in to cut it off and arrange to make our own water, and we think things worked out the best they could under those circumstances.

SELF-DETERMINATION SEEN

But there are going to be these demands from time to time, people who feel that all we need to do is mash a button and determine everybody's foreign policy. But we are not living in that kind of a world any more. They are going to determine it for themselves, and that is the way it should be. And we are going to have to come and reason with them and try to lead them instead of force them.

And I think, I have no doubt but what for centuries to come that we will be a leading force in molding opinion of the world, and I think the better they know us the more they will like us.

Question. Is there any progress, Mr. President, in the deadlock over Panama and the absence of diplomatic relations with that country?

Answer. We have been very close to agreement several times. I have no doubt but what agreement will be reached, that will, in effect, provide for sitting down with Panamanian authorities and discussing the problems that exist between us and being guided only by what is fair and what is right and what is just, and trying to resolve those problems.

QUESTION OF LANGUAGE

Now, when that will come about, I don't know. We are anxious and willing and eager to do it any time it suits their convenience.

Question. What is the hitch right now, Mr. President?

Answer. I think first, they have an election on, and I think translating our language into their language, that some of the agreements that we have to discuss these matters, they perhaps feel that they would want stronger language than we are willing to agree to, and we want a different expression from what they want. It is largely a matter of trying to agree on the kind of language that will meet their problems, and that we can honestly, sincerely agree to.

We are not going to agree to any preconditions to negotiate a new treaty without knowing what it is going to be in that treaty and without sitting down and working it out on the basis of equity. We think that that language can be resolved and will be resolved in due time.

Question. Mr. President, what is your assessment now of General de Gaulle's behavior in the last year or two? What do you think about it?

Answer. Well, it is not for me to pass judgment on.

Question. In relation to us, sir?

Answer. On General de Gaulle's conduct. My conversations with him have been very pleasant, and I would like to see him more in agreement on matters with us than he is, such as recognizing Red China. We did not think that was wise for France or for others or for the free world. But that is France's foreign policy. That is not ours, and in his wisdom he decided he would follow that course, and that is a matter for him to determine.

Question. What do you hear from the people at the United Nations, Mr. President? Has the fact of French recognition now increased the prospect that the Red Chinese may be voted into membership at the U.N.?

CHINA'S ENTRY DOUBTED

Answer. The situation changes from time to time, but we don't think that they will be voted into membership and we hope not. I don't believe they will.

Question. What would be our reaction vis-a-vis the U.N. if they were admitted?

Answer. Well, we will have to cross that bridge. I don't want to admit that they are going to be admitted and don't think they will.

Question. Senator GOLDWATER, for example, has argued that we should withdraw at once if the Red Chinese are admitted.

Answer. Well, that is Senator GOLDWATER'S view, and I don't think they're going to be admitted, and I don't think we will have to face that question.

Question. One you do have to face soon, Mr. President, is to say something to Congress about foreign aid. That seems to have reached a peak of opposition. It seems to have reached some kind of peak last year. What do you think the future of it is?

Answer. I think it is going to be very tough to get a good foreign aid measure through the Congress this year. Last year President Kennedy asked for $4,900 million. He later had that request carefully studied and reduced it to $4,500 million.

MOVE DIFFICULT THIS YEAR

He got a $3 billion appropriation after I came to office. I signed the bill, and there was reappropriated about $400 million unexpended balances, $3,400 million. Now, I have conferred with the leaders in the House and Senate on that matter, and they all admit it is going to be more difficult this year than it ever has been before, although I don't think that is justified.

Nevertheless, I request—we are not going to pad our request. We got $3,400 million this year, and we will ask for something in the neighborhood of that for next year, and we will ask only what we need, and we hope we get what we ask, but it will be appreciably under what was asked last year, and approximately the same that we got this year.

We think that we are justified in spending 3 or 4 cents of our tax dollar to protect the million men who are in uniform, our men, scattered throughout the world, and to keep them from going into combat, and this is the best weapon that I have.

Question. Mr. President, is there any one root cause for the apparent slowness of the Alliance for Progress?

Answer. Yes. It is very difficult to get 21 nations to all agree and get their systems changed and their reforms effected and to blend into their governmental philosophy the modernization that is going to be required to make the Alliance for Progress a success.

We are distressed that it hasn't been more successful, but we haven't lost faith.

MEETINGS SCHEDULED TODAY

We are having a meeting Monday with all of the Ambassadors from the Organization of American States. We are having a meeting Monday with all the Ambassadors from the Western Hemisphere.

We are calling in all of our own Ambassadors, and the three groups are going to meet and we are going to point out the weaknesses and the slowness of certain reforms that are required and the cooperation that we must have from their countries because there is no use of making big investments and taking our taxpayers' funds unless these reforms are effective.

And we are going to make an appeal for a united attack that will give new life to the Alliance for Progress, and we have hopes that it will be successful.

Question. Mr. President, are you terribly disturbed about the resort to street protests and demonstrations on civil rights and other things that is taking place now almost all over the country?

BILL GOES A LONG WAY

Answer. I think that when the Senate acts upon the civil rights bill, that we will have the best civil rights law that has been enacted in a hundred years, and I think it will be a substantial and effective answer to our racial problems.

The Negro was freed of his chains 100 years ago, but he has not been freed of the problems brought about by his color and the bigotry that exists.

And this bill goes a long way to taking the battle from the streets into the legislative halls and into the courthouses, and into where these differences should be settled.

Of course, we have a right to petition, and we should petition when we have grievances, but I think the most effective thing that can be done and I think great progress has been made under the leadership of President Kennedy and the Attorney General, others in the last year, in getting all the people of the Nation to accept their moral responsibility and take some leadership in this field where there has been so much discrimination.

And I know of nothing more important for this Congress to do than to pass the civil rights act as the House passed it. And I hope that can be done after due deliberation.

I think it will be a great step forward for the Nation, and I think it will make us much more united, and I can't think of any single thing we can do to strengthen American foreign policies more than to pass the House civil rights bill in the Senate.

Question. You are confident that you can get a civil rights bill substantially like the House bill without major modification?

Answer. We want to very much, and we are going—the Senate will have to work its will and we believe that a substantial majority favors the House bill, and we believe in due time it will be able to work its will.

SAYS HE IS AN OPTIMIST

Question. Well, are you concerned, Mr. President, at what might happen if this filibuster is still going in the late spring when the schools are out and the kids are out and idle time on their hands?

Answer. I don't want to predict that the Senate will be—how long it will be discussing this bill. I am hopeful and I am an optimist, and I believe they can pass it, and I believe they will pass it, and I believe it is their duty to pass it, and I am going to do everything I can to get it passed.

Question. Mr. President, you have now been President for something over 100 days. You have been around Washington for more than 30 years. How is the view from the inside as compared with the view from the outside?

Answer Well, it is a much tougher job from the inside than I thought it was from the outside.

I have watched it since Mr. Hoover's days, and I realize the responsibilities it carried and the obligations of leadership that were there, and the decisions that had to be made, and the awesome responsibilities it carried and the obligations of leadership that were there, and the decisions that had to be made, and the awesome responsibilities of the Office.

ASSESSES OWN ROLE

But I must say that when I started having to make those decisions and started hearing from the Congress, that the Presidency looked a little different when you are in the Presidency than it did when you are in the Congress, and vice versa.

Question. Mr. President, Thomas Jefferson referred to the Office as a "splendid misery." Harry Truman used to talk about it as if it were a prison cell. Do you like it?

Answer. I am doing the best I can in it, and I am enjoying what I am doing.

PROUD OF U.S. SYSTEM

Thomas Jefferson said the second office of the land was an honorable and easy one, The Presidency was a splendid misery.

But I found great interest in serving in both offices, and it carries terrific and tremendous and awesome responsibilities. But I am proud of this Nation, and I am so grateful that I could have an opportunity that I have had in America that I want to give my life seeing that the opportunity is perpetuated for others.

I am so proud of our system of government, of our free enterprise, where our incentive system and our men who head our big industries are willing to get up at daylight and get to bed at midnight to offer employment and create new jobs for people, where our men working there will try to get decent wages but will sit across the table and not act like cannibals, but will negotiate and reason things out together.

I am so happy to be a part of a system where the average per capita income is in excess of $200 per month, when there are only six nations in the entire world that have as much as $80 per month, and while the Soviet Union has three times as many tillable acres of land as we have and a population that's in excess of ours and a great many resources that we don't have, that if properly developed would exceed our potential in water and oil and so forth, nevertheless we have one thing they don't have, and that is our system of private enterprise—free enterprise, where the employer, hoping to make a little profit, the laborer hoping to justify his wages, can get together and make a better mousetrap.

They have developed this into the most powerful and leading nation in the world, and I want to see it preserved and I have an opportunity to do something about it as President.

And I may not be a great President, but as long as I am here, I am going to try to be a good President, and do my dead level best to see this system preserved because when the final chips are down, it is not going to be the number of people we have or the number of acres or the number of resources that win, the thing that is going to make us win is our system of government.

[From the New York Times, Mar. 16, 1964]

TWO LYNDON JOHNSONS: POLITICAL TACTICIAN GIVES WAY ON TV TO QUIET, ALMOST FATHERLY PHILOSOPHER

(By James Reston)

WASHINGTON, March 15.—President Johnson is growing in patience and confidence. His hour-long conversation on nationwide television this evening is just the latest evidence of his progress. He was nervous about TV politics after President Kennedy's wit and polish on the screen, and he was even a little edgy at the beginning of tonight's performance, but he has a natural and vivid eloquence of his own and this came through with great effect at the end of tonight's broadcast.

There have always been two Lyndon Johnsons since he came to Washington more than 30 years ago: the political tacticians, whose genius for backstairs manipulation was well publicized; and this other Johnson who appeared on the TV sets tonight: the quiet, philosophic, almost fatherly Johnson who never has a bad word for anybody.

This latter Johnson has never had an effective Boswell. The other one, the wheeler-dealer Johnson, has been well reported. Maybe in the TV conversation he has found the medium for making the whole of this remarkable and almost contradictory personality vivid to the American people.

POLITICAL HOBGOBLINS

The reporters confronted him with all the current political hobgoblins supposed to trigger the famous Johnson temper—Bobby Baker, President de Gaulle of France, Bobby Kennedy, and even Barry Goldwater. He never even blinked.

He talked about De Gaulle as if the general were a temporary misguided friend; a little difficult, maybe, but doing what he had every right to do. He talked about his relations with Bobby Kennedy as if the two of them were merely the victims of a vicious press and went out of his way to commend the Attorney General for his part in the civil rights debate.

As for Bobby Baker, the President threw him to the Senate of the United States, and referred to him as if he were sort of a remote official acquaintance who just happened to be in office as a result of the votes of all Senators and certainly not as a result of any friendship with Lyndon Johnson.

None of this set any records for candor in Washington and it was certainly not the whole truth, but it demonstrated the art of the political Johnson, and who could complain? After all, there was nothing in the Constitution that obliges a man to dramatize every single personal difference on nationwide television.

Beyond that, Mr. Johnson's performance was almost an official refutation of all the charges his opponents make against him. He is charged with vanity: he was, in contrast, the very soul of modesty.

No doubt, he said, he had made "many mistakes" in the first 100 days. He may not be a "great President" but he wanted to do the best he could. Vanity? He was positively self-effacing.

He is supposed to be political and partisan in every waking and sleeping act. Tonight he was as nonpartisan as the Ten Commandments; a disciple of unity, confident in the fairness and wisdom of the Congress, a man who was served by a great staff, a man who merely wanted to be "a people's President" and who sounded as if he dreaded the very day when the presidential campaign would force him to utter a partisan word.

His enemies say he is tough and impatient. Tonight he was sensitive about everybody, particularly Mrs. John F. Kennedy and the Kennedy staff. As for the rest, he was in turn patient, nostalgic and quietly confident.

"Compassionate" was the word he used to describe the kind of administration he wanted. "A better deal" for the poor was the slogan to carry out this ideal. He defined his political position as "a progressive who is prudent."

If the commanding ground of American politics is the center, President Johnson captured it this evening. Economically, he defended the free enterprise system with more eloquence than has been heard from the U.S. Chamber of Commerce since the early days of Eric Johnston. Militarily, he made BARRY GOLDWATER'S suggestion about landing the Marines in Cuba sound like the proposal of an impulsive boy.

DISCUSSES HIS HEALTH

The President was even detached, almost indifferent, about himself. He discussed his health objectively, as if he were giving a clinical report on the incidence of rickets among the Eskimos. He talked about his 18-hour or 19-hour workday as if this were the least he could do to show his gratitude for having a good job.

Thus, he has come to the end of the experimental period in the public relations of the Presidency, and he has covered a wider range than any President of our time.

