

H.R. 9438. A bill for the relief of Mrs. Marcella Ippoliti and her children, Miss Stefania Ippoliti and Master Franco Ippoliti; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 9439. A bill for the relief of Ruchama Lebel; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9440. A bill for the relief of Peggy Pel-chih Wang; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 9441. A bill for the relief of Ruben Gutierrez Sitson and his wife, Carmen D. Sitson; to the Committee on the Judiciary.

By Mr. SCHMIDHAUSER:

H.R. 9442. A bill for the relief of Ki Sook Jun; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 9443. A bill for the relief of Dr. Manohar U. Hasrajani; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 9444. A bill for the relief of Steven Han-Pum Cheung; to the Committee on the Judiciary.

H.R. 9445. A bill for the relief of Yee Yam Pong and his wife, Wong Kam Fong; to the Committee on the Judiciary.

By Mr. WALKER of New Mexico:

H.R. 9446. A bill for the relief of certain employees and former employees of the Department of the Interior, National Park Service, and for other purposes; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 9447. A bill for the relief of Mrs. Johanna Balogh; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 9448. A bill for the relief of Giuseppe Vitale; to the Committee on the Judiciary.

these United States, and upon our legislators. Concretize their aspirations to eradicate poverty and disease from this Nation of plenty. Crystallize their hopes for a tolerant society. Answer their prayers that accompany their efforts to bring serenity, sobriety, and peace to a confused and despairing world.

All this we ask in Thy name, O Thou who art above us. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 22, 1965, was dispensed with.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

## REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 218)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the Annual Report of the St. Lawrence Seaway Development Corp., covering its activities for the year ended December 31, 1964.

LYNDON B. JOHNSON.

THE WHITE HOUSE, June 23, 1965.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROGERS of Texas, Mr. O'BRIEN, Mr. KORNEGAY, Mr. SPRINGER, Mr. YOUNGER, and Mr. NELSEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 36) expressing the sense of the Congress with respect to

the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5497. An act to amend paragraphs b and c of section 14 of the Bankruptcy Act; and

H.R. 9220. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, in which it requested the concurrence of the Senate.

## ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims, and it was signed by the Vice President.

## HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 5497. An act to amend paragraphs b and c of section 14 of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 9220. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Saint Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes; to the Committee on Appropriations.

## HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, was referred to the Committee on Foreign Relations.

## LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

## SUBCOMMITTEE MEETINGS DURING SENATE SESSIONS

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor

## SENATE

WEDNESDAY, JUNE 23, 1965

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

Rabbi Abraham Chill, Congregation of Sons of Abraham, Providence, R.I., offered the following prayer:

Av Horachamim Shochan Bamromin.

God of mercy, who dwellest on high: In Thy fatherly care do we place our faith and our trust. Unto Thee our eyes are turned in humble supplication, and unto Thee our hearts are grateful for the abundance of blessings that Thou dost bestow upon us citizens of this great democracy.

Help us, O Heavenly Father, never to become casual, or to lose our sensibility, consciousness, and appreciation of Thy grace in permitting us to live and toil in a free and unshackled society. No greater gift can man ask; no greater gift can man receive.

O gracious Father, verily it was Thou who didst inspire man and give him the superlative intellect to solve the awesome mysteries in realms on high and in the areas beyond the horizon.

At the same time, we implore Thee to stir and move us to search for answers in the innermost recesses of our hearts, so that we may ferret out all vestiges of inhuman discriminations and unspeakable cruelties that are untenable in this advanced stage of civilization.

Finally, we ask Thy blessings upon the President and the Vice President of

and Public Welfare, the Subcommittee on Constitutional Rights and the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, and the Subcommittee on Intergovernmental Relations of the Committee on Government Operations were authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Health, Education, Welfare, and Safety of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHURCH, from the Committee on Foreign Relations, without amendment:

S. 1903. A bill to amend the United Nations Participation Act, as amended (63 Stat. 734-736) (Rept. No. 360).

By Mr. CHURCH, from the Committee on Foreign Relations, with an amendment:

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission (Rept. No. 361).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 1760. A bill to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program (Rept. No. 362).

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

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes (Rept. No. 363).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 5988. An act to provide that Commissioners of the Federal Maritime Commission shall hereafter be appointed for a term of 5 years, and for other purposes (Rept. No. 364).

#### BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. AIKEN:

S. 2178. A bill to establish the Robert Frost National Historic Site in the State of Vermont, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PROUTY:

S. 2179. A bill for the relief of Serafin Singla and Teresa Tornos Singla; to the Committee on the Judiciary.

By Mr. MCGEE (for himself and Mr. Moss):

S. 2180. A bill to improve the safety of railroad transportation under the jurisdiction of the Interstate Commerce Commission; to the Committee on Commerce.

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

By Mr. LONG of Missouri:

S. 2181. A bill for the relief of Israel Giladi; to the Committee on the Judiciary.

By Mr. MCGOVERN:

S. 2182. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes;

to the Committee on Interior and Insular Affairs.

By Mr. MUNDT:

S. 2183. A bill to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS (for himself and Mr. MURPHY):

S. 2184. A bill to require clinical laboratories which transact business in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. INOUE:

S. 2185. A bill to amend the act entitled "An act to establish eligibility for burial in national cemeteries, and for other purposes," approved May 14, 1948, so as to permit the parents of certain persons to be buried in national cemeteries; to the Committee on Interior and Insular Affairs.

By Mr. ERVIN:

S. 2186. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Bernard J. Campbell; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. MONTROYA):

S.J. Res. 92. Joint resolution authorizing the Secretary of the Interior to establish a memorial museum at Las Vegas, N. Mex., in honor of the Roosevelt Rough Riders; to the Committee on Interior and Insular Affairs.

#### IMPROVEMENT OF SAFETY OF RAILROAD TRANSPORTATION UNDER THE JURISDICTION OF THE INTERSTATE COMMERCE COMMISSION

Mr. MCGEE. Mr. President, I introduce for appropriate reference, with my good friend the junior Senator from Utah [Mr. Moss], a bill to improve the safety of railroad transportation under the jurisdiction of the Interstate Commerce Commission.

This bill would do this by reducing the maximum permissible number of continuous hours that a railroad employee may work from 16 to 12. This bill would make it unlawful for any railroad to require or permit an employee to continue on duty after 12 consecutive hours or to go back on duty if he has not had at least 8 consecutive off-duty hours in the preceding 24-hour period.

Mr. President, it seems obvious to me that in a profession such as railroading where there is rapid movement and heavy equipment that the chance for accident and injury increases markedly when employees are fatigued from long hours of service. Therefore, I think this bill would go a long way toward promoting safety on the railroads and I hope it shall be given prompt consideration by the Congress. I would note that an exemption is provided for crews of wreck trains or relief trains, who may be allowed to remain on duty to clear the scene of a wreck or for other emergency duties.

Mr. President, I ask unanimous consent that this bill be held at the desk until July 9 so that any of my colleagues

who so desire may join me in sponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Wyoming.

The bill (S. 2180) to improve the safety of railroad transportation under the jurisdiction of the Interstate Commerce Commission, introduced by Mr. MCGEE (for himself and Mr. Moss), was received, read twice by its title, and referred to the Committee on Commerce.

#### REGULATION OF LABELING OF CIGARETTES

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Cigarette Labeling and Advertising Act".

#### FINDINGS

SEC. 2. The Congress hereby makes the following findings:

(a) A Federal program dealing with cigarette labeling and advertising is desirable to provide national uniformity in labeling and advertising requirements for the cigarette industry.

(b) The production, processing and distribution of cigarettes, the employment directly and indirectly resulting therefrom, and the revenues derived from taxes imposed thereon, affect commerce and the national economy.

#### DECLARATION OF POLICY

SEC. 3. It is the policy of the Congress, and the purpose of this Act, to establish a comprehensive Federal program to deal with cigarette labeling and advertising with respect to any relationship between smoking and health, whereby—

(a) the public may be adequately informed that cigarette smoking may be hazardous to health by inclusion of a warning to that effect on each package of cigarettes.

(b) Commerce and the national economy may be (1) protected to the maximum extent consistent with this declared policy and (2) not impeded by diverse, nonuniform, and confusing cigarette labeling and advertising regulations with respect to any relationship between smoking and health.

#### DEFINITIONS

SEC. 4. As used in this Act—

(a) "Cigarette" means any roll of tobacco or other substance wrapped in paper or in any substance other than tobacco, and intended for smoking.

(b) "Commerce" means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island and any place outside thereof; (2) commerce between points in any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island, but through any place outside thereof; or (3) commerce wholly within the District of Columbia, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnson Island.

(c) "United States," when used in a geographical sense, includes the several States, the District of Columbia, the Commonwealth

of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, and Johnson Island.

(d) "Package" means a pack or box, carton, or container of any kind in which cigarettes are offered for sale, sold, or otherwise supplied to consumers.

(e) "Person" means an individual, partnership, corporation, or any other business or legal entity.

(f) "Sale or distribution" includes sampling or any other distribution not for sale.

#### LABELING

SEC. 5. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health." The foregoing statement shall appear in print contrasting to the background on either of the two side panels of the pack, or in the case of a cylindrical pack on the side thereof, in not less than ten-point type on a twelve-point body. In the case of boxes, cartons, or containers of any kind, other than the individual pack, containing cigarettes, the statement shall be printed in print contrasting to the background on a side in not less than twelve-point type on a fourteen-point base.

#### ADVERTISING

SEC. 6. Nothing herein contained shall be construed to limit or to expand the authority of the Federal Trade Commission with respect to the dissemination in commerce of any false or misleading advertisement of cigarettes, provided that the Commission shall not have authority in any proceeding under any statute administered by the Commission to require the inclusion in any advertisement of any statement with respect to smoking and health where the advertised cigarettes have been packaged in conformity with the labeling provisions of this Act. No Federal agency shall require any additional caution statement with respect to smoking and health on any package labeled in conformity with this Act.

#### PREEMPTION

SEC. 7. No caution statement with respect to smoking and health other than specified herein shall be required on any package. No caution statement with respect to smoking and health shall be required in advertising for cigarettes packaged in conformity with the labeling provisions of this Act.

#### CRIMINAL PENALTY

SEC. 8. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than \$10,000.

#### INJUNCTION PROCEEDINGS

SEC. 9. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon the application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

#### CIGARETTES FOR EXPORT

SEC. 10. Cigarettes manufactured, imported or packaged (a) for export from the United States or (b) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act: *Provided*, That such exemptions shall not extend to cigarettes manufactured, imported or packaged for shipment to United States military vessels or shore-based activities wherever such vessels or activities may be located.

#### SEPARABILITY

SEC. 11. If any provision of this Act or the application thereof to any person or circum-

stances is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

#### EFFECTIVE DATE

SEC. 12. This Act shall take effect one hundred and eighty days after the date of its enactment.

Mr. MAGNUSON. I move that the Senate disagree to the amendment of the House of Representatives, agree to the conference requested by the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. PASTORE, Mr. HARTKE, Mr. CANNON, Mrs. NEUBERGER, Mr. MCGEE, Mr. COTTON, Mr. MORTON, and Mr. SCOTT conferees on the part of the Senate.

#### PRINTING OF REVIEW OF REPORT ON REPLACEMENT OF CADDO DAM, LA. (S. DOC. NO. 39)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated April 13, 1965, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of reports on replacement of Caddo Dam, La., requested by a resolution of the Committee on Public Works, U.S. Senate.

I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

#### COINAGE OF THE UNITED STATES—AMENDMENTS

##### AMENDMENT NO. 287

Mr. SIMPSON (for himself, Mr. METCALF, Mr. CANNON, Mr. JORDAN of Idaho, Mr. MANSFIELD, and Mr. MOSS) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2080) to provide for the coinage of the United States, which were ordered to lie on the table and to be printed.

##### AMENDMENT NO. 288

Mr. LAUSCHE submitted an amendment, intended to be proposed by him, to Senate bill 2080, supra, which was ordered to lie on the table and to be printed.

##### AMENDMENT NO. 289

Mr. MAGNUSON submitted an amendment, intended to be proposed by him, to Senate bill 2080, supra, which was ordered to lie on the table and to be printed.

##### AMENDMENT NO. 290

Mr. DOMINICK submitted an amendment, intended to be proposed by him, to Senate bill 2080, supra, which was ordered to lie on the table and to be printed.

##### AMENDMENT NO. 291

Mr. BIBLE. Mr. President, on behalf of myself and Senators FANNIN, JORDAN of Idaho, MCGEE, MAGNUSON, METCALF, MOSS, CANNON, CHURCH, BARTLETT, and GRUENING, I submit an amendment to Senate bill 2080, supra, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

Mr. BIBLE. Mr. President, the proposed amendment would prohibit the exportation of U.S. coins with certain exceptions as provided in language adding a new section to section 211(a), chapter 18, of title 18, United States Code. The language is self-explanatory.

Here again S. 2080 gives the Secretary of the Treasury the authority to prohibit exportation of coins by regulation. It is believed desirable to prohibit exportation by law.

The world shortage of silver production as reflected in the following statistics as affecting the United States adversely during the year 1964:

[In millions of ounces]

Year	Imports	Exports
1960.....	56.1	26.6
1961.....	48.9	39.8
1962.....	76.4	13.1
1963.....	64.0	31.5
1964.....	54.0	99.0

The above table reflects a net deficit of 45 million fine troy ounces of silver during the year 1964. Whether this is caused by foreign nations' expanded industrial uses or by speculation is not known. Nevertheless, since the present law and S. 2080 still permit redemption of silver certificates in silver bullion, it is possible that sources in the United States could redeem silver certificates for silver bullion and export the silver.

If the free market price of silver rises above \$1.2929 and \$1.38, silver dollars and silver coins could be exported under present law and could be melted to the disadvantage of this Nation in its attempt to keep in circulation existing stocks of silver coins.

It is also interesting to note that the net deficit of silver did not occur until the Silver Purchase Act was repealed.

##### AMENDMENT NO. 292

Mr. BIBLE. Mr. President, on behalf of myself and Senators FANNIN, MCGEE, MAGNUSON, METCALF, MOSS, CANNON, CHURCH, BARTLETT, and GRUENING, I submit an amendment to Senate bill 2080, supra, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

Mr. BIBLE. Mr. President, the proposed amendment would add a new section by amending section 212(a), chapter 17, of title 18, United States Code, entitled "Coins as Collateral for Loans." The amendment is self-explanatory.

It is a known fact that loans have been made where U.S. coins have been used as security. The proposed amendment would not prohibit the lending of money on bona fide collections of rare coins. The determination of rare coins would be left to the Secretary of the Treasury and would cause the Secretary to publish from time to time in the Federal Register a list of coins in the United

States which, because of their rarity, have a value to bona fide collectors of coins in excess of their monetary value.

Such an amendment would stop much speculation in coins. Speculators, to the detriment of our coinage system, have secured loans and have advertised coins in excess of their monetary value for sale to the public. It is estimated that there are over 10 million coin collectors in the United States. Coins such as silver dollars have actually been advertised for sale by the bag containing 1,000 silver dollars. It is believed the great majority of the persons making such offerings are speculators. The result has caused the disappearance of the silver dollar in normal channels of trade. It is believed many of the silver dollars are in bank vaults with the speculators awaiting an opportunity to dispose of them at a profit. Advertisements are available which show definitely such loans have been made.

This practice could be controlled to a great extent if the amendment were adopted. It would at least stop those persons who are now advertising such sales as they would be fearful of the penalties.

Coins of a rare value are known to the coin collectors for they now have a book which is published annually, "The Red Book," which gives listings of value.

Subsidiary coins have also been bought and sold at a premium in excess of their value. Such sales have been made mostly to business concerns which demand large amounts of small coins to service their trade. It is believed there are ample coins to meet our present needs if the coins could be kept in circulation. Minting of coins has accelerated at a rapid rate in recent years and while the estimated figures on coins in circulation show a slight increase, the proposed amendment should be helpful in keeping our coins in circulation.

#### AMENDMENT NO. 293

Mr. BIBLE. Mr. President, on behalf of myself and Senators FANNIN, McGEE, MAGNUSON, METCALF, MOSS, CANNON, CHURCH, BARTLETT, and GRUENING, I submit an amendment to Senate bill 2080, supra, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table; and, without objection, the explanation will be printed in the RECORD.

Mr. BIBLE. Mr. President, I consider the amendment to prohibit the melting of our coinage imperative. I do not feel we should give authority to the Secretary of the Treasury to stop the melting of coins by regulation. We should write it into this bill.

For one thing, melting of our coinage is already going on. This may come as a surprise to some. However, during the years from October 1942 until December 1945, the Mint manufactured nickels with silver content rather than nickel. This was done as nickel was in short supply during the war years. These nickels are now worth approximately 7½ cents when melted and the metals are recovered for sale.

To produce these nickels 48,699,548 troy ounces of silver were used. There is evidence the nickels are still being sought and are, in fact, being melted down.

I wish to bring to your attention an advertisement which was published in the Coin World, June 16, 1965. It is my understanding this publication has a readership well in excess of 100,000. The advertisement states:

[From Coin World, June 16, 1965]

Wartime nickels: Write for bag pickup prices between New York and Chicago or ship any amount, any condition, for an instantaneously airmailed \$2.50 per roll. 65 tons received here since 1962. Many thanks, folks. Will continue buying unless an antismelting law becomes imminent. Bob Lamp, 1358 Cranford Avenue, Lakewood, Ohio.

Now, I am sure when this one purchaser of nickels points out that he will not buy if "antismelting" laws become effective, that this body should give consideration to my amendment to prohibit such practices.

I have received calls from other Senators' offices asking if my bill, S. 2036, would, in effect, put these operators out of business. It would, indeed, and so will the inclusion of an amendment prohibiting melting of coinage, if embodied in S. 2080.

The proposed attached amendment will add a new paragraph to section 331 of title 18, United States Code. This paragraph will prohibit the melting of any silver coins produced at the mints of the United States except as authorized by law. The Mint currently receives worn coins and remelts these coins, claiming the metals for usage in newly minted coins.

This amendment is believed necessary to preclude the melting of coins should the price of free market silver rise above \$1.2929 per fine troy ounce.

Penalties would remain the same as provided in section 331 of title 18, United States Code; namely, "Shall be fined not more than \$2,000, or imprisoned not more than 5 years, or both."

S. 2080 gives the Secretary of the Treasury in section 105(a), page 10, of the bill authority under such rules and regulations as he prescribes to prohibit melting of any coin. The attached amendment would prohibit the melting of coins by force of law.

Should the free market price of silver rise about \$1.2929 per fine troy ounce, silver dollars could be melted and a profit could be realized. If the free market price should rise above \$1.38 per fine troy ounce, subsidiary coinage, dimes, quarters, and half dollars, could be melted at a profit.

Our coinage should be maintained for the purpose it was intended and melting of coins should be prohibited by law. It is evident that some persons are speculating on an increase in the price of silver at the free market level. Silver dollars have, in less than 2 years, practically disappeared from circulation. Whether these dollars are being held for the purpose of melting to recover metals at a profit is conjecture. Nevertheless, melting of U.S. coins should be prohibited.

Questions have been raised as to the problem of enforcement. It is doubtful that the amendment prohibiting melting would be more difficult to enforce than present laws prohibiting defacement of coins. In any event it would act as a deterrent.

#### SECRETARY WIRTZ ENDORSES A NATIONAL REFERENDUM ON REPEAL OF SECTION 14 (b)—AMENDMENT

##### AMENDMENT NO. 294

Mr. PROUTY. Mr. President, yesterday morning Secretary of Labor Willard W. Wirtz testified before the Senate Committee on Labor and Public Welfare, which is holding hearings on the administration's proposal to repeal section 14(b) of the Taft-Hartley Act.

In the course of the hearing I asked Secretary Wirtz whether, in view of his belief that the majority of the American people favored repeal of section 14(b), he would be in favor of a national referendum on the issue.

Secretary Wirtz replied:

I would be if that referendum could be held sufficiently quickly that it would not slow up what I consider to be the Congress discharge of its obligation at this point, and if that issue could be fairly posed so that it would be understood.

Then, after emphasizing the importance of an objective phrasing of the referendum question, the Secretary went on to say:

I would think that a testing of the popular will would be a good thing, but again I say only if it could be done under circumstances and in time that would permit the discharge by the Government of what seems to me its obligation at this point.

Mr. President, I am delighted that Secretary Wirtz, the administration's chief spokesman on labor matters, has taken this position on the issue.

On Monday I submitted an amendment to S. 256 that provides for just such a national referendum on the repeal of section 14(b). My amendment, numbered 284, provides that repeal of section 14(b) by the Congress shall not go into effect until approved by a majority of those voting in a special national referendum to be conducted on November 2, 1965, or on some later date as fixed by the President.

The question to be presented to the voters in the referendum has been carefully designed to eliminate any possible bias in the statement of the proposition. It merely asks the voter to indicate his approval or disapproval of the congressional statute repealing 14(b) and making conforming changes. I am sure that stating the question in this form will satisfy Secretary Wirtz' condition that the question be stated without any "semantic overtones."

My amendment would also meet the Secretary's condition that action on section 14(b) be prompt. Under my amendment the entire issue would be settled by November 3—just 130 days from today.

Mr. President, I want to commend Secretary Wirtz for his endorsement, in principle, of a national referendum on

section 14(b). Secretary Wirtz, like the junior Senator from Vermont, is not afraid to let the people speak. I share his faith that the American people will fairly and justly decide this matter, on which emotions have so often flared.

Mr. President, my amendment No. 284 to S. 256, which I submitted on Monday, contains some serious printing errors. I have accordingly prepared a corrected amendment, and ask that it be received and appropriately referred. I also ask that the original amendment No. 284 be withdrawn.

I also ask unanimous consent that the corrected amendment be printed in the RECORD at this point.

**THE VICE PRESIDENT.** Without objection, the amendment will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The amendment (No. 294) was referred to the Committee on Labor and Public Welfare, as follows:

On page 1, between lines 2 and 3, insert the following:

**"TITLE I—UNION SECURITY AGREEMENTS"**

On page 1, line 4, strike out the words "is hereby repealed" and insert in lieu thereof "is repealed upon the effective date of this Act as provided in section 102."

On page 1, line 5, strike out the word "The" and insert in lieu thereof the following: "Upon the effective date of this Act as provided in Section 102 the"

On page 2, lines 18 and 19, strike out the words "is hereby repealed" and insert in lieu thereof the following: "is repealed upon the effective date of this Act as provided in section 102."

At the end of the bill insert the following:  
 "Sec. 102. The first title of this Act shall take effect only if the qualified voters of the several States signify their approval of this Act in the national referendum provided by title II. If the qualified voters of the several States signify their approval in such referendum the first title of this Act shall become effective on the day on which the results of such referendum are declared under section 211 of this Act.

**"TITLE II—NATIONAL REFERENDUM"**

"Sec. 201. (a) Each State is requested to conduct a referendum for the purpose of ascertaining whether the qualified voters of such State approve the provisions of the first title of this Act. Such referendum shall be conducted by each State consenting so to do at an election which shall be held in such State on November 2, 1965, or at such later date as the President may select.

"(b) (1) As used in the remaining sections of this title, the term 'referendum' when used in reference to any State means the national referendum referred to in section 102 insofar as it is conducted within the jurisdiction of such State.

"(2) As used in sections 202, 203, and 204, the term 'State' means only a State which consents to conduct the referendum within its jurisdiction.

"Sec. 202. Each State shall be entitled to reimbursement for the expenses incurred by it in conducting the referendum. Reimbursement shall be made in the manner provided by section 211.

"Sec. 203. Except as otherwise specifically provided in this title, the referendum shall be conducted in each State according to the election laws and regulations of such State. Any State the constitution or laws of which authorize the submission of State laws to the voters of such State for their approval or disapproval may conduct such referendum in

the same manner as referendums conducted with respect to its State laws. Each State, through its legislature or the proper State officers, shall be the sole judge of the manner of conduct of the referendum within its jurisdiction.

"Sec. 204. The qualified voters in the referendum in each State shall be the persons in such State who are qualified to vote for Representative in the House of Representatives of the United States.

"Sec. 205. (a) The Governor of each State which consents to conduct the referendum shall so notify the President before September 1, 1965, or before such later date as the President may select. The President shall provide for the conduct of the referendum, in the manner provided in this section, in any State which does not consent, or is unable, to conduct the referendum. The referendum shall be held in any such State on the same day on which it would be held under section 201 if it were conducted by such State.

"(b) The President may provide for the conduct of the referendum in any State or States under this section—

"(1) by any department or agency of the Federal Government, or

"(2) by a commission established for such purpose under the authority of subsection (c).

Subject to the provisions of subsection (e), the referendum conducted in any State under this section shall be conducted pursuant to such rules and regulations as the President may prescribe.

"(c) The President is authorized to establish a commission to conduct the referendum in any State or States which do not consent, or are unable to conduct it. Any commission established pursuant to this subsection shall be composed of an even number of members and not more than one-half of the members shall be of the same political party. The President shall designate one of the members as chairman of the commission.

"(d) The President shall have such powers as may be necessary to enable him to carry out the duties and functions imposed on him by this section, including the power—

"(1) to appoint such experts, consultants, and other employees as may be necessary, and

"(2) to make such expenditures as may be necessary. The President is authorized to delegate any of the powers conferred upon him by this subsection to any department or agency designated by him to conduct the referendum in any State, or to any commission established under subsection (c).

"(e) Except as otherwise specifically provided in this title, the referendum conducted in any State under this section shall be conducted, insofar as possible, in conformity with the election laws and regulations, and the referendum laws and regulations, if any, of such State. The qualified voters in the referendum in any such State shall be the persons who would be qualified voters if the referendum were conducted by such State. Such State is requested to furnish lists of such qualified voters to the President, and shall be entitled to reimbursement, out of funds appropriated to the President under section 212, for expenses incurred in furnishing such lists. If such State refuses, or is unable, to furnish lists of such qualified voters, the determination as to the qualifications of any person to vote in the referendum in such State shall be made pursuant to rules and regulations prescribed by the President.

"Sec. 206. (a) The Joint Committee on Printing shall have printed by the Government Printing Office copies of this Act, and copies of provisions of any laws amended by the first title of this Act in which the amendments thereto shall be indicated in boldface type. Such copies shall be in such form and style as to be suitable for exhibition at the

polling places in the States for the information of the persons voting in the referendum.

"(b) The Joint Committee on Printing shall furnish to each State which conducts the referendum such number of the copies of this Act and of provisions of any laws amended by the first title of this Act printed pursuant to subsection (a) as each State may request. The Joint Committee shall furnish to the President, for use in any State or States in which the referendum is conducted under section 205, such number of such copies as the President may request.

"(c) Each State which conducts the referendum is requested to exhibit, in conformity with the laws of such State, at the polling places at which voting in the referendum is conducted such number of the copies of this Act and of provisions of any laws amended by the first title of this Act printed pursuant to subsection (a) as may be necessary for the information of the persons voting in the referendum.

"Sec. 207. The form of the question to be presented at the referendum shall be substantially as follows:

"The Congress of the United States has enacted a law to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

"This law is divided into two titles, the second of which relates to this referendum. The law provides that the first title which repeals and amends certain provisions of the National Labor Relations Act, as amended, and certain provisions of the Labor-Management Reporting and Disclosure Act of 1959 shall take effect only if approved by the qualified voters of the several States in this referendum.

"Indicate by making a cross X in the proper square (or by pulling the proper lever) whether you approve or disapprove of the first title of the new statute which repeals section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and which amends the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

"Approve.....   
 "Disapprove.....

"Sec. 208. (a) At the request of the Governor of any State, the Attorney General shall assign agents or employees of the Federal Bureau of Investigation to such of the polling places in such State as the Governor thereof may designate.

"(b) In any case in which the President deems it necessary or advisable, the Attorney General shall assign agents or employees of the Federal Bureau of Investigation to such of the polling places in any State as the President may designate.

"(c) It shall be the duty of any agent or employee of the Federal Bureau of Investigation assigned to any polling place under subsection (a) or (b)—

"(1) to observe the conduct of the referendum at such polling place.

"(2) to observe the counting and tabulation of the votes cast in the referendum at such polling place, and

"(3) to submit a report to the Attorney General with respect to the duties imposed on him by paragraphs (1) and (2).

"(d) Each agent or employee of the Federal Bureau of Investigation assigned to any polling place under subsection (a) or (b) shall be given access to such polling place and the place where votes cast in the referendum at such polling place are counted and tabulated in order that he may carry out the duties imposed on him by paragraphs (1) and (2) of subsection (c); but no such agent or employee shall interfere in the con-

duct of the referendum, or of the election in conjunction with which such referendum is held, by the State officials, or in the counting and tabulating by such officials of the votes cast in the referendum.

"(e) The Attorney General shall furnish to the Governor of any State in which agents or employees of the Federal Bureau of Investigation are assigned under subsection (a) or (b) a copy of the reports submitted to him under subsection (c)(3) by the agents or employees assigned in such State.

"(f) The Attorney General is authorized, for the purpose of carrying out the duties imposed on him by subsections (a) and (b), to appoint, without regard to the civil service laws and regulations, such temporary employees as may be necessary, and to fix their compensation in accordance with the Classification Act of 1949, except that the rate of compensation of such number of such temporary employees as he determines necessary may be fixed at rates not in excess of \$75 per day.

"(g) The Attorney General shall, before January 10, 1966, or such later date as the President may select, submit a report to the Congress with respect to the duties imposed on him by his section, which shall contain a summary of the reports submitted to him pursuant to subsection (c)(3).

"SEC. 209. (a) The Governor of each State which conducts the referendum shall certify the results of the referendum conducted in his State to the President of the Senate before January 10, 1966, or before such other date as the President of the United States may select.

"(b) The President of the United States shall certify the results of the referendum conducted in any State or States under section 205 to the President of the Senate before January 10, 1966, unless by his direction the referendum provided for in this Act is held at a date later than November 2, 1965, in which case the President may select a date on which he is to certify the results of the referendum to the President of the Senate.

"SEC. 210. (a) The Senate and the House of Representatives shall assemble in a joint meeting in the Hall of the House of Representatives on January 15, 1966 (or at such date as the President may select), at which the certificates from the Governors of the States, and from the President, shall be opened, read, and the results thereof tabulated. The President of the Senate and the Speaker of the House of Representatives, acting jointly, shall declare the results of the referendum.

"(b) If a majority of the votes cast in the referendum approve of the first title of this Act, such title shall become effective on the date on which the declaration of the President of the Senate and the Speaker of the House of Representatives is made.

"(c) If a majority of the votes cast in the referendum disapprove of the first title of this Act, such title shall not become effective.

"SEC. 211. Each State which conducts the referendum may through its proper State officer, request reimbursement of the expenses incurred by it in conducting the referendum by submitting a statement of such expenses to the chairman of the Committees on Appropriations of the Senate and House of Representatives. Such requests shall be reviewed and allowed by the Committees on Appropriations of the Senate and House of Representatives, acting jointly, and shall be certified by the chairmen of the two committees acting jointly, to the Secretary of the Treasury for payment out of moneys appropriated therefor pursuant to section 212.

"SEC. 212. There are authorized to be appropriated to the President such sums as may be necessary to enable him to carry out the duties and functions imposed on him by section 205. There are authorized to be appropriated to the Joint Committee on Printing such sums as may be necessary to en-

able it to carry out the provisions of section 206, including such sums as may be necessary to reimburse the Government Printing Office for expenses incurred by it under such sections. There are authorized to be appropriated to the Attorney General such sums as may be necessary to enable him to carry out the provisions of section 208. There are authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary to reimburse the States pursuant to section 211 for expenses incurred in conducting the referendum.

"SEC. 213. For purposes of this Act the term State shall include the District of Columbia; and any reference to the Governor of a State shall in the case of the District of Columbia mean the Board of Commissioners of the District of Columbia."

#### EXTENSION OF TIME FOR BILL TO LIE ON THE DESK FOR ADDITIONAL COSPONSORS

Mr. COOPER. Mr. President, I am pleased that several Senators have expressed interest in the bill I introduced last Friday to provide \$10,000 in Government life insurance for members of the armed services serving in combat zones so designated by the President since January 1, 1962, such as Vietnam, the Dominican Republic, and other areas.

I ask unanimous consent that the bill I introduced on Friday, S. 2158, lie at the desk for additional cosponsors through Monday, June 28.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ADDITIONAL COSPONSORS OF BILL

Mr. MCGEE. Mr. President, I ask unanimous consent that at the next printing of the bill I introduced, S. 2051, to provide tax relief on income from Indian trust lands to Indians, that the names of the junior Senator from Wyoming [Mr. SIMPSON] and the junior Senator from South Dakota [Mr. MCGOVERN] be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

#### ADDITIONAL COSPONSORS OF AMENDMENT NO. 276

Under authority of the order of the Senate of June 15, 1965, the names of Mr. BREWSTER, Mr. COTTON, Mr. ERVIN, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. MCINTYRE, and Mr. TYDINGS were added as additional cosponsors of Amendment No. 276, intended to be proposed by Mr. PASTORE (for himself and other Senators) to the bill (S. 2080) to provide for the coinage of the United States.

#### NOTICE OF PUBLIC HEARINGS ON THE VIENNA CONVENTION

Mr. CHURCH. Mr. President, as chairman of a subcommittee of the Committee on Foreign Relations appointed to consider the Vienna Convention on Diplomatic Relations, I wish to announce that the subcommittee will hold public hearings on this convention on July 6. The other members of the subcommittee are the senior Senators from Pennsylvania and Kansas [Mr. CLARK and Mr. CARLSON].

The Vienna Convention has been pending, before the Senate since 1963. It concerns the status of diplomatic representatives and sets forth their privileges and immunities and the rights and obligations of the state on whose territory they perform their functions.

All persons interested in presenting testimony on the Vienna Convention are requested to make arrangements with the chief clerk of the Committee on Foreign Relations.