He has had news conferences off-the-cuff, on television tape and live. He has had fireside chats on Thanksgiving, and congressional appearances, and reports on the tax bill, half on TelePrompTer and half extemporaneous.

Beyond that, aside from having telephoned most of the characters in Who's Who, he has had every Member of both Houses of Congress to a sort of combination cocktail party, dinner, official briefing, and dance at the White House while the legislators' ladies were touring the upstairs bedrooms. And if you think this isn't effective politically, ask the chairman of the Republican National Committee.

If he made any mistake at all tonight, it was merely in coming out against smoking, and admitting that while it was hard, he stopped because his doctor told him to. This is not likely to be popular in North Carolina, but he's probably going to carry that State anyway.

Mr. HOLLAND. Mr. President, I shall not ask for another live quorum call, which I say to the acting majority leader I would have the right to do at this time, because I wish to bring the business of the Senate to a close as quickly as possible; and I am sure the acting majority leader feels the same way.

I am now glad to yield to the Senator from New York [Mr. KEATING] provided that in doing so I do not lose my right to the floor.

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

SOVIETS SHUT DOWN MATZOTH BAKERIES

Mr. KEATING. Mr. President, the latest action on the part of the Soviet Union proves conclusively, if additional proof were needed, that the Soviet Gov-

ernment is conducting a deliberate campaign against the Jewish religion in the Soviet Union. A bakery was opened last week in Moscow to bake matzoth, but after 2 days of operation, the bakery was closed down, allegedly for unsanitary conditions. Therefore, despite the expected shipments of matzoth to the Soviet Union from other nations, there will undoubtedly be a serious shortage for observance of the Passover.

Moreover, as a result of the closing of the bakery, those who had planned to use this source and had turned in flour allotments in return for the anticipated matzoth are left with nothing, neither flour nor the prospect of matzoth.

Mr. President, the free world is learning more, day by day, about brutalities against the Jewish people during the Second World War. The civilized world is asking itself day after day how such things could have happened that are being recounted by the survivors of the concentration camps of the last war. Yet here, in these acts of willful harassment, of discrimination, of harsh bureaucracy, are seen the seeds of the same kind of inhumanity and persecution of the Jewish faith and people.

Mr. President, after months of protest, I am glad to learn that our own Department of State is undertaking an on-the-spot review of the situation and of Soviet policy with regard to the baking of matzoth.

Today I have received a reply from Assistant Secretary of State Dutton, in which among other things he says:

> The Department has recently asked the American Embassy at Moscow to attempt to ascertain present Soviet policy on this question. As soon as a reply is received from the Embassy, the Department will communicate with you again.

This move, I hope, will mark an end to the hands-off policy that our Government has been following for too long where Soviet religious discrimination is concerned. I sincerely hope that our representatives in Moscow will take a long, hard look at the problem and report, not only to the confines of the Department of State but also to the whole world, what crass disregard of religion and spiritual purpose takes place in the Soviet Union with the full backing of the Soviet Government.

I feel certain any expression of interest by the United States, or by other nations, will serve to spotlight the problem and may contribute substantially toward prompt easing of these harsh and arbitrary restrictions that have been imposed by the Soviet Government.

I thank the Senator from Florida for his courtesy in yielding to me.

Mr. HARTKE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Indiana with the understanding that in doing so I shall not lose my right to the floor.

TREASURY BACKS HARTKE COLLEGE AID BILL

Mr. HARTKE. Mr. President, Assistant Secretary of the Treasury Stanley S. Surrey has forwarded to me a copy of the report furnished by the Department to the Senate Committee on Labor and Public Welfare, reviewing and analyzing the Hartke college student assistance bill, S. 2490, on which hearings are currently being held in the Education Subcommittee chaired by the senior Senator from Oregon.

This is a most important statement, Mr. President, in view of the fact that my bill was introduced at the time the Ribicoff amendment to the tax bill was about to be considered. The Treasury vigorously opposed the tax credit aid to parents of college students, both as part of the tax package and in principle. A member of the Treasury staff was in several consultations with me, and with members of the Office of Education, during the drafting of S. 2490. Its provisions were in accord with Treasury thinking, and now in its formal opinion to the committee, it has taken a position explaining in some detail the reasons for its objection to the tax credit proposal, together with a positive approval of the goals of the Hartke bill. I invite the attention of Senators, a score of whom are now cosponsors of the bill, to one statement in particular, which states:

> We also wish to give the Treasury's strong endorsement to the kinds of direct aid measures included in S. 580 and S. 2490.

I also invite attention to two sentences at a later point in the statement:

> S. 2490, which provides for expansion of National Defense Education Act loans, loan insurance, work-study programs, and undergraduate scholarships, would involve less than half the cost of the tax credit for college expenses considered by the Senate and at the same time would appear to be more precisely directed toward real needs. All of these forms of aid appear to the Treasury to be far preferable to the use of the tax system in combining fiscal responsibility with effectiveness.

Mr. President, the assessment of the Treasury Department is cogent and well reasoned. It takes a forward step in that it reflects a considered decision made at policy level, a decision to put forward positive considerations as to the role of public funds in producing public good rather than in any sense being obstructive. It is a valuable statement which is well worth reading by all the Members of this body. Therefore, Mr. President, I ask unanimous consent that it may be printed in the RECORD.

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

TREASURY DEPARTMENT,
Washington, March 5, 1964.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is with reference to your request for a report on S. 2490 which would provide assistance for students in higher education by increasing the amount authorized for loans under the National Defense Education Act of 1958 and by establishing programs for scholarships, loan insurance, and work study.

The Treasury is aware of the great need for expanding educational opportunities and favors those fiscally responsible measures which will most effectively accomplish this objective.

In connection with the pending tax bill consideration was given to amendments which would have provided tax credits or deductions for certain college expenses. As you know, the Treasury Department opposed these amendments. In a report to the Senate Finance Committee the Department stated there are several possible methods by which the Federal Government can provide assistance to those seeking higher education and that full consideration of these various methods is essential. The Department expressed the belief that Federal assistance by measures other than tax provisions is a much more efficient and equitable method of aid, and that the use of the tax system to attempt to provide assistance might interfere with other more effective, equitable, and desirable proposals, such as the programs of direct aid to students now under consideration by the Subcommittee on Education. For this reason, the Department recommended that consideration of all the methods of providing assistance should be coordinated and full public hearings should be held on the proposals so that all interested parties could be afforded an opportunity to be heard.

In connection with the Senate debate on proposals for aiding students through tax measures, S. 2490 was offered by Senator HARTKE as an alternative. Also, during the debate the Chairman of the Education Subcommittee of the Labor and Public Welfare Committee indicated that it would not be proper for the Senate to make a decision on these proposals until the subcommittee has had an opportunity to hold hearings on how best to provide student aid. At the same time, he announced that the subcommittee would immediately begin hearings on the guaranteed student loan proposal and other provisions of S. 580 relating to student aid on which action has not yet been taken and on S. 2490.

We are glad to have this opportunity to state some of the reasons why the Treasury opposes tax credits or deductions as a means of assisting students. We also wish to give the Treasury's strong endorsement to the kinds of direct aid measures included in S. 580 and S. 2490.

The Treasury is constantly presented with proposals to accomplish all sorts of desirable social objectives through the tax system. In general, these objectives can be accomplished more effectively and economically by other means. An important advantage of direct means, as compared with tax allowances, is that the Congress retains control of the amount of aid through the appropriation process and can distribute the aid where needed most.

Sponsors of tax allowances for college expenses place emphasis on different objectives. Some present them as an educational measure designed (1) to assist students who are seeking higher education and (2) to give indirect assistance to institutions of higher education by making possible tuition increases (thereby providing an alternative to direct aid to such institutions or a supplement to direct aid). Others present them as a tax measure intended to give relief to middle income families with children in college.

The Treasury believes that tax allowances for college expenses have great deficiencies as either a tax measure or an educational measure. A principal objection to tax allowances is that a deduction or credit for college expenses, regardless of its form, will not give relief where it is most needed and, therefore, will not expand educational opportunity. Nontaxable persons and taxpayers with insufficient tax liability to take full advantage of the tax allowance would obtain little or no benefit. Large families with low income would receive little or no benefit while families of fairly substantial means who would send their children to college in any event would get the most relief.

While the Treasury recognizes that the high costs of college education impose heavy

burdens on families with children in college, we agree with the Department of Health, Education, and Welfare that the available Federal resources should be used to assure that, insofar as possible, no capable student will be denied the opportunity for education beyond high school because of his or her parents' inability to meet the financial burden. Tax allowances would contribute little to the achievement of this objective. It would be difficult to justify a provision of hundreds of millions of dollars of tax relief to families with children in college while as many as 120,000 or more qualified students each year are prevented from going to college, primarily because of inadequate financial resources.

The tax credit proposal which was considered by the Senate was an extremely costly proposal. The Treasury believes that the loss to the Federal Government of so substantial an amount ($750 million at current levels and $1.3 billion by 1970) as would have resulted from the tax credit would affect the amount of Federal funds available for other forms of aid to higher education. In connection with consideration of other possible forms of aid, such as continuation and expansion of the National Defense Education Act student loan program, establishment of a work-study program, or an undergraduate scholarship program, the Congress would certainly take account of the fact that $750 million had been provided in the name of student aid through the tax credit. This would be true regardless of the fact that the aid program under the tax credit might be distributed in a very different manner than the various other forms of aid. As the chairman of the Education Subcommittee indicated during the debate on the tax credit amendment, Congress can be taken "up the line" only so many times in a certain period of time on the question of passing proposed legislation in a particular field.

Among the various student aid measures under consideration by the subcommittee, the Treasury has had a particular interest in the approach entailing an educational loan insurance program. This proposed program, following in the pattern of the tested and highly successful mortgage and other loan insurance programs, can provide the needed catalyst for bringing the vast financial resources of existing lending institutions to bear on the problem of assuring educational opportunities for every student able and willing to undertake higher education. Just as mortgage insurance has, on a self-supporting basis, helped channel a vastly increased supply of funds into homebuilding and brought home ownership within reach of most of our families, Federal insurance of loans for higher education can be a major step toward providing funds for self-reliant college students on terms suited to their special needs. There are precedents for this loan insurance program in various States and in one growing privately sponsored plan. These programs, while limited in size, provide ample evidence of the feasibility and usefulness of this kind of assistance. The need today is to achieve much broader, national coverage, and to do so promptly and effectively.

A great advantage of this program, as a supplement to more specialized and necessarily costly types of assistance, is that any full-time student with passing grades would be eligible for a loan. Eligibility for such insured loans would be based only on full-time enrollment and continuation of satisfactory academic progress. The education would itself, by increasing earning capacity, provide the means for paying off the loan.

This guaranteed loan program would reach the legitimate needs of students from middle-income families, as well as low-income families, faced with raising within a relatively short period of time the funds necessary to finance a college education. By borrowing at reasonable rates over a period of years these college costs can be spread over a period of time which will permit repayment in line with current earning capacity.

In assessing the need and potential usefulness of this kind of program, it should be emphasized that students do not need to borrow the full cost of a college education. Most people are surprised, for instance, to find that the average loan under the existing National Defense Education Act program is $500, well under the $1,000 maximum limitation on a loan. This is because students obtain a large proportion of needed funds through employment, scholarships, and other sources, and the loans typically serve to supplement these sources, rather than to finance the entire cost. A survey of student borrowers under the National Defense Education Act student loan program shows that more than half finance three-fourths or more of their college expenses from sources other than their families' income; 30 percent finance their entire college costs out of jobs, loans, and scholarships. Census data on sources of financial support for all students enrolled in college in October 1959 indicate that only about 28 percent relied on parents only. For 21 percent of all students, their own work or savings was the sole source of support; for another 7 percent, scholarships and their own work were the only sources of support. About 30 percent combined their own work and/or scholarships with some family assistance. By supplementing other sources of funds and enabling potential students to close the gap between resources and expenses, the insured loan program will make it possible for them to undertake and complete an education that, for lack of a few hundred dollars a year, might not otherwise be feasible.

Clearly, the program is not a substitute for, or competitive with, other forms of aid for the specially needy and gifted student. Rather, it is a broadly based supplement, available to all students and families willing to accept the responsibility of using credit constructively in their own interest, as well as that of the Nation, by making an investment in education—an investment that should be repaid many times over.

No program of grants and subsidies—useful as they are in meeting the specific needs of the specially gifted or needy—can be expected to do the entire job alone, nor should they when private funds are available to be mobilized, and the potential returns to the borrower are as high as they are in education. Costs of college education are high, and Government should accept a responsibility to assist in enabling responsible families in the middle, as well as the lower, income brackets to spread these costs over time. A tested technique for accomplishing that result by enabling private lenders to do a better job is incorporated in this bill.

We believe this bill can go a long ways toward meeting the needs and concern expressed by so many respecting financial assistance to those seeking higher education.

With respect to the total package of aid proposed by S. 580 and S. 2490, officials of the Department of Health, Education, and Welfare are, of course, better equipped to discuss the relative needs and the most appropriate forms of financial aid for meeting them, including the appropriate allocation of any federally allocated funds among the various forms of aid. We would point out, however, that the insured loan program and work-study program proposed in S. 580 involve only small amounts of Federal appropriations in the 1965 budget. S. 2490, which provides for expansion of National Defense Education Act loans, loan insurance, work-study programs, and undergraduate scholarships, would involve less than half the cost of the tax credit for college expenses considered by the Senate and at the same time would appear to be more precisely directed toward real needs. All of these forms of aid appear to the Treasury to be far preferable to the use of the tax system in combining fiscal responsibility with effectiveness.

In endorsing the objectives and nature of this package of educational aid measures, we should point out the relationship of the existing National Defense Education Act program, if considered as a program of direct Federal loans to student borrowers, to the general guidelines set forth by the report of the Committee on Federal credit programs approved by President Kennedy last year. Student loans under the expanded National Defense Education Act program, as proposed by S. 580 and S. 2490, would continue to be provided through participating institutions at a fixed 3-percent rate, following the terms of legislation enacted in 1958. The Committee on Federal credit programs concluded that in general fixed rates of interest introduced an arbitrary element of rigidity into the administration of direct lending programs, tending to obscure the proper evaluation of their cost in relation to benefits and to provide varying amounts of subsidy over time in relation to prevailing costs and market rates.

Instead of such fixed rates, the committee suggested, among its guidelines, that the practice generally be followed, when establishing new programs or making substantial changes in existing programs, of relating the rate charged to current yields on Treasury securities of comparable maturity. That practice is incorporated in the direct loan program for medical and dental students introduced last year and in the similar program for student nurses presently proposed, as well as in credit programs in a variety of other areas.

This Department does not feel that application of this concept would be appropriate at this time at the expense of delaying consideration of the present proposals for simply extending a successfully operating program. Rather, exploration of the feasibility and desirability of a change in this respect could be adequately considered and studied only in relation to other administrative arrangements in the National Defense Education Act program, which has successfully developed and functioned through large numbers of institutions administering what are, in effect, separate loan programs on the basis of Federal capital contributions. At this time, we simply wish to make note of the relevance of this matter when substantive changes in the program might be under consideration in the continuing effort to assure maximum effectiveness of the National Defense Education Act program. In setting forth this matter for consideration at an appropriate time, we should also make clear that we are not suggesting that the Government should not properly absorb whatever portion of the interest and other costs may be appropriate to assure effective accomplishment of the objectives of the student loan program.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this report.

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

Mr. HARTKE. Mr. President, I thank the distinguished Senator from Florida for being so kind and courteous as to yield to me.

Mr. McGEE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Wyoming, with the understanding that in doing so I shall not lose my right to the floor.

ED MURROW'S SERVICE WITH USIA

Mr. McGEE. Mr. President, it is a very illuminating experience for an American overseas to discover what sort of opinions the people of the country he is in have of America. The subject takes on added importance when we realize that the American image goes hand in hand with American success or lack of it in our relations with the rest of the world.

It is my opinion, Mr. President, that much more of the world now appreciates and understands the real America than ever before. The all but universal expressions of personal loss following President Kennedy's death are a moving tribute to that fact. And no one man is more responsible for that new understanding than Edward R. Murrow, the recently retired Director of the U.S. Information Agency.

Mr. President, the story of Ed Murrow's service as the voice of this Nation overseas is well documented in an article which appeared in the Washington Post for March 15. I ask unanimous consent that this article by Jean White be printed in the RECORD.

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

LUSTER RUBBED OFF ON USIA—ED MURROW'S VERY PRESENCE GAVE OUR WORLD "VOICE" NEW STATURE

(By Jean White)

When he came to Washington as Director of the U.S. Information Agency, Edward R. Murrow brought along a reputation for courage, integrity, and intelligence as a news commentator.

It is perhaps a measure of Murrow's success in the post that his personal reputation did not shrink in 34 months in a Government job. If anything, some of his prestige and luster rubbed off on the USIA.

The USIA directorship has not been exactly a reputation builder. In little more than two decades, the agency has had five names and a dozen Directors. It is a sitting target for congressional critics who don't like an abstract painting sent overseas or a certain paragraph amid millions of words published.

Since the USIA can't tell its story at home, the American public usually hears about the agency only when it has made a big mistake. It has no lobby to press Congress for funds. Its product is for export only. It deals in intangibles, and the results can't be summed up in a graph for an annual report.

BEYOND ARITHMETIC

Murrow himself put it this way a year ago: "But it is very difficult to measure success in our business. No computer clicks, no cash register rings when a man changes his mind or opts for freedom."

It is almost as difficult to measure the success of Murrow's USIA stewardship from early 1961 until he resigned in January to recuperate from an operation for lung cancer.

He did noticeably improve the product, particularly in the mass media fields of films and television programs. The Voice of America doubled its power and the USIA beefed up its programs in the key areas of Latin America and Africa.

But more important, if less tangible, may have been the effect of Murrow's presence. The respected news broadcaster gave the USIA stature with Congress and the public at home. This, in turn, gave more self-respect to the staff, which had never completely recovered from the demoralizing attacks of the McCarthy era. An acclaimed professional, Murrow began to attract bright young recruits to the USIA.

Murrow became the most influential USIA Director since the World War II days of Elmer Davis and the predecessor Office of War Information. He sat in on policy decisions, had a direct telephone (the "blowtorch") to the President and often dashed the two blocks down Pennsylvania Avenue to the White House. He became the President's adviser on psychological factors in the formulation and execution of foreign policy.

A perfectionist, Murrow probably didn't shake up the USIA as much as he wanted to. It is a vast operation, with nearly 13,000 employes in 106 countries. Inspiration can filter down through only so many layers of bureaucracy.

He had his frustrations as USIA Director. He tangled with Congress over budget cuts and "shoestring financing." He didn't attract as many top-talent people as he had hoped.

"But he left a better agency than he found, and it will be still better 5 or 10 years from now because of Murrow's work," one of his aids summed up Murrow's tenure.

NINETY-PERCENT PAY CUT

Thomas C. Sorensen, a career man with 13½ years with the USIA, is Deputy Director in charge of policy and plans. Until Murrow took over, the USIA had no clearly defined role or direction, he feels.

"For the first time, under President Kennedy and Murrow we had a clear mandate of what role the President wanted us to play in foreign affairs. And we were allowed and encouraged to play that role to the fullest," he says.

Murrow took the USIA job (at a 90-percent pay cut from an estimated $200,000 at CBS to a $21,000 Government salary) on the condition that he would have his say in making the policies that the USIA later would have to explain to the world. He wanted to do more than pick up the pieces after a fiasco. President Kennedy agreed, and Murrow became the first USIA Director to sit on the National Security Council.

As Murrow defined it, the job of the USIA is to make the policy and actions of the United States "intelligible and, whenever possible, palatable." He operated the Agency on the philosophy that truth is the best propaganda, even when it hurts.

The USIA has reported the story of racial violence in the United States in the larger context of a democracy working out its problems. As might be expected, this approach drew congressional criticism. Some Senators asked Murrow whether it was wise to show weaknesses.

"We cannot be effective in telling the American story abroad if we tell it only in superlatives," he replied.

A NUCLEAR ROLE

On the policymaking level, the USIA played a key role in the timing of the resumption of U.S. nuclear testing in 1961. Murrow asked for as much time as possible to capitalize on the moratorium break by the Russians. The USIA also wanted a chance to explain why the United States was forced to resume tests itself.

During the 1962 Cuban crisis, the USIA staturated communications channels with messages documenting the American position. In a single week, 50,000 pictures of the Russian missile sites were air expressed overseas.

The USIA even drew blood from the Communists. Last June, the Moscow radio accused the Agency of provoking sleepless nights in socialist countries.

As USIA Director, Murrow was in command of a vase operation using seven media of communication: radio, television, movies, press, books, exhibits and the arts. Some 600 million persons see USIA documentary films each month. The Agency places 500 TV programs each year in more than 60 countries.

Its wireless news file carries 10,000 words daily and it publishes nearly 70 magazines and some 20 newspapers. There are more than 180 USIA libraries. The Voice of America broadcasts 789 hours a week in 36 languages.

THE LAST 3 FEET

The USIA has nearly 1,500 officers at posts overseas, and Murrow cut down their paperwork and told them to wear out shoe leather rather than typewriter ribbon.

"I once heard him tell a group of staffers that it was no miracle of communication to send a message by Telstar," an aid recalls. "He said it was the last 3 feet between one man and another that matters in getting a message across."

All was not sweetness and light for Murrow and the USIA. He had to fight budget cuts. He lashed out at Congress for a $15 million cut last year.

"We are being outspent, outpublished, and outbroadcast," he said in a speech. "We are a first-rate power. We must speak with a first-rate voice abroad."

Murrow had his faults and made mistakes. He didn't like administrative work but he tried to learn all phases of the USIA operation. He did his homework for congressional testimony and sat through all the hearings rather than just making an appearance.

The 55-year-old Murrow often joked about being the old man of what he called the New Zeal administration, but he set a pace with a 15-hour day. He told a friend: "I have never worked harder in my life and never been happier. I haven't had such satisfaction since the days of covering the London blitz."

A MORE FLEXIBLE FOREIGN POLICY

Mr. McGEE. Mr. President, my good friend the Senator from Idaho [Mr. CHURCH] has again demonstrated his ability as a perceptive analyist of foreign events and the complex world which we inhabit today.

In an interview published yesterday in the Washington Star the Senator from Idaho [Mr. CHURCH] has performed a significant service in setting a critical foreign policy question in proper perspective and setting before the American public the stakes in this matter and what are some of the alternatives we face.

Mr. President, I ask unanimous consent that the transcript of that interview be printed in the RECORD.

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

[From the Washington (D.C.) Sunday Star, Mar. 15, 1964]

ON THE RECORD: MORE FLEXIBLE FOREIGN POLICY?

(Following is the transcript of an "On-the-Record" interview with Senator CHURCH, Democrat, of Idaho)

Question. Senator CHURCH, the Republicans say that foreign policy will be the major issue in the coming presidential campaign. Do you accept that premise and, as a Democrat, how do you feel about it?

Answer. I think that foreign policy, in the times in which we live, will always be a major issue in a national election campaign.

As a Democrat, I welcome it. I think that the foreign policy record of President Kennedy and President Johnson is strong, and that this issue will be to our advantage.

Question. The most serious problem right now is probably Vietnam. Would you be

willing to see a full-scale American debate on what course we should take in Vietnam?

Answer. Yes, if there are real alternatives to discuss. Should the President propose some change of course in South Vietnam, this would provide an occasion for extended debate. If, on the other hand, we continue to hold to our present policy, then I would not anticipate such a debate soon taking place.

Question. Do you think it was right for the United States to become so deeply committed to its present course in Vietnam, without a debate in Congress or among the general public?

Answer. I personally have always had grave misgivings over the original decision which took us into South Vietnam. If we had it to do again, I would strenuously object, and I know there are many others who would, also.

Unfortunately, neither President Kennedy nor President Johnson had that option available to them. We were in Vietnam when they took over.

SUCCESS IN VIETNAM?

Question. Is it your own view that we are succeeding, or failing, now, in Vietnam?

Answer. I don't know. I am not optimistic about the outlook. If Ho Chi Minh, the leader of North Vietnam, is regarded by by most Vietnamese people, North and South, as the authentic architect of independence from the French, as the George Washington of Vietnam, so to speak, it will be hard for us. Wars against George Washingtons are not easily won.

Question. Do you think that the way out in Vietnam may be to carry the war north into North Vietnam, or even Red China?

Answer. That is certainly not the way out. As I look at the map, that is the way in.

I would hope that we don't make South Vietnam a launching pad for another Korean war. That war cost us heavily in American lives and fortune. We were able to end the fighting only by confining ourselves to the area south of the 38th parallel. This became the basis for the truce, but the Korean problem is still costing us half a billion a year.

One could question what has been gained, when one compares the enormous outpouring of American resources into this Korean peninsula with the real interests of the United States that have been served by our presence there.

Are we again to repeat this performance in South Vietnam, extending the war northward, inviting the Chinese down? I would have to be persuaded that the vital interests of the United States are in fact at stake, to warrant so dangerous and endless an adventure as this would be.

We need to look further ahead than our immediate frustrations in South Vietnam. If we were to make this our own war and occupy this territory with the American Army, which would be the likely next step if the war were broadened, then we must face up to the fact that we will have to seize and hold this remote region of the world with naked American power. Asiatic people would regard our holding it as a kind of American possession, however differently we viewed it.