#### NOTICE OF PUBLIC HEARINGS ON CERTAIN INTERNATIONAL ORGANIZATION MATTERS

Mr. CHURCH. Mr. President, I wish also to announce that a public hearing will be held by the subcommittee on Wednesday, June 30, 1965, on S. 2031, concerning contributions to the International Council of Scientific Unions and certain associated unions, and S. 2072, concerning a contribution to the International Red Cross.

Persons interested in presenting testimony on these bills should make arrangements with the chief clerk of the Committee on Foreign Relations.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 23, 1965, he presented to the President of the United States the enrolled bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims.

#### TWO MONTANA ATTORNEYS HONORED

Mr. MANSFIELD. Mr. President, I was very pleased to learn this morning that two Montana lawyers have been cited for their outstanding service by the Montana Bar Association.

David R. Mason, Montana State University law professor, was selected for the Montana Bar Association Award "for services rendered in connection with a specific project completed during the year." Mason received the award for his work as chairman of the Advisory Committee on Rules of Civil Procedure to the Montana Supreme Court.

David Mason is one of Montana's most respected and patriotic citizens, a man of great integrity and courage. The award is most deserving, and I wish to add my name to the long list of friends who are extending congratulations to David Mason at this time.

Also, the Montana Bar Association has given a special commendation to Emmett C. Angland, of Great Falls, a friend of long standing. Emmett has been active in the work of both the Montana and American Bar Associations and was lauded for reflecting "great credit to all the lawyers of the State of Montana." This is another deserving award, and I wish to extend my personal good wishes to Emmett Angland.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD a news story and editorial which

appeared in the June 20 issue of the *Great Falls Tribune*.

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

[From the *Great Falls (Mont.) Tribune*, June 20, 1965]

**TWO ATTORNEYS ARE HONORED BY STATE BAR ASSOCIATION**

Two Montana lawyers cited for outstanding service to the law profession in this State were honored Saturday by members of the Montana Bar Association in afternoon sessions of the MBA convention at Hotel Rainbow.

David R. Mason, Montana State University law professor who occupies the William Wirt Dixon chair at MSU and who has twice served as dean of the law school, received the first Montana Bar Association Award "for services rendered in connection with a specific project completed during the year."

Emmett C. Angland, Great Falls attorney and nominee as a member of the Board of Governors of the American Bar Association for the 13th District, was commended by the association in a special resolution for reflecting "great credit to all of the lawyers of the State of Montana."

Mason's award was given for his work as chairman of the advisory committee on rules of civil procedure to the Supreme Court of Montana. That committee completed and submitted this year the proposed Montana rules of appellate procedure.

Mason also worked with the same committee on the adaptation of Montana rules of civil procedure for the district courts. A plaque honoring Mason for his work and 30 years of service to the legal profession is being prepared by the MBA, Chief Justice James T. Harrison, chairman of the selection committee, stated.

Members of the selection committee, in addition to Harrison, include U.S. District Judges W. D. Murray and William J. Jameson, and delegates to the ABA, Kendrick Smith, and Angland.

[From the *Great Falls (Mont.) Tribune*, June 20, 1965]

**ATTORNEYS PAY WELL-DESERVED TRIBUTE TO LAW SCHOOL'S DAVID R. MASON**

Thousands of Montanans who respect David R. Mason, Montana State University law professor, must be delighted that he was honored by his fellow Montana attorneys in Great Falls Saturday.

Many of the attorneys at the Montana Bar Association convention which honored Mason were Mason's former students. Many others worked closely with him on legal matters.

Mason, who served twice as dean of the highly respected MSU School of Law, received the first Montana Bar Association award "for services rendered in connection with a specific project completed during the year."

The award was presented to Mason for his work as chairman of the advisory committee on rules of civil procedure to the Montana Supreme Court. That committee completed and submitted the proposed Montana rules of appellate procedure this year.

Mason also worked on the adaptation of Montana rules of civil procedure for the district courts. A plaque honoring Mason for his work and 30 years service to the legal profession is being prepared by the Montana Bar Association.

The honors accorded Mason Saturday were well earned. They also are especially significant at this time. Despite his long years of loyal and dedicated service to the MSU School of Law and his statewide recognition as a man of integrity and courage, Mason was the target last winter of a smear campaign by rightwing fanatics who questioned his patriotism. They attempted to smear

his reputation with the university and the Montana Legislature.

The smear attempts boomeranged and merely caused Mason's friends throughout the State to rally to his side.

Great Falls can be proud of another honor the Montana Bar Association awarded Saturday. Emmett C. Angland, Great Falls attorney who is a nominee as a member of the board of governors of the American Bar Association, was given a special commendation. The bar association passed a special resolution lauding Angland for reflecting "great credit to all the lawyers of the State of Montana."

**THE 25TH INFANTRY DIVISION—SHOTGUNNER**

Mr. INOUYE. Mr. President, if, by chance, you need to have your faith restored in the youth of America—cast your eyes toward my home State and the military forces stationed there.

Within the 25th Infantry Division, there is an elite corps of officers and men carrying on the finest traditions of the American fighting man. They are called shotgunner by their friends, and a far worse name by the Vietcong they volunteer to fight.

Their official title—air flight augmentation crewman, their job—protection of the helicopter in which they fly, using a specially mounted M-60 machinegun over the dense jungle in South Vietnam.

In a recent talk with Maj. Gen. Frederick Weyand, the division commander, I find that in the past 2 years, almost 2,000 officers and men of the Hawaii-based unit have volunteered to leave their safe and secure home on Oahu and expose themselves to the rigors and hardships of war in Vietnam—including the personal dangers that have taken the lives of a number of these young American men.

A particularly interesting aspect of all this is that many, many more than the number required have volunteered. Those men accepted, serve for 90 days of active combat and they are permitted to return as volunteers only in exceptional cases.

Three hundred and fifty are in South Vietnam right now.

There is an interesting story behind the evolution of shotgunner. In January 1963, the U.S. Military Assistance Command, Vietnam, requested combat trained men to protect their vulnerable HU-1 helicopters. This relatively slow craft is a basic means of transportation over jungles and presents an excellent target to Vietcong small arms fire.

Helicopter crewman and mechanics were working round the clock and needed to have relief from the protection requirement. The Tropic Lightning Division met this need then, and continues to meet it now.

Originally the gunners sat in the open door and fired automatic and semiautomatic rifles at their fleeting targets. The American ingenuity took over and the machinegun was soon mounted on various prototype straps and mounts until today a standard fixed mount is used quite effectively.

But the Vietcong are also effective and over a hundred of these young men have

been wounded or killed as their personal sacrifice for the freedom we enjoy today. These figures and the practical dangers they reflect have not been kept from the men of that division, yet, every 3 months the 25th Division has more volunteers than there are requirements to meet—Why? A recent detailed survey was taken among several hundred of these young men to determine "why." Why would these young men volunteer to move to the frontiers of freedom.

The answer turned out to be a clear desire to make a tangible and personal contribution toward a better world for the future. It was not money or a killer instinct, or a desire for personal aggrandizement—it was the same desire to become personally and individually involved in a great cause that has motivated the American patriot of the past. The citizen soldier who has made this country what it is; who has made education a right rather than a privilege and who has given us these very freedoms we see being flaunted by some today.

To their soldier buddy this is understandable—American fighting men have been doing this for years.

Following getting his name on the volunteer list the men are organized into teams with a lieutenant or captain in command. They are immediately pressed into an accelerated 4-week training phase that has as its theme, "to kill a tiger, learn the ways of a tiger."

And learn they must for there are alternates selected that train and any inattention to duty results in being cut from the program.

Physical training, assembly and disassembly of all small arms, first aid, survival in the jungle, marksmanship, handicrafts, and rappelling are included in their rapid pace training.

This is hard training. The product—a tough, well-informed aerial machinegunner who knows that once in Vietnam his day starts before dawn loading his "chopper" and ends after the last machinegun is cleaned and the last helicopter refueled and not before.

Since 1963, these men have won almost 2,000 combat awards and decorations. So far in 1965, over 600 combat decorations have been presented to the division's soldiers. Typical of the immediate entry into combat, one soldier in Shotgun III spent his 19th birthday, in a hospital bed, nursing a wound received after being in Vietnam just 2 days. The skeptic might step in and say, "Well, they're doing it for glory." If so, why then did over 100 volunteer to extend their stay to be perimeter guards around the airfield—no glory, no combat assaults, just sitting in cramped foxholes and machinegun emplacements staying awake half the night; securing the area until the Marines first group arrived. There is no glory in pulling guard duty.

When the number of helicopter companies in Vietnam was increased there was no problem getting men to man their chopper's machineguns—the group that was scheduled to return to Hawaii was canvassed and all the spaces were quickly filled with volunteers.

These are not all Regular Army soldiers—veterans of World War II or

Korea. Some are, of course, but for the most part they are just the boys down the street who after their basic training and assignment to Hawaii received the proper orientation—they know who the enemy of world freedom is because during their command information classes they have had Communist aggression in the last 30 years charted for them. They believe in what they are doing—and as the 25th Infantry Division motto states, they are "Ready To Fight, Anywhere! Anytime!"

#### INDUSTRY JOURNAL ENDORSES REAPPOINTMENT OF JOSEPH SWIDLER AS CHAIRMAN OF FEDERAL POWER COMMISSION

Mr. DOUGLAS. Mr. President, the fact that at least two industry journals have now endorsed the reappointment of Joseph Swidler as Chairman of the Federal Power Commission is a remarkable tribute to his leadership, hard work, and outstanding capabilities. In the last 4 years, he has done an outstanding job; and I am heartened to find that this is acknowledged by the industries which are under the jurisdiction of the Commission.

The June 21 issue of the Electrical World includes an editorial in which it is stated that Mr. Swidler "stands head and shoulders above most of the men who have occupied the chairs of the Federal Power Commission over the past 20 years."

I do not agree with the editorial's criticisms of his defense of the public interest; nonetheless, the editorial is an important tribute to Mr. Swidler.

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

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

#### SWIDLER'S CONTRIBUTIONS TO THE ELECTRIC UTILITY INDUSTRY

The 4-year term of Federal Power Commission Chairman Joseph Swidler expires this week. At this writing we do not know whether President Johnson will see fit to reappoint Swidler, or whether Swidler would accept if asked.

During his term, Swidler has made several constructive and substantial contributions to the electric utility industry.

He evidenced leadership and persistence in producing the National Power Survey which ranks as a most worthy achievement. Bringing together the various elements of the industry to labor on this report was a considerable task and has paved the way for wider cooperation in the years ahead. The mere conduct of the survey, we believe, encouraged constructive steps by the industry in the field of system interconnection and power pooling.

Swidler also provided the impetus for a more coordinated and better organized research and development effort on the part of the industry. While this research and development program is just getting started as a joint effort, it does appear that firm foundations have been laid pointing to a lasting contribution.

In the field of more conventional regulation, Swidler has gained the reputation of being forthright and aggressive. While the investor-owned utilities were displeased with his stand on the High Mountain Sheep licensing decision, his position was understandable. Also his stand against interfer-

ence from the Interior Department was refreshing.

On the other side of the ledger, Swidler has pursued several courses of action that we believe are inimical to the long-range best interests of Federal regulation and the utility industry. This may be classed roughly as "empire building." They include Swidler's determination to expand the jurisdiction and the activities of the FPC in areas that infringe on the management prerogatives of utilities, both investor-owned and Government financed. For instance, he had sought to bring a sizable number of utilities under FPC jurisdiction which should remain under State or local jurisdiction. This reach for power by Swidler has been so blatant as to give rise in Congress to legislation which would more clearly define the perimeters of Federal jurisdiction.

Swidler has also sought funds and authority from Congress that would greatly enlarge, and in some instances, change the character of FPC authority over interconnections, steam plants and over accounting and rate matters. He also has sought court endorsement for expanding FPC jurisdiction over pumped-storage installations.

Thus far Congress has been able to keep in check some of these expansionist tendencies of Swidler, and we would certainly hope that it will continue to do so.

But weighing Swidler's contributions to the industry against his inclination to intrude unwarrantedly, we believe he has achieved an outstanding record as a regulator and public servant. From our point of view, he stands head and shoulders above most of the men who have occupied the chairs of the Federal Power Commission over the past 20 years.

#### THE INDIANA DUNES—ANOTHER MAJOR STEP TOWARD CONSERVATION

Mr. GRUENING. Mr. President again, at this session of Congress, the Senate has passed proposed legislation providing protection and preservation of the Indiana dunes for the greater benefit of the people of this generation and those to come who will find enjoyment in this uniquely beautiful place.

Since my first term as a Member of this body, I have consistently cosponsored and supported the Indiana dunes legislation. Representing the Public Lands Subcommittee of the Senate Committee on Interior and Insular Affairs, I conducted on-the-site hearings in Indiana in June of 1960. The Senator from Utah [Mr. Moss] participated in those hearings. Wherever possible, I have contributed my efforts to those of other Senators, by holding hearings on the bills as they have been introduced and referred to the Subcommittees of the Senate Interior and Insular Affairs, and by adding my support of the Indiana dunes proposals at every meeting at which discussion of them has been held. I have inspected the area sought to be preserved by means of different versions of the proposed legislation; and, as a result of these inspections I have become ever more firmly convinced of the importance of saving the dunes.

Thus, it is a source of great satisfaction to me that the Senate has, again, passed the Indiana dunes bill, at this session as S. 360.

I hope the House will act soon, and favorably, on the bill, and that this Congress will be remembered for having

taken the action making possible an Indiana Dunes National Lakeshore.

When such action has been completed by Congress, and funds with which to acquire the lands to be preserved have been provided, the people of the Nation will have yet another protected place in which to find the recreational pleasures of beautiful outdoor surroundings, enhanced by clear, fresh water. The Indiana Dunes Lakeshore will be especially valuable, because it is located near the massive centers of industrial population in Chicago and in nearby parts of Indiana. It has been estimated that the Indiana dunes will provide a vacation and recreation area for more than 6 million people in this crowded metropolitan region. If the dunes are not preserved, these great masses of people will be deprived of land and water essential to their welfare, now and in the future.

As was pointed out during the debate on Monday of Senate bill 360, Indiana dunes is but one of a galaxy of national parks, seashores, and lakeshores that have been authorized during recent sessions of Congress, and have been, or should be, established by legislation now pending. During the 87th and 88th sessions of Congress, I was among those who were happy to see enacted the legislation establishing national seashores at Cape Cod, Point Reyes, and Padre Island, and subsequently at Fire Island National Seashore, in New York. At this session we have completed action in the Senate on the Bighorn Canyon National Recreation Area, and the Assateague Island National Seashore. I look forward to action which will establish the others called for by the President in his message on natural beauty—Tocks Island, in New Jersey and Pennsylvania; Cape Lookout National Seashore, in North Carolina; Sleeping Bear Dunes National Lakeshore, in Michigan; Oregon Dunes National Seashore, in Oregon; Great Basin National Park, in Nevada; Guadalupe Mountains National Park, in Texas; Spruce Knob, and Seneca Rocks National Recreation Area, in West Virginia; Flaming Gorge National Recreation Area, in Utah and Wyoming; and the Whiskeytown-Shasta-Trinity National Recreation Area, in California.

I shall be happy to support all of them as I have already supported Oregon dunes.

The imaginative concepts fostering the establishment of these great outdoor recreation areas represent a modern development of the great plans for conservation which developed in the latter part of the 19th century and the earlier years of this century, and which resulted in the preservation of our great national parks and monuments, largely located in the Western States. In earlier days, the preservation of places of natural beauty, for the enrichment of the life of the Nation, was largely accomplished by means of the reservation of sites in the public domain—a wise and constructive use of our resources of nature, which has contributed much to the welfare of the people.

Today, we recognize our national necessity for acquiring and preserving places of natural beauty for recreational

resources to be used by the masses of people clustered in enormous centers of population. The seashores and recreational areas we have created in the last 5 years, and which, we hope, will shortly become realities, are located where they are desperately needed. The masses of our population are in urban areas; and these are the areas where every day sees the loss forever of more and more places of natural beauty to the physical needs for housing and the accommodation of our onrushing avalanche of population. The time is late and the need is urgent for selection and preservation of locations for outdoor recreation accessible to people. A recent publication of the Citizens Committee for the Outdoor Recreation Resources Review Commission Report reminds us that by the year 2,000, our population will nearly double; and this, with increasing leisure time, will cause a threefold increase in the demands for outdoor recreation.

The preservation of beauty in the midst of urban blight is as much a necessity for the people of this country as is the economic progress which brings with it an increasing realization of human requirements for this natural resource. As one who has always been a fervent conservationist, I applaud the wise proposals to preserve and, where necessary, to acquire land to satisfy the need of humans for enjoyment of outdoor recreation. This is a form of conservation which truly meets the needs of people; and this is, I believe, the purpose of successful conservation.

In my great State of Alaska, we have the most superb outdoor recreational sites in the Nation.

Our three great National Parks and Monuments—Katmai, Glacier Bay, and Mt. McKinley—are superlative as scenery and for their wildlife resources. Sitka National Monument is of great value historically, and its setting is no less entrancing. All of them will increasingly attract visitors, and deservedly so. Alaskans, more than any other people, understand the values of natural resources of beauty. The dramatic scenery of our great virgin forests, the mighty mountains rising out of the sea, our glaciers and our unspoiled lakes and rivers are priceless resources that are fully appreciated by Alaskans.

In addition to having the privilege of enjoying the grandeur of our scenery, Alaskans are fortunate, beyond the imagination of inhabitants of crowded urban areas, in having all this beauty close at hand. The vastness of our land area—586,400 square miles, as big as Texas, California, and Montana altogether—is a priceless asset to a land-hungry Nation.

The increasing population of America will, we know, soon be surging to our State, as it has, in the past, settled and developed the great western plains and mountains. We welcome these new Alaskans, and we look for more and more of them to develop our State and to bring the economic progress which is sure to come with the wise use of our natural resources for human progress.

Meanwhile, we sympathize with the needs of urban communities not blessed

with an abundance of natural beauty and outdoor-recreation resources. We want to help our fellow citizens preserve and acquire the land they need for recreation and for the enjoyment of nature in the heavily populated cities and States where this is a scarce commodity, disappearing fast.

Again, I express my pleasure at the action of the Senate in passing the Indiana dunes bill; and I look forward to ever-greater accomplishments by means of the enactment of similar measures.

#### NEED GROWS DAILY FOR A LAW TO COMPENSATE VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, on June 20, a 24-year-old secretary was raped and robbed in her Georgetown apartment. The assailant is believed to be the same man who beat and attempted to rape a 54-year-old nun on June 10. Also on June 20, a 24-year-old mother was raped by a man who dragged her off a Northwest streetcorner.

It is inconceivable to me how a humane society can allow things like this to happen, without making provision for redressing the injury suffered by these innocent victims of criminal violence. The examples of criminal violence now cited may not even be shocking to many persons, because in reading about such things in the newspapers, almost every day, they become hardened or accustomed to them. The victims still suffer, however, regardless of how the public reacts. I believe the time has come to put an end to the public disregard of the victims of criminal violence. On June 17, I introduced a bill entitled the "Criminal Injuries Compensation Act of 1965." This bill, S. 2155, now before the Committee on the Judiciary, would create a Violent Crimes Compensation Commission, to provide compensation to innocent victims of criminal violence. I hope that thorough hearings will be held on the bill. This is a problem we can no longer ignore.

I ask unanimous consent to have printed at this point in the RECORD two items from the Washington Post of June 21, 1965.

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

[From the Washington Post, June 21, 1965]

#### GEORGETOWN SECRETARY BEATEN, RAPED IN HOME

A 24-year-old Navy Department secretary was raped and robbed in her second-floor Georgetown apartment about 5 a.m. yesterday by an intruder who awakened her and held a knife at her throat, police reported.

Sex squad detectives said the assailant might be the same man who beat and attempted to rape a 54-year-old nun on June 10 at the Georgetown Visitation Convent, four blocks from the location of the attack yesterday.

The secretary told police the doors to her apartment were locked, but the man scaled a fire escape and entered through an unlocked bedroom window.

The man apparently removed \$18 from the woman's purse before awakening her, police said. The victim, who is unmarried and lives alone, said she screamed when she saw the man standing over her, but he placed

a hand over her mouth and threatened her with a knife, raped her, then fled through the front door.

Other tenants in the three-story house were asleep and did not hear the scream, according to police.

Police said the attacker was a white man in his late twenties, 5 feet 10, of slim build and with dark, wavy hair. He wore a long-sleeved white shirt and dark trousers.

The description and the method of attack were similar to the assault at the convent, police said, except that the man became violent when the nun fought back. The nun was admitted to Providence Hospital, where her condition was reported as satisfactory yesterday.

#### MOTHER, 24, RAPED ON NORTHWEST STREET

A 24-year-old Washington mother on her way to work was raped early yesterday by a man who threatened her with a knife, then dragged her off a Northwest street corner and into bushes on the grounds of an elementary school, police reported.

Investigators said the woman had observed her attacker walking in the same direction but across the street from her. When she crossed the street at an intersection, he grabbed her, knocked her pocketbook to the ground, dragged her about 30 yards and raped her.

#### INDIANA DUNES NATIONAL LAKESHORE

Mr. DOUGLAS. Mr. President, an editorial published this morning in the Washington Post urges immediate House passage of the Indiana Dunes National Lakeshore bill, S. 360, which the Senate passed on Monday, for the second time. The editorial properly points out that the bill is an integral part of the movement to preserve the natural beauty of America. It is, of course, a part of President Johnson's program.

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

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

[From the Washington (D.C.) Post, June 23, 1965]

#### HALFWAY ON THE DUNES

Once more the fight to save a portion of the Indiana Dunes is centered in the House. For the second time the Senate has passed a bill to preserve 11,292 acres of duneland along Lake Michigan as a national lakeshore. This compromise measure slipped through the Senate without opposition. On the House side the bill is still in subcommittee, and no hearings have been held.

This bill has become an integral part of the movement to preserve the natural beauty of America. The country's increasing hordes of urban dwellers are coming to place a greater premium upon streams, mountains, lakes, forests, dunes, seashore, and other areas of natural beauty. Their yearning for open space and the charm of an uncluttered landscape accounts in large measure for the popularity of the Johnson administration's beautification program.

Congress ought to realize that every dollar invested in retreats of this kind will multiply in value as the population of the country increases. The question is not merely one of selecting a few areas of extraordinary beauty, novelty, or historic interest. Rather, it is one of mobilizing our great national potential for outdoor recreation in the long-range future. The one thing certain is that Congress has not done enough to preserve our natural heritage. In our view the House

should hasten to match the Senate's action in regard to the dunelands so that attention may be turned to various other conservation projects no less worthy.

#### INCREASED DRAFT CALLS DEMONSTRATE NEED FOR GI EDUCATIONAL BILL

Mr. YARBOROUGH. Mr. President, the hundreds of thousands of men and women who give their time and energy and sacrifice their futures for America during the cold war period must be recognized for their immeasurable intellectual value to this Nation. The number of individuals who are being taken from their communities, either directly or indirectly, through the selective service program is increasing monthly; and no end to the draft in the near future can be seen. Seventeen thousand one hundred men will be inducted into the Army in July 1965; and, under current law, these men will reenter civilian life from 2 to 4 years behind their undraftable contemporaries, and without significant advance in their education and without the opportunity this Government afforded the equally dedicated men and women of World War II and Korea to obtain a useful education.

Mr. President, this rank injustice cannot be allowed to continue. If we in this great Republic are to live to make men free, we must take up the burden and we must act forthrightly, and without the delay of wasteful hesitation, to grant an equal educational opportunity to the veterans of the cold war. Congress should act now on the GI educational bill, S. 9.

I ask unanimous consent to have printed at this point in the RECORD an article published in the June 5, 1965, issue of the Washington Post concerning the increased summer draft call. The article is entitled "Draft Call Highest Since Berlin Crisis."

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

[From the Washington (D.C.) Post,  
June 5, 1965]

#### DRAFT CALL HIGHEST SINCE BERLIN CRISIS

The Defense Department issued its biggest monthly draft call yesterday since the Berlin crisis late in 1961.

It asked Selective Service to induct 17,100 men in July for the Army. The June call was 17,000.

The call in November 1961, the Berlin crisis year, was for 20,000 men.

Draft quotas have been on the upgrade in large part because enlistments have fallen off.

The Navy, Marine Corps, and Air Force do not intend to draw on the draft in July, the Pentagon said in its announcement.

The Defense Department is completing a yearlong study of the need for the draft and possible alternatives to it.

By every indication, the study will recommend that the draft continue at least to 1970. The present draft law is due to expire in 1967.

Military manpower officials contend that many young men enlist in the armed services rather than take the chance of being drafted. Without the draft hanging over them, many of these young men might not choose to serve voluntarily, officials have said.

#### POLITICAL SCIENCE PROFESSORS AND LAW PROFESSORS OPPOSE DIRKSEN AMENDMENT

Mr. TYDINGS. Mr. President, I am pleased to note that over 150 eminent political scientists and law professors have gone on record as being opposed to any amendment to our Constitution that would overrule the Supreme Court's one-man, one-vote decisions.

Those of us who are convinced that such an amendment would turn back the clock in the struggle for full political and civil rights for all Americans are gratified to have the support of such a significant body of the concerned academic community.

The list of professors includes the current president of the American Political Science Association, Prof. David B. Truman, of Columbia; the president-elect of APSA, Prof. Gabriel Almond, of Leland Stanford; Prof. Quincy Wright, of the University of Virginia, a former president of APSA; Prof. David Easton, of the University of Chicago; Prof. Alpheus T. Mason, of Princeton; Paul R. Dean, dean of the Georgetown University Law Center; Clarence C. Ferguson, Jr., dean of the Howard University School of Law; Erwin N. Griswold, dean of Harvard Law School; Vernon X. Miller, dean of the Catholic University School of Law; and Eugene V. Rostow, dean of the Yale Law School.

The preliminary canvass of political scientists and law professors was made by Prof. C. Herman Pritchett, of the University of Chicago, and former president of the American Political Science Association; Robert McKay, dean of the New York University Law School; and Prof. Royce Hanson, of American University, secretary-treasurer of the National Committee for Fair Representation.

The professors' statement charges:

The Dirksen amendment goes against the trend of democratic government and of expanding civil and political liberties. It would, if ratified, be the first amendment to reduce American liberties rather than to expand them. Its provision for popular ratification of malapportioned legislatures is a ruse. It would use the forms of democracy to impair both democracy and the personal rights of individual voters. It assumes that the right to be fairly represented is a right which properly belongs to a majority. Rather, it belongs to individuals. We maintain that a majority should not be permitted to relinquish a right which it cannot properly claim.

The professors argue that although the amendment sponsored in the Senate by Senator DIRKSEN would require a referendum before one house of a legislature could be based on factors other than population, it should be rejected, because the right of representation is a personal right, and "the first principle of a constitutional democracy is that a majority may not deprive an individual of his fundamental rights." Calling this a "fundamental flaw in the amendment," the professors oppose its adoption "even if its language is technically improved."

The statement defends the Supreme Court's one-man, one-vote decisions, and argues that adoption of the Dirksen amendment would seriously endanger

minorities, by permitting majorities to adopt schemes of representation which would discriminate against certain groups.

I ask unanimous consent to have printed in the RECORD the statement of these professors and the full list of those who signed it.

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

#### STATEMENT BY POLITICAL SCIENTISTS AND LAW PROFESSORS

We oppose Senate Joint Resolution 2, introduced by Senator EVERETT DIRKSEN. This proposed constitutional amendment would make possible the apportionment of one house of a bicameral legislature on factors other than population if a majority of a State's voters approved such a plan. The effect of the amendment is partially to nullify the Supreme Court's reapportionment decisions which held that to satisfy the requirements of the 14th amendment both houses of a bicameral legislature must be based on population.

We support that decision. We believe that the facts in the cases considered by the Court and the development of the equal protection clause warrant the conclusions reached by the Court. That opinion was reached on the ground that the right of representation is a personal right held by individual voters, in the same class of constitutional rights as the right to vote which is also guaranteed by the equal protection clause.

The Dirksen amendment strikes at this basic constitutional rationale. It permits, in any State, a majority of voters to abolish a properly determined constitutional right. We do not deny the power of a constitutional amendment to reduce political or civil rights. We do strongly oppose such action as unwise public policy. The first principle of constitutional democracy is that a majority may not deprive an individual of his fundamental rights. As Mr. Justice Jackson said in *West Va. v. Barnette*, "fundamental rights may not be submitted to vote, they depend on the outcome of no elections."

The Dirksen amendment goes against the trend of democratic government and of expanding civil and political liberties. It would, if ratified, be the first amendment to reduce American liberties rather than to expand them. Its provision for popular ratification of malapportioned legislatures is a ruse. It would use the forms of democracy to impair both democracy and the personal rights of individual voters. It assumes that the right to be fairly represented is a right which properly belongs to a majority. Rather it belongs to individuals. We maintain that a majority should not be permitted to relinquish a right which it cannot properly claim.

The amendment is, in its most basic form, unsound public policy. Because of this fundamental flaw, we oppose its adoption even if its language is technically improved. The basic objection to the amendment can be met only by its defeat.

We believe that there is enough latitude in the reapportionment decisions to permit States to assure adequate protection of minority rights. The Dirksen amendment, to the contrary, seriously endangers minorities by permitting majorities to adopt schemes of representation which grossly discriminate against certain groups. A State which is only 51 percent urban, for instance might under the amendment, assign 90 percent of all senators to urban areas, greatly disadvantaging the rural minority.

The amendment would restrict the exercise of a fundamental constitutional right for no public purpose other than maintaining the power of a particular privileged

minority to exercise veto power over all State legislation which it does not prefer.

**POLITICAL SCIENTISTS AND LAW PROFESSORS  
ENDORISING STATEMENT ON DIRKSEN AMENDMENT**

Prof. S. V. Anderson, University of California.  
Prof. Wm. Anderson, Minneapolis, Minn.  
Dr. J. D. Barber, Washington, D.C.  
Prof. G. Almond, Stanford University.  
Prof. C. Adrian, Michigan State University.  
Prof. H. Bach, Bradley University.  
Dr. Donald Balmer, Portland, Oreg.  
Dr. G. E. Baker, University of California.  
Mr. R. W. Becker, St. Cloud State.  
Prof. D. M. Berman, American University.  
Prof. L. Beth, University of Massachusetts.  
Prof. A. P. Blaustein, Rutgers University.  
Prof. A. Bone, Seattle, Wash.  
Prof. K. A. Bosworth, Storrs, Conn.  
Mrs. Hardy J. Bowen, Wilmington, Del.  
Prof. A. Bromage, University of Michigan.  
Prof. E. Byrd, Jr., University of Maryland.  
Mr. Richard S. Childs, New York, N.Y.  
Prof. Wm. M. Beany, Princeton, N.J.  
Mr. Alan Clem, University of South Dakota.  
Dr. R. Cortner, University of Tennessee.  
Prof. W. W. Crouch, Los Angeles, Calif.  
Prof. R. F. Cushman, New York University.  
Dr. R. T. Daland, University of North Carolina.  
Dr. Manning J. Dauer, University of Florida.  
Dr. Paul Dolan, University of Delaware.  
Prof. David Easton, University of Chicago.  
Dr. Ralph Eisenberg, University of Virginia.  
Prof. D. Fellman, University of Wisconsin.  
Dr. T. A. Flinn, Oberlin College.  
Prof. R. S. Friedman, University of Michigan.  
Prof. H. Garfinkel, Michigan State University.  
Dr. T. C. Geary, University of South Dakota.  
Dr. R. M. Goldman, San Francisco College.  
Prof. R. E. Goostree, American University.  
Mr. C. B. Hagan, University of Illinois.  
Prof. R. J. Harris, Vanderbilt University.  
Prof. F. H. Hartmann, University of Florida.  
Dr. M. E. Jewell, Lexington, Ky.  
Prof. B. K. Johnpoll, Hartwick College.  
Mr. T. P. Johnson, Aldie, Va.  
Mr. Henry Kass, Washington, D.C.  
Prof. G. M. Kammerer, University of Florida.  
Prof. H. Kantor, University of Florida.  
Dr. Paul Kelso, University of Arizona.  
Prof. R. Lemarchand, University of Florida.  
Prof. D. Lockhard, Princeton, N.J.  
Dr. L. Loeb, American University.  
Prof. A. Maas, Cambridge, Mass.  
Prof. C. P. Magrath, Ithaca, N.Y.  
Dr. A. T. Mason, Princeton University.  
Miss D. J. Melhorn, University of Tennessee.  
Prof. D. D. McKean, University of Colorado.  
Prof. O. R. McQuown, University of Florida.  
Prof. F. C. Mosher, Berkeley, Calif.  
Mr. A. E. Nuquist, University of Vermont.  
Dr. H. P. Odegard, Bloomington, Minn.  
Prof. H. Petrowitz, American University.  
Mr. E. C. Reock, Jr., Rutgers University.  
Dr. H. J. Schmandt, University of Wisconsin.  
Prof. R. Silva, Pennsylvania State University.  
Prof. T. C. Sinclair, University of Houston.  
Dr. R. M. Smith, Bradley University.  
Prof. R. A. Smith, Temple University.  
Prof. G. W. Spicer, University of Virginia.  
Mr. J. O. Stitely, University of Rhode Island.  
Mr. A. L. Sturm, Florida State University.  
Prof. Oscar Svarlien, University of Florida.  
Prof. W. F. Swindler, College of William and Mary.  
Prof. V. V. Thursby, Florida State University.  
Prof. H. J. Tomasek, University of North Dakota.