Everything that has happened in the last 20 years demonstrates the folly of such a course.

SOUTHEAST ASIA SETTLEMENT

Question. Do you see merit in President de Gaulle's suggestion of a neutralist settlement in Southeast Asia?

Answer. If the whole of the archipelago could be neutralized, including North Vietnam, then I should think that this would be positively in the American interest, as well as in the general interest of all the peoples concerned.

I am not dismayed that General de Gaulle is apparently attempting to explore the possibilities for some such political settlement. If he succeeds, it could well serve our interest and furnish us with a basis for an acceptable solution. If he fails, we are no worse off for his having tried.

Question. Do you think, then, that we should officially support General de Gaulle's search for a neutralist solution in southeast Asia?

Answer. I think that President de Gaulle does not particularly want our support. Therefore, I see no advantage to be gained by giving him our official endorsement.

Question. There is another option we haven't discussed. Would this be a problem that the United Nations could deal with effectively?

Answer. It might be. But only if some possibility develops for neutralizing the whole of the archipelago. It is difficult for me to conceive how the United Nations could play a useful role here, if the only issue is what shall be done about South Vietnam.

PRESIDENT'S ROLE

Question. Do you think we can achieve the neutralization of South Vietnam so long as we are, or appear to be, losing the guerrilla warfare there?

Answer. It happened in Laos. It could possibly happen in Vietnam.

I concede that the prospects are dimmer if the war continues to go badly. There is much truth in General Clay's statement that nations can usually secure at the bargaining table only what they can hold in the field.

Question. Then you don't agree with the official position that to go to a neutralization formula at this point and withdraw American troops from South Vietnam would mean giving over South Vietnam to the Communists?

Answer. I am opposed to any bogus neutralization which is only a mask for a Communist takeover.

There are several neutral countries in that region that are not Communist. Laos and Cambodia are examples. In fact, I thought we had gotten over the habit of regarding neutralism as anti-American.

Where we are dealing with small countries on the fringes of China, if we insist on their taking sides in the cold war, they are very apt to feel compelled to take sides with China, and not with us. Neutralism becomes an umbrella which oftentimes can protect their independence.

NO GENEVA ACCORDS

Question. Then would you say the Geneva accords of 1962 on a neutral Laos are working?

Answer. I would say that it became obvious from the course of the fighting preceding that agreement that, without it, the whole of the country would soon have fallen under Communist control.

Question. Senator, do you find it either improper or awkward to have the U.S. Ambassador to Saigon, Henry Cabot Lodge, with a campaign being waged for the Republican presidential nomination in his behalf?

Answer. It may be awkward for him. I don't think it is awkward for the United States, as long as he attends to his duties as our Ambassador in Saigon.

Lodge is a man of great experience and ability. Mr. Kennedy's decision to send him to South Vietnam, and Mr. Johnson's decision to retain him there, seem to me to be in the best interests of the country.

I would just like to say one further word about this Vietnam problem.

President Kennedy was careful to make the distinction, some months ago, that the war in South Vietnam was their war, not ours. If their Government cannot maintain itself against the uprising, it won't be because we have failed to give it adequate advice, assistance, training, equipment, money, and materials. We will put enough armament and supplies into South Vietnam to fairly sink the peninsula before we are finished.

This enormous quantity of arms, food, and money had doubtlessly helped the Government, but our presence there may also be a handicap to the Government.

When one considers the general attitude of the Asian people toward Western nations, and how recently these countries have emerged from colonial control, it is hard to feature a war more difficult to win in that region of the world than one carried on under the auspices of a Western nation.

I first went into this part of the world as a young officer in the Second World War, and I stayed for a time in India. Out in the countryside of India I never saw much distinction drawn between an American and an English uniform.

It is hard for me to believe that the people of Vietnam in the jungles and in the countryside draw the distinction we draw between American and French uniforms.

THE U.N. SESSIONS

Question. Senator, as head of the International Organizations Subcommittee, you must be concerned about what is going to happen in the next session of the United Nations.

Do you think, in view of French recognition of Communist China, it is wise policy for the United States to continue to oppose its admission to the United Nations?

Answer. I think it is necessary for us to continue to oppose the admission of Red China. I am doubtful that any change in our position, at this time, would prove beneficial to the United States. I suspect that China finds us a convenient enemy to have, and that, for internal purposes, she needs and wants an enemy.

Therefore, I am doubtful that any sudden change in our attitude would result in better behavior on the part of the Chinese Government.

Question. Do you think Red China will be admitted this year?

Answer. I am hopeful that Red China will not be admitted, despite the prospect that France may support her bid. However, we have to face the time when we may be outvoted on this issue. I only hope that, if it does happen, we will be mature enough to accept the decision of the member states on this question, and that we will continue, nevertheless, to remain a member of the United Nations, and to give it the support that its general record entitles it to have.

WHAT CAN WE DO?

Question. What, then, should a responsible administration do to prepare this country and the people in this country for the prospect that you think is likely?

Answer. I think that we should begin to talk candidly about the realities in the world. To the extent that American policy is based upon myth, we disserve ourselves.

The fact is that there is a China, and that there is a Formosa. The fact is that Germany is divided into two parts. The power, the array of power, necessary to rejoin Germany, or to reinstate the Formosan Government in Peiping, is simply not present. We are not prepared to supply it, nor should we, and neither are the other countries.

If we don't begin to recognize these facts, and take them into account as we formulate American policy, we are in danger of becoming a kind of Alice in Wonderland in world affairs, and other nations will begin to take policy away from us and make decisions which leave us behind.

That is what De Gaulle is now undertaking to do, with astonishing rashness, and with some prospect of success.

PRECEDENT IN LAOS

Question. It has been said that President Kennedy was much more personally in-

volved in foreign policy than President Johnson. What would you say?

Answer. President Johnson is demonstrating, in his handling of the water-pipe crisis in Cuba and the dangerous Panamanian riots, that he is capable of acting with that combination of force and restraint which is the substance of statesmanship.

Nobody will walk over Lyndon Johnson. At the same time, he is going to be cool-headed in his decisions, if these examples typify the way he intends to conduct American foreign policy as President of the United States.

Question. And yet, in answer to a previous question, you said that General de Gaulle was developing policies which seem to leave us behind. By "us," you seem to mean the administration which conducts foreign policy.

Answer. I was referring there to the whole American attitude, which has obtained under both Republican and Democratic administrations, and which in the main, is still accepted on both sides of the aisle in Congress.

What I am calling for is a reappraisal of fundamental propositions that long have frozen American policy into place, both in Europe and in the Pacific.

President de Gaulle may force this reappraisal upon us, but it is much too early to say what posture President Johnson will assume with respect to these fundamental matters. He has been in the White House too short a period of time.

CIVIL RIGHTS ACT OF 1964

The Senate resumed the consideration of the motion of Mr. MANSFIELD that the Senate proceed to consider the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. HOLLAND. Mr. President, I find myself in somewhat the same situation as confronted me last Wednesday, when, after having sat in the Chamber all afternoon and into the early evening, in an effort to deliver what I thought was a constructive speech on the impact of title IV of the bill, the title which deals with education, I found myself without adequate time to go into that speech. I find that tonight I am in no different position. I have no intention of going into that principal speech at this time.

I thank Senators who have remained to see the day out with me. I wish to remark with a smile that the antifilibusterers filled up Wednesday afternoon talking about the Lord's Prayer and things in connection therewith, in a most interesting way, which we enjoyed, but which did not allow us to get down to a discussion of the civil rights problem.

This afternoon I find that the antifilibusterers have again consumed most of the afternoon—I believe more than four hours—in a discussion of the so-called Bobby Baker hearings, and various matters in connection therewith.

I am not complaining about that. I am perfectly willing to have Senators speak on any matters that they may wish to discuss. I do not believe that the philosophy of germaneness, so ardently espoused by my distinguished friend the senior Senator from Rhode Island [Mr. PASTORE], who is one of the Senators who has remained in the Senate Chamber this evening, applies in this kind of situation.

I believe I recalled to him, during the course of the debate on that new rule, that it would have no relation to any of the long discussions which take place over long periods of time when the Senate recesses from day to day.

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

Mr. HOLLAND. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. When the rule modification was suggested by the senior Senator from Rhode Island, he made it clear that it was not being employed as an implement to impede in any way the filibuster procedures of the Senate. It was designed merely to promote a little coherence and continuity and adherence to the business at hand for at least the small period of 3 hours immediately following the morning hour, once the unfinished business was laid down. It is unfortunate that this period is confined to only 3 hours. If it included a longer period of time we would not have had the situation about which my friend from Florida is complaining. Senators would have had to stick to the issue.

Mr. HOLLAND. The distinguished Senator from Rhode Island has made a real contribution, except that he has said the Senator from Florida is complaining of the situation. The Senator from Florida is not complaining. He is calling attention to the fact that on 2 days, when he understood he was scheduled to make what he regards as a major speech, he has been prevented from reaching it by long-winded discussions by Senators who usually preach long and loud against filibusters, and that he has just now, at a quarter to 8 o'clock in the evening, got around to a discussion of the pending business.

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

Mr. HOLLAND. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. With the presence of the distinguished Senator from Florida [Mr. HOLLAND], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF].

Mr. HOLLAND. Let us not forget the distinguished Senator from Wisconsin [Mr. NELSON], who is presiding, and the other distinguished Senators who have left the Chamber.

Mr. BENNETT. Will the Senators include the Senator from Utah?

Mr. PASTORE. And the Senator from Utah, who has come out of hiding.

Mr. BENNETT. I have been sitting in a comfortable seat in the rear of the Chamber.

Mr. HOLLAND. I wished the RECORD to show that there were five Senators present. Judging by the haste with which several other Senators left the Chamber a few minutes ago, I believe that if we went down to the Senate restaurant or some similar place we might find some of them taking refreshment there. I believe that is quite appropriate under the circumstances.

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

Mr. HOLLAND. I am glad to yield to the Senator from Connecticut.

Mr. RIBICOFF. I believe that the least Senators can do is to remain in the Chamber and listen to the remarks of the distinguished Senator from Florida. I was in the chair for a good part of the afternoon, and I noted the patience with which the Senator from Florida, who was scheduled to be the speaker this afternoon, yielded to one Senator after another, to speak on matters other than civil rights.

I was present last week, when I noted that the distinguished Senator from Florida was preparing to make his speech. Again he yielded to one Senator after another. In view of the courtesy which the Senator from Florida has exhibited, and which is so characteristic of him, it is only proper that some Senators remain in the Chamber to listen to the remarks of the distinguished Senator from Florida.

Mr. HOLLAND. I thank my distinguished friend for those gracious remarks. I say to him, and for the record, that I have found, in 18 years of service in the Senate, that patience is one of the virtues that should be cultivated; that if that virtue is wanting, there will be many occasions for ruffled feelings, which will never exist if there is an adequate amount of patience.

As I said, I have no intention of going into my principal remarks. First, as a basis for what I came here to say tonight, and also as a prologue to my main address, which will come later, I wish to say something about the experience I have had in this field. I do so humbly, and only because I feel that I am in a position to make some comments based upon real experience in connection with the biracial problem, particularly with the educational features of that problem.

As a young man in my home State of Florida, I served for a good while as chairman of the local school board. In my hometown, where about 33 percent or 35 percent of the citizens are colored people, many of them very fine people, many of them my lifelong friends, I found that their needs were acute. Therefore, when we began a new program for the construction of new schools for the schoolchildren of that community, there was included a 14-room brick building, as the beginning of an adequate school facility for the colored children of that community.

At that time, it took care of the colored children of that community. It still stands. It is the center of the community life of the colored part of our community. It stands in their principal residential area, where it should stand. It has now been enlarged to include not only the brick buildings, but also a quite large athletic facility, a fairly large agricultural proving ground or experimental field, and a swimming pool which is vastly better than the one we have provided for the white children, the reason for that being, of course, that it was built

later than the one at the white school. Also, there are other facilities which are comparable to those which can be found anywhere.

In that early experience, I found that the Negro citizens reacted with great joy to the chance to get good school facilities and have them followed by good school operations, which we have provided for years in that town. I have gained the impression that the things that the Negro citizens wanted most of all were good facilities and good schools. That was the principal part of the problem.

Mr. RIBICOFF. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. RIBICOFF. In many ways, my experience runs along the same line as that of the distinguished Senator from Florida. He was a distinguished Governor of his great State. It was my privilege to serve as Governor of my State. The distinguished Senator from Rhode Island [Mr. PASTORE], who is in the Chamber, was Governor of his State. Without question, the problem of education was the knottiest that occupied our attention. Also, this is a field that concerned me when I was Secretary of Health, Education, and Welfare. So we discuss these matters against a background of experience.

Now, let me ask, is it not true that in many sections of the country—and this is true not only in the southern section of the country—the Negro schools, schools which Negroes usually attend, have been inferior to the school systems attended exclusively or predominantly by white students?

Mr. HOLLAND. The Senator from Connecticut is correct. His statement is true with respect to my part of the country. It is true of his part of the country. It is true of every large city of the country. I shall deal with that question rather fully in the principal address which I hope to make within the next few days. At this time, I simply confirm what the distinguished Senator has said.

Schools for Negroes and others having modest means, who live in the slums of the great cities, have customarily been substandard and inferior. I expect to quote in some detail from the book written by Dr. Conant, a former president of Harvard, who has put his finger upon this as the principal problem—that it is necessary to have better facilit'es, better operations, and better teachers, and it is necessary to spend much more money on the operations of public schools and the construction of public schools in the crowded tenement areas of the great cities, whether they be in the North or South. That does not end the problem, but it is one of the gravest of all the aspects of the problem. I hope the Senator will allow me to dwell upon that at more detail at my later appearance.

Mr. RIBICOFF. I hope the distinguished Senator from Florida will notify me when he makes that speech, because it is a subject in which I am vitally interested. I assume he refers to Dr. Conant's book entitled "Slums and Suburbs."

Mr. HOLLAND. The Senator from Connecticut is correct. I have one of the original copies of that book. I spoke about it at some length 2 years ago. I do not mean that I spoke exhaustively about it, but I placed many quotations from it in the record of the debate which we were having at that time in the field of civil rights. I expect to do the same thing again, or perhaps to amplify upon my earlier statement. I expect also to supplement the statements by Dr. Conant with the statements of several others in the field of education in the northern part of the Nation, because their comments in the main are quite like his in this field.

Mr. RIBICOFF. I found during my work as Secretary of Health, Education, and Welfare that one of the problems that required the most help was the need to improve education in the large cities of America. I remember returning from a trip across the country, after Congress had adjourned, while I was Secretary, and finding to my great dismay what had to be done in the large cities of America. I submitted a bill the following year which would have provided $50 million for special efforts to improve educational opportunities in urban areas. As happens with most educational bills, that bill never saw the light of day.

What appeals to me in title IV, and what I should think would appeal to the distinguished Senator from Florida, instead of meriting criticism, is that the provisions of title IV allow the Commissioner of Education to give technical assistance and make grants to school districts where desegregation problems are being resolved. This assistance can be of great help, especially in some of our urban school districts. So I look upon title IV of the bill as rather a boon for all phases of education, and not as something to be condemned.

Mr. HOLLAND. I must say that the technical assistance section is practically the only part of title IV of which I could approve wholeheartedly. To the proposal for open-ended appropriations for the purpose of bringing to an average the facilities in those great areas of the Nation, which would certainly cost billions of dollars to accomplish, the Senator from Florida objects. The Senator from Florida objects even more to the provision of the bill which would give unbridled authority to the Attorney General to use the injunctive process in his sole discretion, coupled with the right to use the criminal contempt procedure without jury trial. To that I strongly object.

Such a drastic remedy is always subject to a careful check as to where it should be used or where it should be permitted. But when it is proposed to permit it in so intimate a field, touching so closely the lives of our people as the public school system does, and where it opens up the vista of hundreds of perhaps thousands of suits to speed a desegregation policy that has not worked at all, or as was envisaged by friends of desegregation 10 years ago, I object to it. However, I do not expect to discuss that aspect of the subject in detail at this time. I simply say that I think the proposal to render technical assistance, which was mentioned by the distinguished Senator from Connecticut, is perhaps the only part of title IV which is good. So the Senator has pierced my armor with his comment. I am only sorry that title IV is not presented as a separate bill, containing nothing but a provision for technical assistance to help people come to a more sound answer in trying to solve their problems.

Mr. RIBICOFF. I am pleased to have the admission of the Senator from Florida that there is a part of the bill he likes, a part of the bill that is good, because that indicates that progress is being made.

Mr. HOLLAND. There are other parts of the bill that I like. I have said repeatedly from the floor of the Senate, a long time ago, that so far as the stepping up of vocational education is concerned, that is beginning to hit at the root of the problem. So far as the stepping up of the apprenticeship program is concerned, the training-on-the-job program is hitting at the problem. I have even said that the establishment of mediation boards, to help advise communities that find themselves in the midst of racial commotion and confusion as to how best they can puzzle their way through, would be all right. So I am not one of those who say that everything in the four corners of the bill is bad.

Furthermore, the Senator may remember that I voted in favor of the bill which was handled on the floor of the Senate, as I recall, by the distinguished Senator from Oregon [Mr. MORSE]. That bill contained, as a very important part of it, provision for a large increase in vocational education, as a joint Federal-State effort. In the debate on that bill, as the record will show, I stated that I thought there was a distinct civil rights meaning to that section of the bill.

Mr. RIBICOFF. I wish to ask a further question in regard to the role of the Attorney General.

Mr. HOLLAND. I yield.

Mr. RIBICOFF. Is it not true that the Attorney General will step in only when it is impracticable for a private litigant to bring a desegregation suit? Under the provisions of the bill, the Attorney General will not step in in every case; he will step in only in cases in which it is impracticable for an individual or a group of individuals to carry through the lengthy proceedings, with the large financial costs involved; and the Attorney General must certify, so I understand, that he is acting only because it is either impossible or impracticable for the private litigant to bring the suit to fruition and completion.

Mr. HOLLAND. I do not read that provision to mean as innocent an objective as the Senator from Connecticut has recited. The bill provides that the Attorney General may intervene in two conditions: First, when he thinks the complainants do not have sufficient financial means to handle the matter; second, when he thinks they would be prejudiced in any way—either economically or in any other way—by themselves bringing the proceedings.

The Senator from Connecticut will find in the report on the bill which was written by very able Members of the other body that it is not intended that that finding by the Attorney General—which would be rendered in his sole discretion—would be reviewed by a court in any kind of proceeding.

So I think my understanding of what is meant to be done by this part of the bill is reasonably clear. My understanding is in accord with what is set forth in the House committee report, and I know my understanding is also in accord—although stated very imperfectly—with the wording of the bill itself; and I say that is more authority than can safely be entrusted to any Attorney General—not to select any particular Attorney General, but any Attorney General. No Attorney General should be allowed to have the power to find—with no opportunity to have his finding reviewed by anyone else—that a group of citizens is being harmed in this regard, and then to proceed—at the expense of the people of the country, acting through their government—to bring suit.

The well-known ardor toward desegregation—which I think is very unwise—makes it quite sure that every Attorney General would be subjected to pressure by thousands of persons, in thousands of cases, to find that there might be prejudice if they brought suit, and thereby would be influenced to bring the suit himself.

I intend to deal more fully with that subject at another time. I appreciate the comments the Senator from Connecticut has made, but I feel this is not the best occasion for such a discussion.

I was speaking of my experience in another field. As chairman of the local school board, I was invited to make many commencement addresses. I was very glad to see the children of my Negro friends—and I have many—graduate from high school and then enter institutions of higher learning.

Thereafter, I served for 8 years in the Florida State Senate; and in that time I was always a member of the education committee, because education is a field in which I have always been greatly interested.

Senators may be interested to know that the president of the Florida Negro college—which now has attained much greater eminence than it had then, but it was then a good school—came to me repeatedly, before sessions of the Florida Senate, and asked me to handle the budget of that college and other matters in which the college was peculiarly interested; and I was happy to do so, because I thought that was an opportunity to render service. However, I think one cannot render such service without knowing about the problems which pertain to that activity.

Again I state that I am trying to be very humble about this matter; but I do not want it to appear that the statements I am making about Negro education are not based on considerable knowledge and considerable experience. I doubt that any other Member of the Senate has had greater experience in this field, and perhaps no other Senator has had this much experience. Therefore, I believe this statement should be placed in the RECORD.

Next, as Governor of Florida for 4 years, I was chairman of the State board of education. As such, I frequently visited the Negro institution of higher learning which is located in the capital city of Tallahassee. I made repeated talks there. I found it quite easy to admire the aspirations of those people to move ahead; and I also found it very pleasant to cooperate with the president of that institution, a gentleman whose name was Dr. Robert Edward Lee. Many times he has told me of his pride because he bore the same name as that of the great southern leader. In that work I had opportunities to become quite familiar with what was occurring in the field of higher education among the Negroes of our State.

As presently a trustee of three institutions of higher learning—all of them predominantly white—I have had occasion to learn of the problems of integration—and there have been such problems in all of those institutions—which have been submitted to their boards of trustees, and have had to be handled.

I am sure other Senators have been invited to speak at Howard University, in the Nation's Capital. I have been; and I have been glad to speak at the Law College of Howard University. I received a warm greeting there, and many questions were asked. Incidentally, they wanted me to talk about the southern attitude toward the civil rights question. I talked for about 1 hour; and I was asked questions for much longer than 1 hour. I told them that there was no southern attitude as such, because there is no single attitude toward that question, but that I would tell them of my own attitude toward the civil rights problem. I have never been more cordially treated. I feel that I have never talked to a group of youngsters—I believe there were approximately 300 there—who seemed more concerned with the question of civil rights.

From this background—which, as I have said, I mention modestly—I wish to state for the record what the Negro people, in the main, leaving out the agitators, want is better schools. They want schools that are as good as those which anyone else has—and they should have them. As a group, the vast majority are not hipped on the idea of having segregation removed, and of sending their children to integrated schools. I have had some talks on this very subject—for example, with the then president of the Florida Agricultural and Mechanical College, which now is a university in its own right. He has repeatedly told me that he thought the coming of general integration into the public school system at the lower level and at the higher level would mean the death knell of the opportunities for advancement and for service by a large group of his people who were trained to serve as educators. He called my attention to the fact that at that time there were more than 100 Negro college presidents in the South in segregated Negro colleges or universities. At that time we could not find one—not one—in any other part of the Nation. I have the figures, brought up to date, which I shall place in the RECORD when I make my principal address. I do not dare quote from memory at this time; but the number is greater than 100; and as yet we have not found outside of the South one Negro president of a major college or university—although there may be some who are unknown to us. However, unfortunately the educators, educational associations, and I fear some Government officials, now appear under strict mandate from the various militant Negro organizations not to keep records on a racial basis, and even not to disclose facts on that basis. But we think we have the facts. They have been prepared for me by the Library of Congress. I shall place them in the RECORD in my subsequent remarks.

Mr. RIBICOFF. Mr. President, will the distinguished Senator yield?

Mr. HOLLAND. I shall be glad to yield in a moment.

That fine man, Dr. Lee, president of a very great Negro college, made it clear that a Negro educator had no opportunity to be president of a college or a university or to be a dean of a college or university anywhere except in the segregated system of the South. He made it also clear to me—and this is something I think Senators should understand—there are dedicated people among the Negro group in our Nation who value the opportunity to teach their own youngsters, and who feel that they are in the nature of missionaries to their own race. They wish to preserve that right. They wish to preserve the right to move ahead when they make good. Thousands of Negroes are principals of high schools in the South. Some years ago I had the figures prepared. I do not believe I have them with me tonight. I shall not try to quote from memory. But there are thousands in the category. The number of Negro people per thousand of Negro population who can serve as professional educators in the South is so much greater than the number of those who can hope to serve in the integrated part of the country that there is no comparison. It is a contrast.

I shall have those figures for my later address.

I am glad to yield to the Senator from Connecticut.

Mr. RIBICOFF. Is it not true that the same argument can be made about many teachers who teach in schools under the auspices of a religious denomination? For example, there are many Catholic teachers who prefer to teach in a Catholic school; Jewish teachers, in Jewish schools; Baptist teachers, in Baptist schools; Methodists, in Methodist schools. At the same time, there is no denial of the basic right or opportunity of those teachers to teach in private or public colleges not of their religious denomination if they prefer.

The Senator has further made a point—in which there is a considerable amount of truth—to the effect that many Negro teachers would find that they would not be qualified to teach in

many of our better colleges or universities. I think that is due to the fact that the Negro as a whole has not had the same educational opportunities as the white. Year after year, for decades, the Negro was unable to gain admission and to obtain the education that he could have obtained in the better colleges and universities. It seems to me that we should strive to do everything we possibly can to open our better colleges and universities to Negro students and Negro scholars, so that they will become better teachers.

I believe one of the great problems is that many Negro colleges are inferior in quality to white colleges.

One of the great contributions that white educators will have to make in the years ahead—and when I say "years ahead" I mean next year and the year after—is to see to it that some of our best white college and university teachers become a part of the faculties of some of our Negro colleges in order to elevate the standards of many Negro colleges. That is one of the great problems.