Prof. D. B. Truman, New York, N.Y.  
Dr. W. E. Volkmer, Hunter College.  
Prof. R. M. Wade, University of Wyoming.  
Mr. H. Walker, Ohio State University.  
Mr. E. Weaver, University of Utah.  
Prof. R. Weintraub, Hunter College.  
Prof. A. F. Westin, Columbia University.  
Dr. J. P. Wheeler, Hollins College.  
Mr. L. Wilmerding, Princeton, N.J.  
Prof. T. J. Wood, Miami, Fla.  
Prof. C. Woodbury, University of Wisconsin.  
Prof. B. F. Wright, University of Texas.  
Prof. Q. Wright, University of Virginia.  
Dr. C. Press, Michigan State University.

**LAW PROFESSORS**

Prof. R. Aren, Catholic University.  
Prof. F. N. Baldwin, University of Florida.  
Prof. W. R. Bennett, University of Utah.  
Prof. J. A. Barron, University of New Mexico.  
Prof. G. M. Bell, University of Idaho.  
Prof. H. A. Berman, University of Idaho.  
Prof. R. C. Berry, University of Florida.  
Prof. Wm. E. Biggs, University of Louisville.  
Prof. W. R. Bishin, University of Southern California.  
Prof. A. Bonfield, University of Iowa.  
Prof. W. J. Brockelbank, University of Idaho.  
Prof. A. Brodie, University of Wisconsin.  
Prof. A. Brody, Boston, Mass.  
Prof. T. Buergenthal, Buffalo, N.Y.  
Prof. T. D. Buckley, Jr., University of North Dakota.  
Prof. R. J. Childress, St. Louis University.  
Prof. J. J. Cleary, Villanova University.  
Prof. J. Cohen, Rutgers University.  
Prof. Wm. Cohen, University of California.  
Prof. R. G. Cohn, University of Illinois.  
Dean T. M. Cooley, University of Pittsburgh.  
Prof. V. Countryman, Harvard University.  
Dean L. Cowen, University of Georgia.  
Prof. E. E. Cushman, Stetson University.  
Prof. C. W. Davidson, University of Iowa.  
Prof. F. Davis, Emory University.  
Dean P. R. Dean, Georgetown University.  
Prof. D. W. Dowd, Villanova University.  
Prof. T. I. Emerson, Yale University.  
Prof. R. J. Farley, University of Florida.  
Prof. D. M. Feld, University of Georgia.  
Dean C. Clyde Ferguson, Howard University.  
Prof. G. W. Foster, Jr., University of Wisconsin.  
Prof. M. H. Freedman, George Washington University.  
Prof. S. P. Franklino, Catholic University.  
Prof. J. B. Gerard, Washington University.  
Prof. D. A. Giannilla, Villanova University.  
Prof. J. E. Gibbs, Florida A. & M. University.  
Prof. M. Gitelman, University of Denver.  
Prof. G. Gordin, Jr., Drake University.  
Dean E. N. Griswold, Harvard University.  
Prof. J. O. Honnold, Jr., University of Pennsylvania.  
Prof. Y. Huffman, University of Denver.  
Dean H. E. Hurst, University of Denver.  
Prof. D. B. Isbell, University of Virginia.  
Prof. E. Jarmel, Rutgers University.  
Dean T. M. Jenkins, Florida A. & M. University.  
Prof. E. M. Jones, University of Florida.  
Prof. S. H. Kadish, University of California.  
Prof. A. J. Keeffe, Catholic University.  
Prof. H. C. Klemme, University of Colorado.  
Prof. R. E. Knowlton, Rutgers University.  
Prof. M. R. Konvitz, Cornell University.  
Dean R. E. Kharas, Syracuse University.  
Prof. A. K. Laughlin, University of Florida.  
Prof. M. S. McDougal, Yale University.  
Dean V. X. Miller, Catholic University.  
Prof. M. B. Nimmer, University of California.  
Prof. H. Norris, Detroit College.  
Prof. W. E. Oberer, Cornell University.  
Prof. R. Parker, Willamette University.  
Prof. H. C. Petrowitz, American University.

Prof. D. H. Pollitt, University of North Carolina.  
Prof. L. S. Powers, University of Florida.  
Dean H. G. Ruschein, Villanova University.  
Dean E. V. Rostow, Yale University.  
Prof. C. D. Sands, University of Alabama.  
Prof. M. G. Shimm, Duke University.  
Prof. A. Trebach, Howard University.  
Prof. W. J. van Alstyne, Yale University.  
Prof. L. G. Wallace, Duke University.  
Prof. T. R. Walenta, University of Idaho.  
Prof. R. G. Weclaw, De Paul University.  
Prof. C. A. Wright, Harvard University.

**JANE ADDAMS' HULL HOUSE**

Mr. DOUGLAS. Mr. President, I was personally very much pleased to learn that Jane Addams' Hull House, in Chicago, has been selected by the Secretary of the Interior for Registered National Historic Landmark eligibility.

Jane Addams was undoubtedly one of Illinois' greatest citizens of all time. The example of her life is one of the lasting influences on the character of our society. It is, therefore, fitting that the original building of the settlement house, which now is a part of the new Chicago campus of the University of Illinois, should be recognized by the National Government as having historic importance. Furthermore, this recognition is not merely of a token nature. It was only by exerting the utmost effort that we were able to prevent the total destruction of Hull House when the area for the new university campus was being cleared. It would, indeed, have been a tragedy if this historic landmark had been thoughtlessly bulldozed. The national recognition now given to Hull House vindicates the efforts of the Chicago citizens who fought to save it, and should absolutely guarantee the preservation of the remaining portions of the building. I am confident that the university trustees will immediately complete the application for the certificate and a bronze plaque designated Hull House a Registered National Historic Landmark.

I ask unanimous consent that a brief statement on Hull House, as prepared by the National Survey of Historic Sites and Buildings, be printed in the RECORD.

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

**HULL HOUSE, ILLINOIS**

Jane Addams, in establishing Hull House, did not found the first settlement house in the United States, but she did create an institution that invariably responded to the needs of its visitors, a unique service in its period. The close identification of Hull House with the people it served gave the settlement house an internationally deserved reputation.

Nothing in Miss Addams' early career indicated what her true vocation would be. Born in Cedarville, Ill., on September 6, 1860, she was a small, bright child who responded best to her father. His influence caused her, when college age, to abandon her desire to attend Smith College and induced her to enter Rockford College, in Rockford, Ill., in 1877. Two years after completing college in 1881, she began studying medicine at the Woman's Medical College in Philadelphia, but soon abandoned her work there because of a physical collapse.

For about 5 years after leaving medical school, between 1883-88, Miss Addams searched for a purpose to her life. Two trips

to Europe helped her discover it. She sailed from the United States for the first time in the summer of 1883, and while on her European tour gained a realization of the human tragedy inherent in poverty.

Despite her inability to decide definitely upon her life's work by the time of her second trip to Europe, December 14, 1887, she still sought, more zealously than ever, some means of applying her training and experience to a useful purpose. Her aim achieved realization through her learning of Toynbee Hall in London. Toynbee Hall enabled university students to live among the poor while working to improve the lot of the unfortunate. Upon visiting the hall and studying it, Miss Addams understood how she could apply the advantages that had befallen her in behalf of the poor: she could obtain a house in the slums of Chicago, live there, and place her experience at the call of the local residents.

Her decision made, she chose what would now be termed a blighted area in Chicago to begin her work. The house that she and two friends moved into on September 4, 1889, had formerly stood outside of Chicago, but now was in ward 19. Ward 19 had 9 churches and missions, but probably more, for it also harbored 255 saloons. Undaunted by the saloons, the amazing variety of nationalities, and the dirt, Jane Addams concentrated on her settlement work for the next 25 years.

Charles Hull built Hull House in 1856 as a suburban residence. The house was a two-story brick structure, with a piazza and a cupola on top of the roof. Now that the University of Illinois is creating a new campus in Chicago in the Hull House area, all but the original building of the expanded settlement house has been demolished. The original house is being restored.

Located at 800 South Halstead Street, Chicago, Ill., the structure is owned by the University of Chicago.

#### ELIMINATION OF UNREASONABLE AND UNNECESSARY RESTRICTIONS ON FREE FLOW OF MILK PRODUCTS IN INTERSTATE COMMERCE

Mr. MONDALE. Mr. President, recently I introduced Senate bill 1993, designed to eliminate unreasonable and unnecessary restrictions on the free flow of milk products in interstate commerce.

Following the introduction of the bill, I have received a number of statements of support. One of these thoughtful expressions was sent by Walter W. Thompson, general manager of St. Paul's North Star Dairy. Mr. Thompson, long familiar with the difficulties and inequalities imposed upon both consumers and producers by these restrictive barriers, is unquestionably competent to pass judgment on this important proposed legislation.

I request unanimous consent that Mr. Thompson's letter be printed in its entirety at this point in the RECORD.

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

NORTH STAR DAIRY,  
St. Paul, Minn., June 8, 1965.

Senator WALTER F. MONDALE,

U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: The National Milk Sanitation Act of 1965 is a good piece of legislation, particularly for the Middle West, and for the country as a whole.

There is no logical reason why milk that meets sanitary standards in one municipal-

ity, should not meet it in another. It is also time that one agency have jurisdiction over the sanitary features of milk supplies as a whole. For too many years, municipal sanitary regulations and/or State regulations have served as economic barriers for the free flow of milk. This is not sound, and should be eliminated.

I sincerely hope that this bill passes Congress this year.

Yours very truly,

WALTER W. THOMPSON,  
General Manager.

#### "BIG BROTHER"—INVASIONS OF PRIVACY

Mr. LONG of Missouri. Mr. President, today's big brother item consists of two letters in the New York Times of June 20, 1965, dealing with the methods and incivility of customs inspectors in New York City.

I ask unanimous consent to have these letters printed in the RECORD.

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

#### MAIL: SEARCH AT CUSTOMS

To the EDITOR:

I have a view on the handling accorded what Lester D. Johnson, Acting Commissioner of Customs, calls "ordinary citizens." It is rather at variance with his. I enclose a copy of the note I have sent to Mr. Johnson:

"I am not certain I understood what meaning you assigned to the word 'needless' when you asked, in your letter to the New York Times of May 30, that John Klein inform you if he knows of any instance where customs agents have needlessly stopped passengers at Kennedy Airport. However, I have my own definition, and I offer it for your consideration:

"Last October, I arrived at Kennedy and cleared through the usual customs inspection in good order. As I left the inspection station, I was accosted by a customs agent, who bade me accompany him to a private room.

"Here, I was made to empty my pockets, and then remove my outer garments, I was then searched. Since, like most ordinary citizens, I was carrying no contraband, I was released.

"Significantly, despite your claim, no explanation was given for my detention, and, if there had been a good reason, it was kept from me.

"Perhaps it was because, when I arrived, I was wearing, against the inclement weather, a rather old and dirty James Bond-style trenchcoat. I prefer to believe not. Surely, there must be sounder criteria of a tourist's trustworthiness."

HENRY MEYER, Jr.

BOSTON.

#### SURLY CUSTOMS MAN

To the EDITOR:

Enclosed is a copy of a letter, the original of which was sent to Lester D. Johnson, Acting Commissioner of Customs:

"Your open invitation, as published in the New York Times, prompts me to offer you my name as one of the persons who considers that he was needlessly stopped for additional examination at Kennedy Airport.

"Further, let me assure you that the truculent manner of one of the agents, who neither showed me a badge, nor offered any explanation for his coming along except the words, 'Let's have your passport,' was to say the very least, objectionable.

"This same agent asked me innumerable questions as to the length of my stay abroad, the frequency of trips, what manner of

transportation I had used, and why I went abroad at all, since I was a naturalized citizen. He also asked me for whom I worked and whether the trip had been expensive.

"During this time, the agent who had shown me a badge searched me and my clothing thoroughly, asking me, before examining each additional article, whether I was sure I had nothing to declare. At the end of his search, he assisted me in gathering my belongings, and even reminded me of a book I was about to forget.

"The other one, in the meantime, slid my passport across the table, saying, 'I'm finished, you can go,' and preceded me out of the room.

"Perhaps this sort of double vigilance is necessary, but I fail to see what my status had to do with my traveling, any more than I can divine the reasons for being asked questions that he saw plainly before him in an official document—my passport. He certainly offered no reasons.

"Let me also tell you that this is not the only instance of this sort of treatment occurring at Kennedy, as a woman from Colombia told me of a somewhat similar experience on her entry into the United States.

"Granted that New York customs men are the most unenviable of those at all the ports of entry in the United States, a timely reminder that the taxpayers are paying them, and not the other way around, might improve their surly manners before the influx of tourists from abroad, which the Government hopes will materialize, can experience this sort of contact with American officials."

RICHARD M. KRAEMER.

BALTIMORE, CONN.

#### ARMY AWARD FOR ELDON E. HAZLET

Mr. DOUGLAS. Mr. President, I am proud to bring to the attention of the Senate the fact that the Department of the Army has presented to Eldon E. Hazlet a special certificate of appreciation for patriotic civilian service.

Eldon Hazlet is president of the Kaskaskia Valley Association, in southern Illinois; and he has devoted many years of his time to the development of the entire Kaskaskia River Valley. He has been one of the guiding forces behind the creation and development of the Shelbyville Reservoir and the Carlyle Reservoir; and without his services, these projects would not have progressed as far as they have toward eventual completion, for the benefit of the entire State of Illinois, as well as the Nation. In my dealings with Eldon, I have always found his homework completed before he would come to Washington; and, when he did come, he knew exactly what assistance was needed, and when it should be given. It has been my pleasure, in the past, and I know it will be in the future, to know him personally and to work with him on the many projects in the Kaskaskia Valley. I join the Department of the Army and his many friends and associates in congratulating him.

#### THE PRESIDENT'S DECISION TO RESUME U.S. FOOD AID TO EGYPT

Mr. HARRIS. Mr. President, I was displeased and sorry to learn, today, that President Johnson has decided to complete the \$37 million remaining Public Law 480 surplus food sales to the United

Arab Republic, under the 1962 agreement.

This action totally ignores the fact that the Senate adopted, by an overwhelming vote of 73 to 13, my amendment to cut off such aid to the United Arab Republic and Indonesia "so long as they continue to commit aggression."

But, more than that, the Presidential action at this time seems especially inappropriate while the State Department is investigating—as I called to the attention of the Senate last week—violations of the 1962 agreement by the United Arab Republic.

This morning there was published in the Washington Post an article by the Associated Press, headlined "U.S. Food Aid to Egypt Is Ordered Resumed." I ask unanimous consent that the article be printed at this point in the RECORD.

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

[From the Washington Post, June 23, 1965]  
U.S. FOOD AID TO EGYPT IS ORDERED RESUMED

President Johnson has approved the shipment of \$37 million worth of surplus food to Egypt, ending a 6-month-old suspension of food aid which resulted from a series of United States-Egyptian disputes.

A State Department spokesman, questioned about the President's decision, said last night:

"There has been a definite improvement in our relations with the United Arab Republic (Egypt) since aid was suspended 6 months ago."

Officials said that in mid-April the United Arab Republic stopped giving assistance to Communist-backed rebels in the Congo. The delivery of aid to the rebels was one of the reasons for friction with the United States at the end of last year.

Officials said they had also noted recent statements and actions by the Egyptian Government which seemed designed to avoid adding to tensions in the Arab-Israeli dispute.

A statement issued by the State Department announcing Mr. Johnson's decision said in part:

"The President has determined that it is in U.S. interest to fulfill remaining commitments under Public Law 480 entered into with the United Arab Republic in October 1962 and which ends June 30, 1965.

"Accordingly the Department of Agriculture is proceeding with the issuance of purchase authorizations totaling approximately \$37 million.

"In connection with the agreement the United Arab Republic Government has undertaken to enter into discussions with us on any outstanding differences and to resolve these to our mutual satisfaction."

The only specific difference for a discussion which was identified by State Department officials is one involving an Egyptian agreement with the United States, linked to the aid program, to control exports of Egyptian rice according to a quota system.

The State Department about a week ago confirmed reports that United Arab Republic rice shipments, presumably in excess of the quota, had gone to Communist China and Cuba. This situation is under discussion between Cairo and Washington now, officials said.

Mr. HARRIS. Mr. President, I call attention to the fact that the very article which reports the resumption of such food aid also repeats the report that the State Department is still discussing with Egypt the latter's violation of the very

agreement the President has decided to carry out on our side.

While receiving our wheat, the United Arab Republic has been making shipments of its own rice to Communist countries, including China and Cuba, against which the United States has embargoes.

Our wheat shipments to Nasser have freed his rice for sale to Communist countries, and have allowed him to improve his foreign-exchange position and to finance his aggressions.

I am deeply disturbed by this action; and, because of it, I am even more emphatically in favor of my amendment which has been adopted by the Senate. I certainly hope the conference committee will not allow this amendment to be deleted or weakened.

#### EXPANSION AND ACCELERATION OF THE U.S. MILITARY SPACE PROGRAM

Mr. DODD. Mr. President, I wish to call attention to the magnificent achievement of the U.S. Air Force in launching last Friday the Titan III-C missile, the most powerful rocket ever fired. That Titan III-C rocket developed 2.65 millions pounds of thrust and orbited a 21,000 pound satellite—the heaviest payload ever launched.