Many Negro colleges throughout the country—whether they be in the North or the South—do not have faculties of the same caliber as our white universities have. One of the greatest contributions many white professors who believe in civil rights could make, in my opinion, would be to take a year or two out of their present teaching posts to go into the Negro colleges and use their ability, their training, and their knowledge to lift up the standards and knowledge of many of the Negro colleges and universities that the distinguished Senator has mentioned.

Mr. HOLLAND. Of course, I shall not argue with the distinguished Senator at the present time. However, I suspect that his comments are subject to the same point that is made by Dr. Conant in the book we have both mentioned as to public schools in slum areas.

He has said that as soon as the teacher shows a capacity and an ability to go up, he or she wishes to leave the slum areas and get out into the suburban areas where the rate of pay is higher and the service is more pleasant. There will always be some missionaries, if I may use that term, to whom that point will not apply. But I believe the distinguished Senator will find that the main point there, just as I have said it is the main point with reference to the lower school system, is to get better schools rather than to force integration upon inferior schools.

The Senator will recall that Dr. Conant has made that point fully. The problem is to hold good teachers in the slum areas.

The Senator has mentioned particularly the Negro school areas. Many of the Negro schools are now gaining eminence. For example, at Emory, in Atlanta, of which I happen to be a trustee, 3 or 4 years ago the trustees voted to admit Negro students. I thought the action was unnecessary because of the high quality of the Negro universities and colleges in the Atlanta area. I believe there are four of them. Up to the present date only three have applied who have been eligible and have been accepted. Two of those are taking graduate work. One is taking a course which does not happen to be offered in any of the Negro colleges there.

The fact remains that nearly all the other thousands of Negro students in the Atlanta area prefer to go to their own schools. They believe they are getting fine training in those schools. My opinion, based upon what I have heard from others, particularly of members of the Emory faculty, is that they are doing fine work and getting fine results.

In our own school at Tallahassee, the quality of education is so great that we bring young Negroes down from New York, Philadelphia, and other areas. I remember that Althea Gibson, who became the world's most famous woman tennis player, as the Senator will remember, came from New York, as I recall, to Tallahassee, and took her training there. Several of the great football players who have been developed there came from points in the North.

I believe four of those players are now playing on the highest grade professional football teams. I cannot think of any name now other than Willie Galimore, who is with the Chicago Bears. He is a graduate of that school. So I continue to mention the fact that the Negroes from other areas of the country come by preference to our State schools. They come also by preference to other schools.

For example, Meharry, a college in Nashville, of which the Senator from Alabama [Mr. HILL] knows so much because he has done so much for it and they feel very kindly toward him for the services which he has rendered them, has turned out, together with Howard University, a vastly disproportionate number of all the doctors and dentists of the Negro race. To my recollection the last figures I saw reveal that nearly 90 percent of professional Negroes in the country were graduated by one or the other of those two great institutions. They are offering something worthwhile, and they are building a finer and finer educational system. We are appropriating money to Howard University every year to build finer facilities there.

I noticed in this year's budget a sizable amount to allow Howard University to move ahead with better facilities. I do not know why. We do not appropriate such funds to white schools anywhere. I have never complained of it. I have never moved to delete the item. I serve on the committee which considers it. I never heard a southerner, or any other Senator, for that matter, offer a motion to delete the item.

The Senator will find that the level of education among the Negro schools is advancing very rapidly. In many cases it is very high. Having known some of the schools myself, I know that some of the Negro educators are very highly trained people. I honor them for their desire to serve in the elevation of their own youth.

They go to the Negro schools and attach themselves to them, as did Dr. Lee up to the date of his death. For the last 20 or 30 years he was president of Florida Agricultural and Mechanical University at Tallahassee.

Mr. RIBICOFF. As the distinguished Senator from Rhode Island [Mr. PASTORE] pointed out to me while the Senator from Florida was talking, there is nothing in this legislation that would eliminate Negro colleges. Certainly, if a Negro student would prefer to go to an all-Negro college, that would be his free choice. The point we are trying to make—and the whole reason for title IV—is that we should not deprive any Negro boy or girl of an opportunity to go to a college at which there are white students, if they prefer and if they are qualified.

As the Senator was talking about Howard University, I must confess to an incident that happened while I was Secretary of Health, Education, and Welfare. Dr. Nabrit came to talk to me about problems of Howard University. I felt there was a special obligation on the part of Members of Congress and the administration to do everything we could for Howard. I stated to him privately, and then I stated publicly, that I would recommend $600,000 more for the following year over what was authorized in the budget.

I did not realize, as Secretary, that I had committed the unpardonable sin. The unpardonable sin in the executive departments was to announce a decision involving funds without clearing it with the Budget Bureau. All the furies swirled around my head when the Budget Bureau read in the newspapers that I had recommended the additional $600,000, although I am glad to state that the distinguished Senator from Alabama [Mr. HILL], who is present, confirmed my decision and made my commitment good. As chairman of the Appropriations Subcommittee, he made sure that the extra $600,000 was provided for that particular year.

Mr. HOLLAND. Before the Senator goes further, may I comment there that I see the distinguished Senator from Connecticut is suffering from one of the hangovers of being a Governor. I suffer from some of them, also. When we are Governors, we are accustomed to acting with decision and with some independence. I honor him for that. I know that, in connection with Cuban refugees, he took hold of that problem—whether he had budget approval or not I do not know——

Mr. RIBICOFF. I did not. I got in trouble there, too.

Mr. HOLLAND. I thought so. I did not warn him because I wanted to get something done in that field, and he did it, and I commend him for it.

Mr. PASTORE. Mr. President, will the Senator yield at that point, because I have a good story along that line?

Mr. HOLLAND. I yield.

Mr. PASTORE. When I first came to the Senate after serving as Governor of my State for 6 years, for some reason they put me on a committee to honor Brumidi. Brumidi was the man who did all the fresco work that we see in the corridor. He also did the work in the part of the Capitol under the dome, with the exception of that part which was completed later, because Brumidi died after falling from a scaffold, when he was over 70 years old. But Mrs.

Murdock made quite a study of the subject and found where Brumidi was buried. He was buried in some forsaken grave. Now the site has been restored. Anyway, I was appointed to officiate on that committee. There was quite a gala affair in the rotunda. We even commissioned a singer from the Metropolitan Opera Co. We learned we needed a piano to accompany the singer. The committee had no appropriation for that purpose. Having been Governor, when such an eventuality would have been no problem at all, I simply said, "We need a piano." I said, "Get a piano." It cost about $15 to rent one. Do Senators know who ended up paying for the use of the piano? The former Governor of Rhode Island, because no appropriation had been made under the resolution, but we needed a piano in order to accompany the opera singer.

The point of the story is that, there again, the Senator from Rhode Island, having been a Governor, to get a piano in Rhode Island would have been nothing. We could have gotten 20 in 1 afternoon. But in the Senate I was confined to the terms of the resolution, and the resolution made no appropriation for any piano, and I ended up paying for the use of the piano.

Mr. HOLLAND. I hope the Senators from Rhode Island and Connecticut will not lose their feeling of initiative and independence, because we need more of it. After all, this legislative body must stand on its own feet and must frequently deny items that the Budget Bureau approves and approve items which the Budget Bureau disapproves. The Senator from Florida has been a part of the effort to do both.

I see the Senator from Alabama [Mr. HILL] nodding his head in affirmation of what I have said. He has likewise participated in such efforts. I commend those Senators. I wish there were more former Governors in the Senate, because then we would have a greater feeling of independence and a willingness to exercise initiative in this body which I think we always should be willing to exercise.

Mr. RIBICOFF. I am not trying to sell the Saturday Evening Post at 20 cents a copy, but the issue which came out today, dated March 21, contains an article by me in which I make the very point to which the Senator refers.

One of the problems I have found in the Senate is that the Senate has become obsequious to the executive branch and acts only as a filter for proposals that the Executive wants to send to the Congress of the United States. The time has come when the Senate, as well as the other body, must take the initiative in proposing bills. This is a procedure which should stand us in good stead. We should not have to wait for the Budget Bureau or one of the executive departments to say what the Congress should do. To me, the question is, What does Congress want? What does Congress want to do? This is a serious problem.

I think some of the criticisms of Congress are really aimed not so much at the seniority system or at the rules, but at the abdication by the Congress of the United States of the legislative function which the Congress should undertake. It should come up with its own ideas. It should write its own legislation. It should pass that legislation. Then it is said, "Suppose the President vetoes a bill?" Let him. This is his job. We can accept it or pass a bill over his veto. That is a part of our job.

But getting back to the question of civil rights—and this becomes a matter of importance—I remember the Senator, in the colloquy, mentioning the fact that the salaries are not as high in the Negro colleges and universities. Here again it seems to me that a teacher in a Negro college or university, if it is a State institution, should receive exactly the same salary as a teacher of comparable experience in a white university in the same State.

Mr. HOLLAND. That is correct in my State of Florida, not only in the colleges or universities, but also in the high schools and grammar schools. At all levels of teaching, the matter of qualifications and of experience affects equally the salary and economic status of both white and colored teachers at all levels.

Mr. RIBICOFF. Taking up further the Senator's discussion concerning standards in Negro colleges, it is a fact that in many Negro colleges and universities the faculty finds that for the first 2 years in many of the Negro colleges they are required to teach their students the equivalent of the third and fourth years of high school, because they find the Negro boys and girls coming from inferior high schools have great difficulty in meeting the standards of ordinary college subjects and material. Therefore, one of the reasons the Negro student is behind is that because of preparation that is often inadequate he must devote his first 2 years catching up with what the white student has had in his high school, which is usually a superior school.

I have talked to white educators, to presidents and deans of universities and colleges, who are anxious to give scholarships to Negro boys and girls. They say that many Negro boys and girls coming from high schools located in Negro slums in southern parts of our Nation do not have the qualifications and training to fit into our better colleges and universities. Consequently, this becomes a great problem, because these boys and girls are so far behind that they could not keep up with the rest. This is a problem we must solve.

This is not the fault of the boy and girl, but it is the fault of the system that too often denies them full opportunities for a good education. So what we are trying to do in the bill is to give technical assistance and take other steps to make sure that boys and girls who are Negroes are not denied educational opportunities because of the color of their skin. It is unconstitutional to deny a student admission because of his race, and we are simply trying to make that constitutional right a reality.

Mr. HOLLAND. If the Senator had stopped at technical assistance, he would have no argument from me, but the bill which he supports goes so much farther than that, I cannot go along with him.

When I make my principal address, I shall hope to put into the RECORD a letter from the dean of the Medical School of the University of Southern California, addressed to the president of Meharry College, asking him to please send them a couple of his most highly qualified Negro students, stating that they had had a great many apply out there, many of whom could pass the minimum examinations and the main requirements, but the competition was so great that they could not admit those who had applied. We know at Emory University in the Medical and Dental Schools it was one out of four there. He stated that they really wanted some Negro students but had never been able to get one who could pass so high the standards of application for admission that he was in the upper part of the whole group and was therefore qualified to attend.

There is much to what the Senator says, but I believe if the Senator studies again the text of Dr. Conant's book, to whom all of us should look with respect in educational matters, the Senator will find that Dr. Conant's verdict is, "Don't move the Negro children out of their own communities. Don't break down the morale of their homes. Don't break down the situation with respect to other community activities. Let them go to school close to their residences."

I know perfectly well that that provision was cut out of the House bill. I also know perfectly well that it was stated both on the floor of the Senate and in the report that the word "discrimination," and the idea of discrimination, was broad enough to cover this so-called matter of imbalance. The point that Dr. Conant made was, "We need better schools in slums." He mentioned particularly the Negro areas, time and time again; also the more highly paid teachers there, and the better school structure from top to bottom in the areas where the Negro children go to school.

I wish the distinguished Senator from Connecticut would listen to this, because it will be in my principal remarks—he quotes Thomas Jefferson who in substance said that it was unthinkable to think of one social structure in which the Negroes and white people were thrown together on an equal basis.

Dr. Conant admits in his book that his mother was the daughter of an abolitionist and that she frequently told him she was taught as a child to believe that Negro children were superior to white children.

In his book, Dr. Conant lays down the theory, and supports it strongly, that what we need is better education in those slum areas, better education for the children, and better facilities in those areas. That comes back to what I shall make as my principal theme in my main address.

I am only sorry I could not make that speech tonight.

The Senator from Connecticut has been so helpful in his comments, in his questions, and so has the distinguished Senator from Rhode Island [Mr. PASTORE]. They know that we are all trying to go to the same place.

My own feeling is that we should go a certain route and follow the rule of

nature and let the Negro people stay where they would rather be, which I am satisfied is with their own kind—that is, the vast majority of them.

The Senator thinks that a general admixture might produce better results. I do not agree with him at all. I believe I have had more experience in this field than has either the Senator from Connecticut or the Senator from Rhode Island.

Mr. PASTORE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. In prefacing my remarks, I hope that the Senator would not misunderstand me. I am not trying to build up for the big letdown. I can honestly say that I know of no man in the Senate who has a more compassionate attitude than the distinguished Senator from Florida.

Mr. HOLLAND. I thank the Senator.

Mr. PASTORE. I know of no man in the Senate who is fairer in dealing with his fellow man than the distinguished Senator from Florida. I know of no man who has had a more brilliant record in the public service than he. Certainly I believe he has a high sense of morality.

I quite agree with him, I do not believe we should force a Negro to do anything against his will. If he decides to stay in a primary or elementary school that is all Negro, because that is his choice, I believe that is the American way, and he should be left alone.

There again, too, I realize that there will be some disaccommodation on the part of some of our Negro teachers and Negro principals in some of our high schools, who possibly cannot meet the standards to become principals or teachers, let us say, in a mixed school. I realize that as well. But the Senator mentioned Emory University, of which he is a trustee, and he said that he was opposed to any change being made and that it was made against his own decision or choice of self-preference, but finally it was made, and three Negroes were admitted to Emory College.

Mr. HOLLAND. Emory University.

Mr. PASTORE. Emory University.

Now I should like to ask the Senator from Florida, what is really wrong with it? What is wrong with it? If three Negroes are qualified and meet the standards, why should they—because of the color of their skin—be denied the privilege of going to Emory University if that is their choice?

Mr. HOLLAND. All I can say to the distinguished Senator from Rhode Island is that we have not objected to them there. We hope it will come out well. But we have had disturbing results. I remember when a young Negro girl forced her way into the University of Georgia through a court suit, and the next thing we heard she had married one of the boys out of a Southern home there, and they had run off to settle down in a distant State, and a child was coming along doomed to be a mulatto all its life.

From my point of view, that is a great tragedy. It will be a tragedy for the girl for all her life. It will be a tragedy for the boy for all his life, and it will be a tragedy during the life of that child.

I have seen this problem of mixed blood long enough to know something about it. I have been down into Haiti, talking to the people down there where, under their constitution and laws, the mulatto constitutes a different class entirely, where for a long time no one could hold any public office unless he was a pure Negro. That still applies to the presidency.

The color lines there are just as surely drawn between the full-blooded Negroes and the mulattoes as they are between the white people and the Negroes. My own feeling is that our people having seen that kind of thing, know they do not want that.

We saw the former head of the NAACP here divorce his Negro wife and marry a white woman. We also saw the former legislative representative of the NAACP who was buttonholing us in the lobby divorce his Negro wife and marry a white woman.

I believe these things lead to confusion and to vast trouble—even to disaster. I believe that when children are thrown together socially, where it can lead to that kind of thing, it leads Negro children along a path which will ultimately bring them great disappointment. I can assure the Senator that most of the white people in our part of the country—and I believe that is true in other parts of the country—have no desire whatever, no intention whatever, of permitting intermarriage or an intermixture of the races.

I believe that it is an unfair thing to thousands of Negro children to have them get the false impression, which they will get as members of a junior high school, high school, intermediate school, or primary school, that they are going to be admitted to this social admixture, only to find when they breach the portal of the school that that will not be the case. We cannot have it every way. It is either going to be that way—a matter of vast disappointment to young Negroes and a mater of disillusionment to them, or a matter of the race admixture.

So far as I am concerned, I believe that we should avoid any of these courses.

I see that my distinguished friend, the acting majority leader [Mr. HUMPHREY] is in the Chamber. I have been told that he wishes now to have the Senate recess until tomorrow. I am quite agreeable that that be done.

Since I have not been able to begin on my main speech, I hope he will permit me to continue my remarks at such time as he may set or as my distinguished leader, the senior Senator from Alabama [Mr. HILL] may call me to the service again. I make that request.

Mr. HUMPHREY. I did not want to cut off this very interesting discussion. Whenever the Senator has completed his remarks for this evening, the Senate will recess under the previous order. The time, of course, is under the control of the Senator from Florida. We shall conform to his wishes. I recognize the fact that he has waited today, as he did the other day, to make his principal address. Agreeing with the Senator from Rhode Island [Mr. PASTORE] on his estimate and view and respect for the Senator from Florida, I am most willing to have him make the unanimous-consent request that his speech this evening be not charged as a speech, so that he may make his regular address when time permits.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. I had not intended to phrase the request that way. I intended to ask unanimous consent that my later remarks be an extension of my remarks today. I do not want to make more than two speeches. I wish these remarks today to be considered a part of the remarks that I shall continue later.

Mr. HUMPHREY. Yes. It is understood that they will be an extension of the same remarks.

The PRESIDING OFFICER. Is there objection?

Mr. BENNETT. Mr. President, I did not hear the request.

Mr. HOLLAND. I am asking unanimous consent, since I did not have an opportunity to begin my principal remarks, that I may continue my remarks at such time as I am able to resume my principal address, without my remarks counting as a second address.

Mr. BENNETT. I have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. I wish to bring to the attention of the Senate an observation about the discussion that took place on Friday, and if the Senator from Florida will permit me to do so, I should like to make these remarks now. Will he yield to me?

Mr. HOLLAND. I am ready to yield the floor. I shall be glad to retain the floor, if the Senator wishes me to do so, and yield to him.

Mr. HUMPHREY. Yes.

Mr. President, in my discussion with Senator CASE on Friday it is possible that I did not make it completely clear that title VI does not derogate from the authority that agencies may already have under existing laws to see to it that beneficiaries of their programs are not discriminated against because of race, color, or national origin. This point was made wholly clear in the course of the debate in the House and I would like to reiterate it here.

Within its scope, title VI will require—and not merely authorize—agencies to take certain actions, will specify certain procedures applicable to such actions, and will give those actions statutory support. It is not intended to, and does not, take away any discretionary authority which Federal agencies now possess, to deal with problems of discrimination which are outside its scope. Specifically, enactment of title VI:

First. Will not invalidate, or cast doubt on, any actions taken by the executive branch prior to its enactment; and

Second. Will not affect in any way existing agency powers to deal with discrimination in programs or activities not covered by title VI, such as VA or FHA housing programs as to which existing statutes and an outstanding Executive

order confer such power; any action taken in connection with such programs would be taken pursuant to power existing independently of the enactment or defeat of title VI and such power would not be created, broadened, or narrowed by title VI.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. HARTKE, by unanimous consent, introduced a bill (S. 2644) to amend the Internal Revenue Code of 1954 to limit or repeal certain retailers excise taxes and to repeal the manufacturers excise tax on musical instruments, which was read twice by its title, and referred to the Committee on Finance.

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

LIMIT OR REPEAL OF RETAIL EXCISES

Mr. HARTKE. Mr. President, I introduce a bill, the enactment of which would be received by thousands of businesses and millions of individuals with a warm welcome. It is a bill to completely repeal the temporary wartime excise tax on toilet preparations and on luggage, handbags, and similar articles which are presently taxed as luxuries. It will also repeal the tax on musical instruments, and will exempt from tax the first $100 of the sale price of jewelry and furs.

Mr. President, my position on excise taxes is well known. When the Senate Finance Committee was considering the tax bill, I offered an amendment which won committee support to eliminate the tax on instruments sold for school use such as in student bands and orchestras. This was adopted, and other excise repealers were presented. I supported them also. But it became apparent that the approach we were setting out upon would have resulted in a loss to the Treasury, if all the proposed repealers took effect, $10 billion in tax money on top of the billions of income tax reduction. It seemed much more desirable to take a more leisurely look at excise reform than could be done at that last hurried moment of tax consideration.

Consequently the committee rescinded its tentative action and the whole matter of excise taxes was deferred. I was assured, as was the entire Senate, that the excise tax situation would be further considered at a later date in this session. It is for that purpose, in keeping with my expressed position in favor of excise tax repeal and modification, that I present the present bill for reference to the proper committee.

Mr. President, I request that this bill may lie on the table for cosponsors for a period of 10 days.

The PRESIDING OFFICER. The bill will be received and appropriately refered; and, without objection, the bill will lie on the desk, as requested by the Senator from Indiana.

The bill (S. 2644) to amend the Internal Revenue Code of 1954 to limit or repeal certain retailers excise taxes and to repeal the manufacturers excise tax on musical instruments, introduced by the Senator from Indiana [Mr. HARTKE], was received, read twice by its title, and referred to the Committee on Finance.

RECESS UNTIL 11 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, in accordance with the previous order, I now move that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 44 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, March 17, 1964, at 11 o'clock a.m.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 16, 1964

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of March 14, 1964:

WASHINGTON REPORT, MARCH 14, 1964
(By Congressman BRUCE ALGER, Fifth District, Texas)

PAY RAISES MUST ALWAYS BE EARNED

The House defeated the pay raise bill (H.R. 8986). Final vote: 184 for and 222 against. The final action was taken after 2 days of extensive debate and thorough examination of all the facts. My own position was that no matter how justified wage increases are, it is fiscal irresponsibility to increase Government costs by $600,700,000 at a time of deficit financing. As responsible officials we should earn pay raises by reduced spending and a balanced budget.

I agree with the minority views, in the report on the bill, which were signed by Representatives H. R. GROSS, AUGUST JOHANSEN, and KATHARINE ST. GEORGE. These views stated in part:

"This legislation is premature, unjustified, extravagant, and inequitable. It constitutes an unwarranted raid on the U.S. Treasury at a time when our taxpayers are already heavily overburdened.

"The present economic climate reflects high unemployment, a huge Federal debt, inflation, the largest Federal expenditures to be authorized by a Congress during peacetime, and another yawning annual deficit. This is not the proper time to grant additional pay increases to Federal employees and top Government executives which will cost over $600 million annually."

Some of the pertinent arguments against the increase:

1. The total additional cost of the Federal payroll since October 1962, if the bill had passed, would have been $1,650 million annually. This would represent an 11 percent increase in Federal payroll costs in 15 months. At the same time Congress has just approved a reduction in Federal income taxes.

2. Additional indirect costs of the bill would result from an upward adjustment in the compensation of many Federal Government contractors, increasing the cost of goods and services procured by the Government by at least 10 percent or $250 million annually.

3. Cost-of-living index has risen 7.5 percent since December 1957 while the Classification Act employees have received an average of 23.2 percent pay increases in the same period, plus a 4.1 percent which went into effect in January 1964.

4. Comparability, principal argument of the proponents, was not followed. Classification Act pay grades 1 through 7 would have advanced above the 1962 comparability, varying from 9.7 percent increase for GS–1 to 1 percent for GS–7. Pay rates in the top grades would continue under 1962 comparability.

5. Proposed increases for some officials of the House of Representatives were unnecessary, unrealistic and created additional inequities.

6. A reckless provision of the bill would have delegated unconstitutional authority to the President for fixing salaries.

(a) He could have fixed salary rates for hundreds of top governmental officials in the $26,500, $28,000, and $29,500 class.

(b) He could have assigned annual salary rates in the above amounts to "any or all offices and positions in Government which he deems appropriate." This would have gone down in history as "the presidential punishment or reward section."

(c) He would have been given authority to raise or reduce salaries of officials of the quasi-judicial boards and commissions where independent judgment free from pressure is the backbone of their regulatory obligations.

"THEY LOVED ME IN MILWAUKEE"

Remember the old-time vaudevillian who, regardless of how much he was pelted with overripe fruit or aged eggs, was always sure his act was universally loved? He is called to mind today in some of the pronouncements of the administration regarding America's image. Statements from the White House insist we are loved around the world. They love us in Cambodia. This week they burned the American flag and wrecked our Embassy. They love us in Cyprus. Rioting Greeks destroyed American property, insulted American personnel and damaged our Embassy. (Peace Corps members in Cyprus: 22). They love us in Gabon. They shot up the American Embassy. (Peace Corps members there: 74). The Soviet Union expressed its love and admiration this week by shooting down another unarmed jet trainer which strayed (some reports say it was lured by false signals) over East German territory. Our State Department showed its loving nature by apologizing to the Communists instead of demanding the immediate return of our airmen and compensation for an act which amounts to piracy.

IS OUR FAITH IN OURSELVES JUSTIFIED?

Here is a copy of a letter I received this week:

"In reference to your newsletter of February 29, you have more faith in the American people than I have. Most people will

never have the facts and if they did it just wouldn't matter. You've done your share to spread the news."

I hope this view is wrong. I want to believe that the people have not lost the wisdom and the integrity to rule themselves. The success of this Republic is founded upon the precept that the ultimate judgment of the people will be right. Given all the facts, knowing the truth, the collective decision of the people will be the right one.