The success of the Air Force Titan III-C project conclusively demonstrates that we now have the technology at hand to develop the space weapons systems which will soon be necessary to insure our national defense and the freedom of space for peaceful pursuits. I urge that the U.S. military space effort be expanded and accelerated to meet the certain threat of Communist military domination of space.

Let no one delude himself that the Soviet Union will follow our example if the United States abstains from fully developing a defense capability in space.

Yet we hear again the old arguments that our enemies will not exploit this new aspect of military technology if we neglect it.

We heard those arguments against our development of the hydrogen bomb, yet we perfected that weapon only months before the Russians did.

We heard those same arguments against resuming atmospheric nuclear testing in 1962, only to awaken one morning to the news that the Russians had begun an entire series of atmospheric tests of nuclear weapons of enormous and unprecedented size.

Are we to be duped again by such wishful thinking?

Will we merely stand by and watch the Russians develop and orbit any of the many space weapons of offense and defense which military experts warn us can be produced and not develop adequate defenses of our own?

For more than 3 years now I, together with a number of my colleagues, have been urging a more rapid and a larger military space program.

But the amounts requested each year for this most critical aspect of our defense are seriously deficient by any standard.

I am aware that the defenders of the pace and the size of our present military space effort argue that there is no military mission in space which the United States is not pursuing.

But the real issue is how fast we are pursuing our entire military space program. Will not a higher level of funding, will not a greater allocation of resources and energy provide a faster and fuller development of a greater number of space defense concepts, techniques, vehicles, and weapons?

Mr. President, I ask unanimous consent to have inserted in the RECORD at the close of my remarks two newspaper articles which describe the scope of the achievement and the degree of frustration which the Air Force has encountered in pursuing military missions in space.

I am not satisfied with the progress, the funding level, or the zeal with which our military space program has been pursued.

I urge all Senators to give renewed and careful scrutiny to the necessity of having a fully effective space defense program and to the necessity of funding and prosecuting that program at the maximum possible pace.

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

[From the Washington Star, June 19, 1965]

#### TITAN AN AIR FORCE TRIUMPH

(By William Hines)

CAPE KENNEDY, FLA.—The sweet smell of success was especially strong in the nostrils of Air Force officers today, following the maiden flight of a big military space booster called Titan III-C.

For about 5 years now, ever since military men in civilian clothing started flying space missions, the Air Force has been upstaged by the newer and even more flamboyant National Aeronautics and Space Administration. Yesterday the tables were turned, and the men responsible for the reversal reacted with satisfaction and glee.

Case-hardened bird watchers of the self-styled "rocket press crops" thought they were prepared for what the Air Force had to show them, but even the most blasé were in for a surprise. This reporter, who has seen something like a hundred missiles struggle off the pad, had never beheld the like of Titan III-C before, and neither had anyone else.

The Titan III-C launching was more than just a staggering space spectacular, however, it was visible proof of a number of adages, including:

"You can't keep a good man down," and "Truth, crushed to earth will rise again."

From 1958 to 1965, NASA's star was definitely in the ascendancy with no really serious competition from the Air Force in the heavy-glamour end of space. As big new projects unfolded, NASA called the tune—even, sometimes, paying the piper with Air Force money.

The Air Force was frozen out of manned space with the termination of its Dynasoar program, which would have put a heavy, awkward and ineffectual winged vehicle into space. On balance, this freeze-out was probably a good thing, but it was made under circumstances that suggested that no matter what the Air Force might come up with later, the answer would be no.

But, like Robert Bruce and the spider (or Billy Mitchell and the battleship), the Air Force kept on trying. It had many things going against it—one being verbiage in the

1958 space act which suggested that military people had no business in space.

About the only thing the Air Force had going for it was the incredible morale and dedication of a small group of generals and colonels and the drive of an imaginative and hungry segment of the aerospace industry.

The officers and industrialists Scotch-taped something together over a period of 2½ years and flew it yesterday with complete success. That is proof of the first adage: You can't keep a good man down.

The other adage—Truth, crushed to earth, will rise again—got its proof in the firing of Titan III-C's big twin solid booster rockets. Before yesterday, the biggest solid rocket that had ever flown was the first stage of Minuteman, which weighs in at about 25,000 pounds (weight, not thrust).

Each of the two outriggers is 20 times as heavy. That two such monsters could be built to such high standards that they would fire simultaneously and produce identical thrusts for identical periods of time was one of the big surprises yesterday.

It was not a surprise to such members of the team as Col. Harold W. Robbins or Dr. Barnet Adelman or Eugene Roberts. Robbins has been doing missionary work on solid rockets for many years, and as long ago as 1959 told this reporter he would stake his professional reputation on the feasibility of large solid-fueled rockets. Few people in NASA bothered to listen.

The men at the National Technology Center in Sunnyvale, Calif., translated Robbins' conviction into reality. The performance of Titan III-C's zero stage, as the solid-fueled tandem is called, is a clear challenge now to NASA to give the solid end of rocket technology the fighting chance it has been begging for.

That chance was promised in the late President Kennedy's message on urgent national needs, with which he kicked off the moon program in May, 1961. Kennedy said parallel development paths between big liquid rockets and big solid rockets would be followed until it could clearly determine which was the better way to go.

Few top-level policy pronouncements have ever been ignored so blithely. Clusters of big liquid fueled rockets were NASA's choice before the 1961 message, and since NASA was in charge of funding and judging the competition, there never was a sincere effort to assess relative merits.

Now, by blending an ignored technology with a medium-sized weapons system, the Air Force has come up with something for NASA to reckon with. It is the Air Force position—which NASA will now be forced to try to disprove—that anything Saturn I-B can do, Titan III-C can do better.

The Air Force, for its part, must now try to prove Titan III-C's reliability over the long haul, for assuredly one rocket launching does not make a technological revolution. Brig. Gen. Joseph S. Bleymaier Jr., head of the Titan III-C program, said it is his goal to make every one of the 12 shots in the Titan III-C development series a 100-percent success.

Equally important with reliability is cost. Bleymaier says the Titan III-C can be produced in quantity for \$12.8 million, or just a little more than half the \$22 million it is estimated NASA's Saturn I-B will cost. Titan III-C's \$800 million development cost is but a fraction of what NASA will have spent to get the first Saturn I-B off the ground.

The Air Force, which has been eating crow for so long, is sure there are brighter days ahead.

That's why the smoky cloud from pad 40 smelled so sweet in the nostrils of Titan III-C's sponsors in the heady moments after liftoff yesterday.

[From the Washington (D.C.) Post,  
June 19, 1965]

#### AIR FORCE TITAN ORBITS HEAVIEST PAYLOAD EVER

(By Howard Benedict)

CAPE KENNEDY, Fla., June 18.—A mighty Titan III-C, the most powerful rocket ever fired, scored a thundering success on its maiden test flight today and signaled the Air Force to proceed with plans to establish a military beachhead in space.

The huge triple-barrel rocket developed total thrust of more than 3 million pounds, spewed a tall of flame more than 600 feet long and flung into orbit a 21,000-pound dummy satellite—the heaviest payload ever launched.

This orbiting chunk of lead is the forerunner of manned and unmanned military machines that will patrol and perhaps dominate space, preventing other nations from using it for warlike purposes.

Maj. Gen. Ben I. Funk, commander of the Air Force Space Systems Division, said the flight represented "a great day for the Nation, the Defense Department, and the Air Force."

"The success with a combination of solid and liquid fuel rockets," he said, "demonstrates the flexibility of the booster for military as well as other payloads. I feel it will be the catalyst which will kick off many programs which the Air Force has been working on and you have been reading about. The manned orbiting laboratory should get the green light in short order."

Within a few days, the Defense Department is expected to give the Air Force the go-ahead to develop the manned laboratory, which has been under study for several months.

The lab, which will be the size of a house trailer, will keep two or more astronauts in orbit for a month or more to determine what military missions man can effectively perform in space.

Within 3 years, Titan III-C rockets are expected to establish these unmanned space systems: a network of 24 communications satellites for swiftly relaying military messages around the world; reconnaissance, navigation, and satellite interceptor payloads.

With its weight-lifting capability, Titan III-C also will be used for scientific payloads. One project under consideration is to send a package of nine payloads to the moon with a single rocket to determine strength of the lunar surface.

The Titan III-C actually is three rockets strapped together. Two solid fuel motors ignited on lift off and generated 2.65 million pounds of thrust to propel the vehicle to an altitude of 24 miles. Then the 127-foot liquid fuel central chamber fired with a 474,000-pound thrust burst. Second and third stages of the center segment ignited with precision and hurled the lead satellite into orbit 115 miles high.

The Titan success and followup shots may fan into flame a smoldering controversy between the Air Force backer of the Titan, and the National Aeronautics and Space Administration. NASA is putting all its bets on the liquid-fueled Saturn rocket, still in the development stage, as the all-purpose booster for major space missions.

#### ILLEGAL DIVERSION OF GRAIN SHIPMENTS INTENDED FOR AUSTRIA

Mr. WILLIAMS of Delaware. Mr. President, on July 16, 1963, as appearing in the CONGRESSIONAL RECORD, volume 109, part 10, pages 12657 to 12666, I made the charge that out of total shipments of approximately 40 million bushels of grain to Austria, at a reduced price under

our aid program, over 24 million bushels had been illegally diverted and sold in Western Europe at the higher world price. Part of this illegally diverted grain ultimately went behind the Iron Curtain.

After my remarks, the Department belittled my charges, and indicated that it had no knowledge of any illegal transactions.

I insisted that 24 million bushels of grain could not have disappeared without someone's having some knowledge of it.

Since that statement, the investigation has continued; and, last week, one company and its principal officer were convicted; and, 1 day later, the Government filed against 23 concerns charges for having diverted \$13.7 million worth of grains that had been allocated to Austria.

In its suit, the Government is seeking damages and penalties of about \$3 million, plus interest, against the various companies charged with participation in this illegal diversion.

This action completely refutes the claim of the Department of Agriculture that the Government lost no money on this illegal transaction. Certainly the Government lost; that is the basis of its \$3 million suit.

I ask unanimous consent to have incorporated in the RECORD two articles, from the Wall Street Journal of June 16 and June 17 respectively, entitled "New Orleans Grain Exporter Pleads Guilty of Fraud in \$6 Million Shipment for Austria" and "Government Charges 23 Concerns Diverted \$13.7 Million of Grains Aimed for Austria."

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

[From the Wall Street Journal, June 16, 1965]  
NEW ORLEANS GRAIN EXPORTER PLEADS GUILTY OF FRAUD IN \$6 MILLION SHIPMENT FOR AUSTRIA

NEW YORK.—A New Orleans grain exporter C. B. Fox Co., pleaded guilty in Federal district court here of defrauding the Government by diverting about \$6 million of surplus feed grains that were supposed to be shipped to Austria.

Judge John M. Cannella fined the concern and its senior partner, Willoughby Baresford Fox, \$10,000 each, the maximum fine. Mr. Fox, who pleaded no contest to the charge, also had faced a possible 5-year prison term, but Judge Cannella didn't impose a jail sentence.

A Government attorney indicated the charges against another partner, Richard Brooke Fox, eventually will be dropped. "These pleas (by the concern and its senior partner) will be accepted by the Government to cover the entire indictment with regard to the American defendants," said Bernard Nussbaum, assistant U.S. attorney.

Three European companies and two foreign citizens also were named in the May 13 Federal grand jury indictment against the New Orleans concern. Ameropa, A. G., and Vigor, A. G., of Switzerland and their manager Felix Zivy, and Prohaska & Cie of Austria and its manager, Walter Prukhart, haven't yet pleaded to the charges against them, Mr. Nussbaum said.

The Government charged that C. B. Fox received 128,605 metric tons of feed grains under the Federal barter program, on the condition it be shipped to Austria. But the grain instead was shipped to other European

countries where prices were higher, and the defendants conspired to falsify documents which indicated the grain arrived in Austria, Mr. Nussbaum said.

Records of Fox and most other U.S. grain exporting companies were subpoenaed a year ago by the Federal grand jury investigating alleged diversion of 568,428 metric tons of feed grains worth about \$30 million. The grand jury hasn't yet been dismissed, leaving open the possibility of more indictments, Mr. Nussbaum said.

[From the Wall Street Journal, June 17, 1965]

#### GOVERNMENT CHARGES 23 CONCERNS DIVERTED \$13.7 MILLION OF GRAINS AIMED FOR AUSTRIA

NEW YORK.—The Government charged 23 concerns with illegally diverting to unauthorized destinations more than \$13.7 million of Government surplus farm commodities that should have been shipped to Austria.

The Government is seeking damages and penalties of about \$3 million plus interest in the civil suit filed in Federal district court in New York.

Three of the defendants were accused of presenting fraudulent proof of shipment to Austria. Many of the commodities, mainly feed grains, were exported to East Germany and Czechoslovakia, the Government charged.

The commodities involved were obtained through the U.S. barter program, under which the concerns agreed to sell to the Government strategic minerals and other materials in exchange for the surplus farm goods. Under this program, the barter contractors agreed to ship the agricultural commodities to Austria, which is one nation designated as an eligible recipient in the barter plan.

The barter contracts provide that if the commodities aren't shipped to the proper destination, the contractor shall pay the Government damages of 7½ percent of the value of the diverted goods.

Each of the barter contracting companies, the suit said, authorized and designated an agent to receive the commodities from the Government's Commodity Credit Corporation on the company's behalf and to export and deliver the goods in accordance with the contracts.

#### ALLEGATIONS OUTLINED

The Government outlined the alleged violations in three separate causes of action in the suit.

In the first, 21 concerns were accused of diverting 298,736.93 metric tons of commodities to unauthorized destinations. The damages asked for the alleged violation total \$1,035,634.

The second alleges that eight of the barter contracting companies shipped 20,433.64 metric tons of staples to East Germany and Czechoslovakia, without obtaining a license from the Department of Commerce, as required by law. The Government claims the action of these eight concerns resulted in damages of \$243,080.

The third section charges three companies with making "false and untrue" representations to the Government in attempts to prove the commodities were shipped to the proper point. Damages totaled \$773,072, but the Government asked for double damages, or \$546,145, plus penalties. The penalties would amount to \$158,000, Arthur S. Olick, assistant U.S. Attorney, said.

#### COMPANIES ARE LISTED

The 21 concerns charged with diverting commodities to unspecified unauthorized destinations, and the amount of damages sought by the Government, are:

American Metal Climax Corp., \$10,895.63; Associated Commodity Corp., \$15,000; Associated Metals & Minerals Corp., \$32,593.37; Ayrton Metal & Ore Corp., \$8,701.17; Calabrian Co., \$132,982.73; Ferro Metal & Chemical Corp., \$2,285.31; M. Golodetz & Co., \$155,046.45; Greg-Gary Corp., \$14,061.48; Huxley-

Westfried Corp., \$34,622.13; International Bartering Corp., \$64,734.83; Leyless Metal & Chemical Corp., \$31,170.39; Lieber & Solow, Inc., \$5,590.17; Mercantile Metal & Ore Corp., \$53,613.15; Minerals & Chemicals Philipp Corp., \$214,495.57; Overseas Metals & Ore Corp., \$28,497.18; Henri Polak, \$19,438.93; Primary Metal & Mineral Corp., \$41,598.26; Leon Tempelsman & Co., \$33,238.22; C. Tennant & Sons of New York, \$45,751.66; Van Itaille Corp., \$47,721.61; and Harry Winston, Inc., \$43,596.63.

The eight concerns charged with diverting commodities to East Germany and Czechoslovakia without obtaining Commerce Department licenses, and the amount of damages claimed:

Associated Metals & Minerals Corp., \$57,204.10; Ayrton Metal & Ore Corp., \$13,419.62; M. Golodetz & Co., \$59,115.25; International Bartering Corp., \$31,268.28; Mercantile Metal & Ore Corp., \$13,728.03; Minerals & Chemicals Philipp Corp., \$44,356.20; Overseas Metal & Ore Corp., \$12,949.22; and Leyless Metal & Chemical Corp., \$11,039.71.

The three concerns that allegedly diverted commodities to ineligible foreign countries and allegedly submitted to the Government falsified proof of shipment to Austria, and the single damages claimed, are:

Louis Dreyfus Corp., \$611,424.99; International Bartering Corp., \$115,763.65, and Sinason-Teicher Inter American Corp., \$45,823.86. The suit asks that each of the three defendants be ordered to pay double these damages, or single damages plus "such other further relief as the court may deem just and proper." The penalties claimed against Louis Dreyfus Corp. total \$132,000; against International Bartering \$24,000, and against Sinason-Teicher \$2,000.

#### ON HEELS OF SENTENCING

The suit came on the heels of the sentencing of C. B. Fox Co., New Orleans, in Federal court in New York on criminal charges of diverting feed grains that should have been sent to Austria. The concern pleaded guilty, and its senior partner, Willoughby Baresford Fox, pleaded no contest; each was fined \$10,000.