Our faith in ourselves will be justified only if we assume the responsibility to judge fairly the stewardship of our elected officials, and the final responsibility of putting into public office those who believe in and will support the basic principles upon which this Government of, by and for the people is founded.

It is important to know what you are for and what you are against, and why.

Garden Park Estates

EXTENSION OF REMARKS
OF
HON. RICHARD T. HANNA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, March 16, 1964

Mr. HANNA. Mr. Speaker, since the end of World War II, there has been a dramatic increase in homeownership in the United States. In large part, the reversal of the ratio of rental and homeownership from 80-percent rental as compared to 20-percent ownership that marked the pre-World War II era, and the present approximate 80-percent homeownership and 20-percent rental is due to the Federal programs of the Veterans' Administration home loans and the Federal Housing Administration home loans. The vigorous responses of the construction industry to the opportunities of these programs is worthy of comment.

Although there have been instances where the construction quality has been unsatisfactory and in a few isolated instances, morally shameful if not illegal, by and large to the credit of the construction industry, they have brought to the homeowners a high level of quality construction, liveable floor plans and home improvements that have contributed high efficiency to the housewives of America.

Since in this activity, as in most human events, the failures and disappointments are so often highlighted, it is a pleasure to bring to the attention of this House an awards luncheon held by the homeowners of the Garden Park Estates honoring the builder and developer, Mr. Nathan Shapell. The resident home buyers of the Shapell project presented the builder with a plaque lauding the S. & S. Construction Co., of which he is president, in these words, "For excellence in home construction, community development and customer service."

Garden Park Estates presently includes 1,900 completed homes and will be an integrated community of 3,000 homes when it is completed. Mr. Speaker, it is an honor and a pleasure to report favorably on the reaction of the consumer to one of the most important projects in which he invests. We feel sure that Mr. Shapell and his company would like to believe that the honor extended to them by their customers is an indication of the respect and acceptance of the products of most of the builders and developers in Orange County and in southern California.

H.R. 10412

EXTENSION OF REMARKS
OF
HON. EUGENE J. KEOGH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, March 16, 1964

Mr. KEOGH. Mr. Speaker, our colleagues will be interested in the bill (H.R. 10412) I introduced to amend the Internal Revenue Code of 1954 to deny deduction for rent, taxes, or interest incurred for the use or occupancy of an industrial plant financed by tax-exempt obligations.

The objective of my bill is to put a stop to a very clear case of abuse in using tax-exempt industrial development revenue bonds for financing industrial plants and facilities for lease to private persons. I refer to the arrangements between a corporation and a municipality under which the corporation which leases the facility from the municipality itself buys the tax-exempt bonds issued in the name of the municipality to finance the acquisition of the industrial plant. Such a corporation is obviously able to do its own financing without governmental aid. It uses the municipality as a go-between to gain access to tax-exempt financing. This devious route enables it to enjoy both a rental reduction reflecting the interest savings derived from the tax exemption of the bonds and tax-exempt interest income, despite the fact that its investment in the bonds is subject only to the risk inherent in its own business.

My bill embodies the recommendation of the Advisory Commission on Intergovernmental Relations, created by the Congress in 1959, on which the gentleman from North Carolina, Congressman FOUNTAIN, the gentlewoman from New Jersey, Congresswoman DWYER, and I have the honor to represent this House. The Advisory Commission is composed of members actively representing both executive and legislative branches of all levels of Government in our Federal system which gives its recommendations a balanced quality.

The Advisory Commission on Intergovernmental Relations, in its report on Industrial Development Bond Financing, has identified a variety of abuses which require urgent attention and has outlined for the States some guidelines for keeping industrial development bond financing within tolerable limits. Hopefully the States will act promptly. I know that the financial officials of a number of States are actively at work on this problem under the able leadership of the comptroller of the State of New York, Arthur Levitt. However, when the leasing corporation itself buys the tax-exempt bonds, the misuse of the municipal tax exemption privilege is so brazen, that the remedy cannot wait for action by numerous State legislatures. It is for this reason that the Advisory Commission urged the Congress to act at once in this limited area. This explicitly is the purpose of my bill.

The abuse of the tax exemption privilege of municipal bonds has concerned many Members of this House for several years, and increasingly so. The financing technique, invented just a quarter century ago by a Southern State for the purpose of attracting industry, has now spread to nearly half of the States and is under consideration in several others. If competition for industry subsidized by the Federal income tax exemption is allowed to spread unrestrained, State and local governments will neutralize one another's efforts and the public investment, including the substantial loss of Federal income tax revenue, will have been largely wasted. In short, the entire development is potentially self-defeating.

Mr. Speaker, there is nothing radically new or revolutionary in a community's efforts to attract business and industry within its borders to provide employment and help to support local government. When, however, it seeks to achieve these ends at the expense of other communities, and the U.S. Treasury, to the detriment of its own fiscal stability, the practice cannot be allowed to continue unregulated. I am hopeful, Mr. Speaker, that despite our crowded calendar my bill will receive early attention.

Results of Questionnaire Mailed by Hon. John F. Baldwin, of California, to Residents of the California 14th District

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, March 16, 1964

Mr. BALDWIN. Mr. Speaker, 6 weeks ago I mailed a questionnaire to practically every family of registered voters in the California 14th Congressional District. We have received a very heavy response to this questionnaire, and my office has been deluged with returned completed questionnaires and accompanying correspondence. Many citizens not only answered the questionnaire, but also wrote detailed comments on the bottom or back of the questionnaire, or on supplementary sheets. I have spent many hours personally reading all of these comments, and they have been most helpful. I feel very strongly that a Congressman can better represent his constituents if he knows the views of his constituents on important issues pending before Congress, than if he makes no effort to ascertain these views.

The tabulation of the questionnaire has now been completed, and the results are summarized below. This involves 24,265 questionnaires which were returned. This is more than the number of people who are contacted by the Gallup Poll when it takes nationwide polls.

1. Would you favor legislation prohibiting racial discrimination in places of business which serve the public, such as theaters, restaurants, hotels, motels, and retail stores?

Yes, 13,224 (54 5 percent); no, 8,788 (36.2 percent); undecided, 2,247 (9.3 percent).

2. Do you believe the U.S. Export-Import Bank should guarantee the credit of Soviet Russia and other Communist countries in connection with the sale of wheat and other commodities to such Communist countries?

Yes, 3,383 (13.9 percent); no, 17,757 (73.2 percent); undecided, 3,121 (12.9 percent).

3. The assassination or attempted assassination of the President or Vice President is a State crime. Would you favor legislation making it a Federal crime?

Yes, 21,349 (88.0 percent); no, 2,079 (8.6 percent); undecided, 836 (3.4 percent).

4. Would you favor legislation which would restrict the interstate sale of firearms by mail-order houses by requiring the seller to obtain an affidavit that the buyer is over 18 years of age, has not been convicted of a felony, and is not mentally incompetent; and by requiring that a copy of this affidavit be filed with the local police department?

Yes, 19,604 (80.8 percent); no, 3,670 (15.1 percent); undecided, 988 (4.1 percent).

5. Would you favor legislation to increase the overtime wage rates above their present level of time and one-half?

Yes, 5,316 (21.9 percent); no, 17,209, (70.9 percent); undecided, 1,741 (7.2 percent).

6. Would you favor legislation reducing the standard workweek from 40 hours to 35 hours?

Yes, 7,794 (32.1 percent); no, 14,125 (58.2 percent); undecided, 2,342 (9.7 percent).

7. A bill is pending before Congress which would authorize veterans of World War I to receive a pension of $100 per month, unless they have other income exceeding $2,400 if single or $3,600 per year if with dependents. The estimated cost of this program the first year, according to the Veterans' Administration, would be $1,266,247,000. Would you favor this bill?

Yes, 7,574 (31.2 percent); no, 14,037 (57.8 percent); undecided, 2 652 (11.0 percent).

8. A bill is now pending before Congress which would increase the salary of Members of Congress from $22,500 per year to $32,500 per year. Would you favor this 44 percent increase in congressional salaries?

Yes, 4,155 (17.1 percent); no, 17,900 (73.8 percent); undecided, 2,208 (9.1 percent).

9. Would you favor a modification of our immigration laws to base admission requirements for immigrants on their skills rather than their country of origin?

Yes, 11,294 (46.5 percent); no, 7,883 (32.5 percent); undecided, 5,083 (21.0 percent).

10. Would you favor a continuation of the program under which Mexican Nationals are allowed to come into the United States to assist in harvesting our farm crops if a certificate is first issued by the U.S. Secretary of Labor that sufficient domestic labor is not available to do the type of work involved, and that prevailing farm wages will be paid?

Yes, 19,491 (80.3 percent); no, 3,403 (14.0 percent); undecided, 1,369 (5.7 percent).

11. Would you favor legislation to establish and finance a Youth Conservation Corps, patterned after the Civilian Conservation Corps of the 1930's?

Yes, 15,631 (64.4 percent); no, 5,115 (21.1 percent); undecided, 3,518 (14.5 percent).

12. The Department of the Interior has proposed a $4.1 billion Pacific Southwest Water Plan under which approximately 1,200,000 acre-feet of water per year would be taken out of the Sacramento-San Joaquin Delta and pumped through an aqueduct for use in Arizona. Would you favor this proposal?

Yes, 2,517 (10.4 percent); no, 17,474 (72 percent); undecided, 4,272 (17.6 percent).

Crested Butte, Colo.

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 16, 1964

Mr. CAREY. Mr. Speaker, one of the projects of the U.S. Travel Service in the Department of Commerce is a program to encourage added numbers of travelers from foreign countries to visit the United States. Among these promotions is one called "Ski Country, U.S.A.," a bid to have the thousands of European skiers to discover the beautiful and challenging ski trails from New England to California.

I am advised by friends that skiing has become one of our fastest growing sports, and that the demand for new areas has been growing just as fast. Since the end of World War II, the State of Colorado has been meeting the demand with a development of ski areas that can only be called exciting. Beginning with a solid nucleus of established ski areas, the boom began as the once famous mining town of Aspen began its meteoric rise as a culture and recreation area. Other mining towns and areas found the formula successful. With the richest mines long played out, and the demand for lower grade ores almost nonexistent, many mining communities were virtual ghost towns. But the advent of a ski area transformed a number of them almost overnight. Aspen, of course, is internationally known, but names like Breckenridge, Vail, and Crested Butte are becoming known to skiers everywhere.

Crested Butte is typical of the boom in Colorado ski areas. The old mining town has become a colorful mixture of turn-of-the-century architecture, old mining shacks, and modern A-frame chalets. The old ore bucket tramways are forgotten as the scene is now dominated by the ultramodern telecar gondolas that deposit their passengers at the top of their favorite runs. Dotting the valley below 12,175-foot Crested Butte Peak are luxury accommodations that were unknown, even in Crested Buttes mining heydays.

But these are manmade wonders, and one is never allowed to forget it as the magnificent, peaceful majesty of Colorado's mountain peaks dominate all about them, and remain the real attraction to man and his thoughts.

Why is a Brooklynite pitching for Colorado? Very simply, Mr. Speaker. Through the courtesy of the U.S. Government I was fortunate enough to be stationed at Camp Carson, Colo., as a member of the 104th Infantry Division. Once you have seen the beauty of this great mountain State it is hard to forget it.

SENATE

TUESDAY, MARCH 17, 1964

(Legislative day of Monday, March 9, 1964)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Honorable DANIEL K. INOUYE, a Senator from the State of Hawaii.

Rt. Rev. Msgr. Patrick V. Ahern, secretary to Cardinal Spellman, New York City, offered the following prayer:

Come into the midst of us, O God, our refuge and our strength, and bless us with the vision and the courage to know Thy will and to do it. In frail hands we hold by Thy permission the awesome power to chart the destinies of millions. Thy servants in the service of our people is all we wish to be; but to be more surely Thine, we now rededicate ourselves to Thee and humbly beg Thy guidance and Thy grace.

Give us, O Lord, to share the fiery faith and fearless courage of St. Patrick, that rock of a man whose memory survives the passing of the centuries and is honored on this day. Of old a fugitive from slavery, he planted in the hearts of his adoptive people a dauntless love of freedom and a will of iron to defend it. He alone can be free who has enslaved himself to justice and who respects completely the liberty of all his fellow men. Give us a deep love of this true freedom.

Preside, O Spirit of Wisdom, over the deliberations of this body, so that the laws created within these walls may help to forge an America finer than she has ever been. May the seed of greatness planted by our fathers on these shores and watered by their blood and by their tears, prosper and grow ever greater and stronger, towering high as an example of both might and right for all the world to see and imitate. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 17, 1964.

To the Senate:

Being temporarily absent from the Senate, I appoint, pursuant to rule I, paragraph 4, Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

LEE METCALF,
Acting President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.