An official of the Federal district court in New Orleans said yesterday a civil suit similar to the New York suit against the 23 companies was filed against C. B. Fox Co. Also named as defendants were Willoughby B. Fox, W. Brooke Fox and Richard B. Fox.

A statement issued by American Metal Climax last night said the company "doesn't expect to ultimately pay damages as a result of this action, even if a diversion is found to have taken place." The concern explained that under the terms of its contract with the broker that acted for American Metal Climax as agent, "the responsibility lies with the broker." The statement said, "American Metal presently has no knowledge whether the grain was in fact improperly diverted."

#### AID FOR THE NEW HAVEN RAILROAD

Mr. JAVITS. Mr. President, we have just been advised that a demonstration grant of \$3 million has been approved under the Mass Transit Act by the Housing and Home Finance Agency. The grant will assist the States of New York and Connecticut to work out a long-range solution to maintain commuter services on the New Haven Railroad. I point out however, that this is but temporary assistance, that the approach to a meaningful solution to the New Haven Railroad's problems must ensure that the States and the Federal Government join together to ensure the operation of this commuter railroad.

The States of New York and Connecticut are ready to do their part. I hope very much that this present announcement represents the opening in which it will be indicated that the Federal Government will do its part.

The demonstration project granted calls for first, developing an appropriate combination of private and public responsibilities for future operation of the New Haven commuter service; second, carrying out a series of studies to develop facts on which to base a workable decision, including costs and benefits, capital needs, traffic potential, fare structure, possible technical innovations, and the most desirable pattern of service and operations; and third, development and implementation of long-term managerial, legal, and financial arrangements necessary for continuing and improving the west end service in the future.

I still believe a long term solution requires the establishment of an interstate rail agency such as incorporated in S. 1234 which I introduced together with Congressman REID of New York on February 23.

I ask unanimous consent that an editorial in today's New York Times supporting this principle and the text of S. 1234 be printed in the RECORD at this point in my remarks.

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

#### THE NEW HAVEN'S COMMUTERS

Now that the \$3 million Federal grant essential to maintaining the New Haven Railroad's commuter service into New York for the next 18 months seems assured, some of the longer range problems require urgent attention. The engineering study just released by the New Haven Commuter Study Group, Inc., indicates that some drastic cuts will be required to keep it going without continuing subsidy.

An engineering firm of high standing concludes after a survey that commuter service can be maintained between Westport and New York with better than break-even results provided that: The number of stations can be reduced from 40 to 18; the track mileage can be reduced from 272 to 100; all passenger service on the Danbury branch can be abandoned; train crews can be reduced from a maximum of seven men to a maximum of four; and \$31 million can be expended in a modernization program. These provisions bring up all kinds of fresh problems in the fields of legislation, labor relations and public relations. They would undoubtedly provoke indignant outcries from the patrons of the stations that would be closed, and from the railroad unions.

Nevertheless William J. Ronan, newly appointed chairman of the Metropolitan Commuter Transportation Authority, considers the study a substantial contribution toward the permanent solution of the New Haven commuter problem. Since the MCTA and the Connecticut Transportation Agency have been jointly charged by Governors Rockefeller and Dempsey with working out the permanent solution, this is significant of the line they are likely to take. Currently they are exploring the possibility of having the New York Central manage the New Haven commuter operation on a fee basis.

There can be little doubt that the 28,000 commuters from Westchester and Fairfield Counties on the New Haven are going to have to accept some reduction in service as the price of keeping it in operation. This is one

of the results of the piecemeal way in which the attempts have been made to solve commuter problems. There will never be a really satisfactory solution until New York, New Jersey, and Connecticut establish a tristate agency, with Federal financial support, to coordinate all the commuter railroads of the metropolitan area and integrate them with the city's subway system.

S. 1234

A bill to encourage the preservation and development of a modern and efficient passenger rail transportation service in the northeastern seaboard area by granting the consent and approval of Congress to the States of New York and Connecticut to negotiate and enter into a compact to create their own New York-Connecticut Rail Authority, and by guaranteeing certain bonds of, and furnishing certain assistance to, such authority.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

TITLE I—SHORT TITLE AND STATEMENT OF FINDINGS AND DECLARATION OF POLICY

*Short title*

SEC. 101. This Act may be cited as the "New York-Connecticut Rail Authority Act of 1965".

*Statement of findings and declaration of policy*

SEC. 102. The Congress finds that it is necessary to the national defense and to the general welfare of the Nation as well as that of the area involved that passenger and commuter-rail transportation be preserved and properly maintained within the northeastern seaboard area. The Congress therefore declares that it is the continuing policy and responsibility of the Federal Government to encourage the State governments to enter into a compact to create their own New York-Connecticut Rail Authority to own, or lease, and operate such a system.

TITLE II—NEW YORK-CONNECTICUT RAIL AUTHORITY COMPACT

*Consent and approval of compact*

SEC. 201. The consent and approval of Congress is hereby given to the States of New York and Connecticut to negotiate and enter into the New York-Connecticut rail authority compact for the purpose of creating a New York-Connecticut Rail Authority to own, or lease, and operate a passenger or commuter-rail transportation system within such States. Such compact shall be as follows:

"NEW YORK-CONNECTICUT RAIL AUTHORITY COMPACT

"The States of New York and Connecticut hereinafter collectively referred to as signatories, any one of them being referred to as a signatory, do hereby covenant and agree as follows:

*"Article I*

"There is hereby created the New York-Connecticut Rail District, hereinafter referred to as the 'District', which shall embrace the States of New York and Connecticut.

*"Article II*

"The signatories hereby create the New York-Connecticut Rail Authority, hereinafter referred to as the 'Authority', which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers and duties as may be conferred upon it by the legislatures of the signatories and concurred in and approved by the Congress. The Authority shall have the power to own, or lease, and operate a passenger rail transportation system within the District.

*"Article III*

"1. The Authority shall consist of four Commissioners, two each to be appointed by the Governors of New York and Connecticut. Each Commissioner so appointed shall serve for a term of four years.

"2. The Authority shall have a Federal representative, if such a representative is appointed by the Secretary of Commerce pursuant to title II of the New York-Connecticut Rail Authority Act of 1965. The function of such representative shall be (a) to have the authority to veto any matter relating to the issue and sale of bonds or other indebtedness guaranteed by the Federal Government pursuant to such title III, and (b) to report to the Secretary of Commerce with respect to the activities of the Authority.

"3. No Commissioner shall have financial interest in any corporation or other entity engaged in the business of providing public passenger transportation within the District or engaged in the manufacture or selling of passenger transportation facilities.

"4. The Authority shall annually elect a chairman from its commissioners and may appoint such other officers as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

"5. Each Commissioner shall receive basic compensation at the rate of \$100 per diem, to be paid by the Authority as current expenses. Commissioners shall be reimbursed for actual expenses, including traveling and subsistence expenses incurred by them in the performance of their duties.

"6. The Authority shall appoint an Executive Director, who shall be responsible for the day-to-day management of the operations conducted by the Authority. The Executive Director shall receive compensation at the rate established by the Authority.

"7. In addition, the Authority may employ such engineering, technical, legal, clerical, and other personnel on a regular, part-time, or consulting basis as in its judgment may be necessary for the discharge of its functions. The Authority shall not be bound by any statute or regulation of any signatory in the employment or discharge of any officer or employee, except as may be contained in this compact.

*"Article IV*

"No action may be taken by the Authority unless a majority or more, as may be provided in this compact, of the Commissioners concur therein, but nothing in this Article shall be construed to limit in any respect the power of the Authority to delegate to its officers and employees the administration of such matters as it deems advisable. Three Commissioners shall constitute a quorum of the Authority.

*"Article V*

"Except as otherwise specifically provided in this compact, the Authority shall have power to:

"(1) adopt, alter, and use a corporate seal, and such seal shall be judicially noticed;

"(2) adopt, amend, and repeal by-laws, rules, and regulations;

"(3) sue and be sued in its corporate name in any court of competent jurisdiction;

"(4) make contracts, as authorized in this compact;

"(5) accept gifts or donations of property;

"(6) acquire by purchase, lease, condemnation, or in other lawful manner, any property whether real, personal, or mixed, tangible or intangible, and any interest therein; hold, maintain, use, and operate such property; sell, lease or otherwise dispose of the same at such time, in such manner, and to the extent deemed necessary or appropriate to carry out its functions;

"(7) operate all facilities acquired or constructed by it or enter into agreements with railroad corporations, government agencies and public bodies or other persons for the

operation of its facilities, the use of its operating rights, its equipment or the provision of passenger transportation services making use of other facilities and operating rights;

"(8) determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid;

"(9) set fares, tariffs, and other rates and charges to the public for the services rendered by its facilities;

"(10) execute, in accordance with its by-laws, rules or regulations all instruments necessary or appropriate in the exercise of any of its powers;

"(11) settle and adjust claims held by it against other persons or parties and by other persons or parties against it;

"(12) take such actions as may be necessary or appropriate to carry out the powers and duties specifically conferred upon it by this compact; and

"(13) apply for and be eligible for Federal, State or other governmental assistance.

*"Article VI*

"Insofar as possible the fares, tariffs, and other rates and charges to the public set by the Authority for the services rendered by its facilities shall be established at such levels that the revenues of the Authority may be reasonably expected to cover all costs of operating and maintaining the facilities under the administration of the Authority, including depreciation and payment of interest on its obligations. The Authority is not required, however, to operate any particular portion of its facilities without loss, but may set fares, tariffs or other rates and charges on the basis of all of its facilities considered as a whole. When, in the opinion of the Authority, it is in the best interest of the Authority not to charge fares, tariffs, or other rates and charges for a particular facility, it shall not be required to levy such charge. The Authority may enter into agreements with railroad corporations, government agencies or other persons or entities for the establishment of combination fares.

*"Article VII*

"1. The Authority shall annually submit to each of the signatories a budget for operating the Authority for the next ensuing year which shall include information concerning any amount by which costs of operations as conducted by the Authority are in excess of the revenues from such operations. To determine the proper allocation of any such amounts the Authority shall establish a formula for determining the portions of the signatories' share of any such amounts to be borne by each of the signatories. Such formula shall be consistent with the Constitution and laws of the individual signatories, and shall be established only by unanimous consent of the commissioners. Upon allocating in accordance with such formula the portions of any such amounts to be borne by the signatories, the Authority shall immediately notify the chief executive of each signatory as to the share which deems to be payable by such signatory under such formula. Such notice shall be submitted by the chief executive to the legislature of the signatory for its consideration and appropriate action. For the purpose of this article the 'signatories' share of any such amount shall be the portion of any such amount in excess of the Federal share of such amount as established pursuant to section 307 of the New York-Connecticut Rail Authority Act of 1965.

"2. At such time as the revenues per annum of the Authority may exceed the costs (including payment of indebtedness) per annum of the Authority, the Commissioners at their discretion may make payments to the Federal Government and the signatories in reimbursement of amounts paid to the Authority to cover deficits. Such

reimbursement shall be made at a prudent rate and in the same ratio as deficits were borne by the various signatories and the Federal Government.

"3. The Authority shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by such representatives of the respective signatories as may be duly constituted for that purpose.

*"Article VIII*

"1. The Authority is authorized to issue and sell bonds, notes, and other evidences of indebtedness, hereinafter collectively referred to as "bonds", in an amount not exceeding \$500,000,000 outstanding at any time to assist in financing its operations pursuant to the powers granted by this compact. The Authority is authorized to enter into binding covenants with the holders of bonds, and with the trustee, if any, under any indenture, resolution, or other agreement entered into in connection with the issuance thereof.

"2. Bonds issued by the Authority shall be negotiable instruments unless otherwise specified therein, shall be in such forms and denominations, shall be sold at such times and in such amounts, shall mature at such time or times, shall be sold at such prices, shall bear such rates of interest, may be redeemable before maturity at the option of the Authority in such manner and at such times and redemption premiums, may be entitled to such relative priorities with respect to principal and interest payments, and shall be subject to such other terms and conditions, as the Authority may determine.

"3. Bonds issued by the Authority pursuant to this compact shall be legal investments under the laws of each of the signatories for all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and such persons and entities may properly and legally invest any funds, including capital, within their control; and said bonds shall be securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose which the deposit of bonds or other obligations of the signatories are now or may hereafter be authorized.

"4. The bonds shall at all times be free from taxation by any signatory. The Authority shall be regarded as the instrumentality of the several signatories for the purpose of operating and developing passenger rail transportation and effectuating the pledge of the signatories in this compact, but it shall have no power to pledge the credit of any signatory or to impose any obligation upon any signatory, except as expressly provided in this compact.

"5. Bonds issued by the Authority may be guaranteed by the signatories or by the Federal Government pursuant to title III of the New York-Connecticut Rail Authority Act of 1965, or by the signatories and the Federal Government.

*"Article IX*

"The Authority is authorized to make payments to State and local governments in lieu of property taxes upon property within the District which was subject to State and local taxation before acquisition by the Authority, except that such payments will not be required in years when the annual budget as submitted to the signatories indicates that revenues will be less than expenses. Such payments shall be in the amounts, at the times, and upon such terms as the Authority in its discretion determines to be appropriate. No payment shall be made in excess

of the taxes which would have been payable for such property except where special burdens are placed upon the State or local government by the activities of the Authority or its agents.

*"Article X*

"In the acquisition of any transportation facilities in the District the Authority shall make arrangements to protect the interests of employees affected by such acquisition. Such arrangements shall include, without being limited to, such provisions as may be necessary for (a) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (b) the continuation of collective bargaining rights; (c) the protection of individual employees against a worsening of their positions with respect to their employment; (d) assurances of employment to employees of acquired railroad companies and priority of reemployment of employees terminated or laid off; (e) necessary moving expenses, and (f) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of the Act of February 4, 1887 (24 Stat. 379), as amended. The contract for the granting of any such assistance shall specify the terms and conditions of the protective arrangements.

*"Article XI*

"This compact shall become effective ninety (90) days after the date of adoption thereof by the last signatory to adopt such compact.

*"Article XII*

"This compact may be amended from time to time with the consent of all of the signatories and the Congress of the United States.

*"Article XIII*

"Each of the signatories pledges to each of the other signatories faithful cooperation in the promotion of passenger rail transportation within the District and, in furtherance thereof, agrees to enact any necessary legislation to achieve the objectives of this compact.

*"Article XIV*

"1. If any part or provision of this compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances and the signatories hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

"2. In accordance with the ordinary rules for construction of interstate compacts, this compact shall be liberally construed to eliminate the evils described therein and to effectuate the purposes thereof.

*"Article XV*

"Other States may join this compact on the same terms and under the same obligations as set forth in the preceding articles of this compact with the consent of all of the signatories and the Congress of the United States."

**TITLE III—FEDERAL BOND GUARANTY AND OTHER ASSISTANCE**

*Definitions*

SEC. 301. For the purposes of this title—

(1) The term "Secretary" means the Secretary of Commerce.

(2) The term "Commission" means the Interstate Commerce Commission.

(3) The term "authority" means the New York-Connecticut Rail Authority established pursuant to the New York-Connecticut rail authority compact.

(4) The term "additions and betterments or other capital expenditures" means expenditures for the acquisition or construction of property used in transportation service, chargeable to the road, property, or equipment investment accounts, in the uniform system of accounts prescribed by the Commission.

(5) The term "expenditures for maintenance of property" means expenditures for labor, materials, and other costs incurred in maintaining, repairing, modernizing, or renewing equipment, road, or property used in transportation service chargeable to operating expenses in accordance with the uniform system of accounts prescribed by the Commission.

*Guarantee authority*

SEC. 302. (a) In order to carry out the purpose declared in section 201 of this Act, the Secretary may, after consultation with and consideration of the views and recommendations of the Commission and upon terms and conditions prescribed by him and consistent with the provisions of this title, guarantee any bonds (including other evidences of indebtedness) which are issued by the authority for the purpose of financing or refinancing (1) additions and betterments or other capital expenditures, or to reimburse the authority for expenditures made from its own funds for such additions and betterments or other capital expenditures, or (2) expenditures for the maintenance of property.

(b) The aggregate principal amount of all guarantees pursuant to this title shall not exceed \$500,000,000.

*Limitations*

SEC. 303. No guaranty shall be made pursuant to this title—

(1) if in the judgment of the Secretary the bonds involved are at a rate of interest which is unreasonably high; or

(2) if the terms of such bonds permit redemption more than fifteen years after the date thereof.

*Modification authority*

SEC. 304. The Secretary may consent to the modification of the provisions as to rate of interest, time of payment of interest or principal, security, if any, or other terms and conditions of any bonds which he has guaranteed pursuant to this title, or the renewal or extension of any such bonds, whenever the Secretary shall determine it to be equitable to do so.

*Payment on guaranty*

SEC. 305. (a) Any payment required to be made as a consequence of any guaranty pursuant to this title shall be made by the Secretary of the Treasury from funds hereby authorized to be appropriated in such amounts as may be necessary for the purpose of carrying out the provisions of this section.

(b) In the event of any default on any bonds guaranteed pursuant to this title, and payment in accordance with the guaranty by the United States, the Attorney General shall take such action as may be appropriate to recover the amount of such payment, with interest, from the authority.

*Guarantee fee*

SEC. 306. The Secretary shall prescribe and collect a guaranty fee in connection with any guaranty pursuant to this title. Such fees shall not exceed such amounts as the Secretary estimates to be necessary to cover the administrative costs of carrying out the provisions of this title. Sums realized from such fees shall be deposited in the Treasury as miscellaneous receipts.

*Federal share of the authority's operating costs in excess of revenues*

SEC. 307. (a) The Secretary shall pay to the authority for each year during which the cost of operations conducted by the authority exceeded revenues from such operations, an amount equal to 33 1/3 per centum of such excess. Such per centum shall be the Federal share of operation deficits incurred by the authority. Prior to making such payment, the Secretary shall receive from the authority a comprehensive plan and/or report as to the purposes for which this amount is to be expended.

(b) The Secretary is authorized to receive any reimbursement by the authority of amounts paid pursuant to this section and amounts received as such reimbursement shall be covered into the Treasury as miscellaneous receipts.

(c) There are authorized to be appropriated such amounts as may be necessary for payments pursuant to subsection (a).

*Federal representative on authority and other assistance for Secretary*

SEC. 308. (a) In order to more effectively carry out his functions pursuant to this title, the Secretary may appoint a Federal representative to the authority as authorized in article III of the New York-Connecticut rail authority compact.

(b) To permit the Secretary to make use of such other expert advice and services as he may require in carrying out the provisions of this title, he may use available services and facilities of other departments, agencies, and instrumentalities of the Government, with their consent and on a reimbursable basis where necessary.

(c) Departments, agencies, and instrumentalities of the Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

**"FROM LOFTY NONINVOLVEMENT TO TEMPTING POWER"—ADDRESS BY ADLAI E. STEVENSON**

Mr. RIBICOFF. Mr. President, last Thursday the Honorable Adlai E. Stevenson, U.S. Ambassador to the United Nations, addressed the annual commencement meeting of the Harvard Alumni Association, in Cambridge.

With wisdom that comes from experience and with the eloquence and the imagination for which he is known, Ambassador Stevenson described the posture and responsibilities of our Nation.

I ask unanimous consent that the text of his outstanding address, be printed at this point in the RECORD.

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

**STEVENSON TEXT: FROM LOFTY NONINVOLVEMENT TO TEMPTING POWER**

Goethe said there are many echoes in the world, but only a few voices.

These days everyone is voicing or echoing their views about Vietnam, the Dominican Republic, and student demonstrations and picketing.

I claim without shame that I am really a battle-scarred, if not scared veteran of the demonstrators and picketeers.

I've been picketed, applauded, and abused from right and left and center everywhere from Texas to Toronto for more years than I like to remember.

Indeed, my honorary degree should have a P.D.—a doctor of pickets.

I don't share the concern of some of my contemporaries about student demonstra-

tions. I like their involvement in great issues.

But if I could offer them one word of advice, I would say that to state goals is easy; to tell them how to get there is not so easy. A moral commitment is hardly meaningful without a practical hope of improving the human condition.

But now I must speak a bit, and you must listen. I hope we both finish our work at about the same time.

I will suggest how we might—I say "might" advisedly—get to some of our goals in the world.

Twenty years have passed since we made the last peace, exactly the same span of time from Versailles to Hitler's war. This is the sobering fact which today overshadows our troubled world.

Last time not all our good intentions, not all our last-minute efforts of improvisation, could stave off catastrophe.

Can we be sure that on this grim anniversary we may not be falling once again?

The question dwarfs all others, for in the nuclear age we have peace or we have nothing.

We know all about our errors in 1919. They were, simply, to repeat the policies of the last century—high moral tone and non-involvement.

**ISOLATION A CLOAK**

President Woodrow Wilson attempted through the League of Nations to bring our idealism down to earth in the first sketch of a functioning world society based on law, on self-determination, on the organized institutions of peace.

But this dive into reality was too much for us. We retreated to an old isolation and continued to mistake exhortation for power.

Could we have repeated this error in 1945? Perhaps, but in fact we were presented with the opposite temptation.

What a heyday of conquest we could have had—alone with the atom bomb, alone with a healthy economy in a shattered world, alone with our energy unleashed, unbroken by the ordeal of war.

But we are not conquerors. We are perhaps the most unwilling great power in history, and certainly no great power has been plunged so suddenly from the temptations of lofty noninvolvement to the opposite temptations of almost vital total power.

Yet we did not lose our idealism. We set up the United Nations on the basis of equality and self-determination, and have helped mightily to make it work ever since.

We have pressed for decolonization. We have offered to internationalize atomic energy. We have Europe the Marshall plan, first proposed from this platform. We preached the ideal of unity and federation of Europe.

**A HEADY DRAUGHT**

All of this was very far from selfish exercise of our power.

But of course it was power. The United States was dominant. The Western Alliance was guided by us. The United Nations majorities voted with us. The economic assistance was all from us. The Communists were largely contained by us.

It is a great record of magnanimous and responsible leadership.

But I suspect we became used to the idea that although nations were equal we were somehow a little more equal than anyone else. And of course for any nation this sense of leadership is very heady stuff.

I have myself said of flattery that "it is very fine provided that you don't inhale." The same is true of leadership. It's fine and we did inhale.

Today, however, we face entirely new conditions. Preponderant power is a thing of the past. Western Europe has recovered its economic strength and military potential.

Russia commands a vast war machine with a full nuclear arsenal. China adds incipient nuclear power to massive armies.

And both exploit the new techniques of covert aggression—the so-called wars of national liberation—which have nothing to do with nation or liberation—and can be stretched to cover any use of outside interference to remove any government, whatever its policies, that is anti-Communist or even non-Communist.

**IDEALISM BALKED**

Our idealism is frustrated too. The "third world" of post-colonial states seems to have much less stability and staying power than we expected. Just as Western colonialism ends, some of them seem ready to fight it all over again under the guise of neocolonialism.

Meanwhile, the new tactics of subversion, infiltration, deception, and confusion seem to be little understood, to say the least.

Even in Europe the partnership we looked for with a unified continent has been challenged and circumscribed by a reassertion of national power.

So we face a new situation—less manageable and less appealing. What do we do about it?

There are those who would bid us accept the inevitable. If Europe is strong enough to defend itself, let it do so. If China has recovered its ancient influence in Asia—so what—we can't stop it.

If weak developing nations want to try communism, let them learn the hard way, we've done the best we could with aid and advice.

In these arguments we can detect some of the old isolationist overtones and assumptions.

But in a world much less closely knit than this, isolation has not saved us from two global wars. It launched us into a worldwide depression. It saw the Far East all but devoured by a single military clique.

**WHERE CRY "HALT"?**

Would we now keep the peace by leaving the levers of power largely in the hands of vast imperial systems whose ideological aim is still to dominate the world? At what point should we cry halt, and probably confront a nuclear holocaust?

The isolationism was always too naive about power and about the pretensions of power. We must not make that mistake again.

But equally we must not make the opposite mistake and put too much faith in power.

We have among us advocates of much stronger action. For them, it is the idealism of America that is at fault. Get the allies back into line. Confront Russia over Berlin and Germany. Bomb China's nuclear capacity before it increases.

And back any anti-Communist government anywhere. Teach everyone they can't push us around.

But this won't work either. What power have we to coerce our friends in Europe?

What assurance have we that direct action against either Communist giant will not unleash a nuclear war from which we would suffer as much as they? How can we be sure that unlimited support of any authoritarian anti-Communist government may not merely hasten the day when their citizens become Communist as the only means to change?

If total isolationism is no answer, total interventionism is no answer either.

In fact, the clear, quick, definable, measurable answers are all ruled out. In this new twilight of power, there is no path to a convenient light switch.

**PARTNERSHIP VITAL**

What then can we do? What are the options?

I want to suggest that the extremes are not exhaustive. In between—less exciting perhaps, less nationally satisfying but safer and more humane—are other routes and methods which recognize the image of our power, allow for our traditional idealism, take account of the world ideological struggle and include no fantasies of either total withdrawal or total control.

But they are all paths which demand a high degree of genuine partnership, of genuine cooperation.

As such, they will often seem more arduous and more tedious than the old pursuits, for it is easier to command than to persuade.

How do we apply a new sense of partnership and cooperation to the dilemmas of our time? In Europe, we have to help defend against renewed Soviet pressure westward.

Equally, we have to remove the grievance of a divided Germany which obstructs genuine peace in central Europe. And to compound the problem to defend the West we must take a hard line with Russia.

But our only hope of reunifying Germany peacefully is with Russian good will. I do not believe a divided, splintered, nationalist Europe cut off from America can accomplish this complicated balance.

Either its divisions will enfeeble it militarily or a resurgence of German nationalism will postpone possible reconciliation with the West.

#### TIES WITH SOVIET

Our best policy is, I think, on the one hand, to keep our defense commitment to Europe unequivocal and to explore all reasonable ways of transferring greater responsibility to them—by joint planning, by joint purchasing, by joint burden sharing, by our readiness to consider any pattern of cooperation that Europeans care to suggest.

And if at some future time they move to political union, then clearly the question of nuclear responsibility will have to be reconsidered.

But at the same time, let us seek all possible ways, together with our European allies, to increase peaceful and profitable contacts with Eastern Europe and the Soviet Union.

There were small signs not long ago of a modest thaw in the dead winter of the old cold war.

We should be ready for all such signs—in trade, in scientific research, in cultural exchanges, in tourism—in anything, in short, that opens the two systems to each other, that substitutes knowledge and reality for myths and fear.

Just the other day, President Johnson said directly to the Soviet people, "There is no American interest in conflict with the Soviet people anywhere."

Had I been talking with you even a year ago, I would not have been more optimistic about these possibilities.

Today the drama in southeast Asia and the dilemmas faced by Russia in its relations with its stubborn, dogmatic Chinese associate have shrouded all hopes of yesterday.

But the aim is not at fault—to prove that we at least want to end this tragic breach in human society, want to overcome the barriers that unnaturally divide an ancient continent and culture, want to explore with our fellow citizens of a threatened world the dilemmas and possibilities of a stable peace.

#### THAILAND IN SHADOW

In Asia, too, I do not believe our aims are false. The right we seek to defend is the right of people, be it in Korea or South Vietnam, not to have their future decided by violence.

I do not believe this right can be secured by retreat. Retreat leads to retreat, just as aggression leads to aggression in this still primitive international community.

Already an active apparatus of subversion has begun its work in Thailand, and it is only a few years since Malaysians beat it

a long and murderous attempt to impose communism by force.

The Tibetans were not so fortunate, and the Indians have found in the neighborhood of 800 million Chinese hardly a guarantee of peace and security.

So the aim of reinforcing the right of peoples large and small to determine their own destiny does not seem one that we dare allow to go by default.

The old, old principle that powerful neighbors, for reasons of power alone, must prevail never gained the world peace in the past. I question whether it will do so even in a nuclear age.

But if you ask me whether the test of defending and upholding this right should be the responsibility of any one power, particularly of a large, white Western power whose past behavior in its own hemisphere has not, shall we say, been wholly without imperial overtones, then I say emphatically, "No."

Let us be quite clear about this. The United States has no desire to dominate. We have no delusion of omnipotence or omniscience.

We do not cheat ourselves with the purple rhetoric of "manifest destiny." We do not see ourselves as self-appointed gendarmes of this very troubled world. And we do not rely on muscle instead of diplomacy.

#### UNITED EFFORT GOAL

But although we are not even a direct party to most of the world's disputes, we have had to take a disproportionate share of the burden because the international community is not prepared already to do so, or to do so fast and far enough in a given crisis.

In South Vietnam, the task of upholding the principle of self-determination and popular sovereignty is ours in part by the chances of history, but in part by default.

We should use every persuasion, every instrument available to put responsibility where it belongs—in the international community, with international guarantees and policing, and in a long-term settlement resting not only on our own arms but in the will and authority of the United Nations.

This is what we seek.

That the Communists have rejected every overture from every quarter—more than 13—for negotiations without preconditions, does not alter our aim to stop the fighting, to create the international machinery to safeguard the people's right to peaceful choice, and to underpin the whole post-colonial settlement.

Only the right of self-determination brought it into being. Only that right can properly be enforced to defend it now.

So I am suggesting that our role is not absolute responsibility. Rather, it is to seek patiently, yes, and modestly, to persuade our fellow nations to take on the indispensable tasks of peace and law.

#### CONSISTENCY A MUST

And if we want the new nations to recognize the reality of the threat to self-determination in southeast Asia, for example, we must be ready to recognize the reality to them, for example, of the threat of a continued colonialism in southern Africa.

We can hardly proclaim the duty to safeguard the right of free choice in the Caribbean and deny its validity on the other side of the Atlantic.

The credibility of our posture rests on its consistency.

Safeguards for the right of choice, like safeguards for peace itself, must depend ultimately on multilateral foundations and the concepts of collective security enshrined in the United Nations Charter.

At a time when peace is so precarious, it is shameful that the great peacekeeping institution must beg for the means of keeping the peace.

But I believe its financial troubles may soon be over. It has been on a sickbed long enough.

But it is not a deathbed. It is suffering not from death pangs but from growing pains.

The simple truth is that as long as the world is in crisis, the United Nations will be in crisis. That is what it's there for. As long as there is global tension, there'll be tension at a global headquarters.

When it ceases to reflect the troubles of the world, then you can start worrying about its demise.

But external pressure is not the only threat to self-determination. Of the United Nations' 114 members, perhaps two-thirds are vulnerable and unstable, not because of great power ambitions and rivalries.

#### TASK IS FOR MANY

The instability springs from the growing gap between their aspirations and the hard economic reality of making their way in the postcolonial world.

The fact that sugar prices fell by half last winter is not unconnected with the crisis in the Dominican Republic.

Nor has the stability in Latin America been reinforced by a 10-year decline in primary prices that wiped out the effect of all incoming capital, public or private.

These are roots of disorder exploited by external subversion. To suppose that our world can continue half-affluent and half-desperate is to assume a patience and the part of the need for which, to put it mildly, history gives us no warrant at all.

But like peacekeeping, this vast global task is not a task for one nation acting singly. The developed nations together must redress the imbalance.

While America can give—and has given—a modest lead, we have to accept once again the patient, modest, unsensational path of consulting and persuading.

The developing nations have started to act together in the framework of the United Nations Trade and Development Conference. The developed nations probably also should be internationalized more and more by working in and through the United Nations group.

#### JOINT ACTION BEST

If only one government is giving a country aid, it easily comes to play too persuasive a part in the local scene. Suspicions of neocolonialism arise. Issues of prestige and paternalism and dependence begin to obtrude.

The answer to these dilemmas is once again the way of consultation and joint action to bring a sizable part of the needed flow of capital under international bodies in which donors and recipients can work out their problems together.

No doubt much of this seems more difficult than the role of direct benefaction.

But our readiness to act not as a benefactor but as partner could lead to increasing respect, closer understanding, a sense of community and perhaps, at last, enough confidence to dissipate the myth of neocolonialism and to erase the memories of earlier servitude and humiliation.

In short, what I believe we should speak in this new age of more limited power but still unlimited challenge is not so much new policies as a new emphasis, a new tone.

We should be readier to listen than to instruct—that curiosity which is the beginning of wisdom. It will take a greater effort of imagination for us to see the world through others' eyes, to judge our policies as they impinge on others' interests.

#### A SECURE LOYALTY

For what we intend today is to extend to the whole society of man the techniques, the methods, the habits—if you will, the courtesies—upon which our own sense of citizenship is based.

In our free society we ask that citizens participate as equals. We accept their views and

interests as significant. We struggle for un-enforced consensus. We tolerate conflict and accept dissent.

But we believe that because each citizen knows he is valued and has his chance to comment and influence, his final loyalty to the social order will be more deeply rooted and secure.

But as heirs to the tradition of free government, what else can we do? Our founders had the audacity to proclaim their ideals self-evident for all mankind. We can hardly be less bold when all mankind is no longer an abstraction but a political fact in the United Nations, a physical fact for the circling astronaut.

Nor should we despair. The art of open government has grown from its seeds in the tiny city-states of Greece to become the political mode of half the world.

So let us dream of a world in which all states, great and small, work together for the peaceful flowering of the republic of man.

#### CONSTITUTION DAY AT LOUISVILLE, OHIO

Mr. LAUSCHE. Mr. President, Ohio's "constitution town," Louisville, has adopted its own flag, which will be dedicated during the annual constitution day observances this coming September.

The flag was designed by Mrs. Olga T. Weber, and has been approved by the city council.

I join her many friends in extending to Mrs. Weber commendations for her untiring efforts in connection with the observance of constitution day, and for gaining recognition for her community.

#### ENDORSEMENT OF CONTINUANCE OF SUNMOUNT VETERANS' HOSPITAL, TUPPER LAKE, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution, unanimously approved at a regular meeting of the Champlain-Rouses Point Junior Chamber of Commerce, favoring continuance of the Sunmount Veterans' Hospital, with its present staff, budget, and facilities, at Tupper Lake, N.Y.

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

##### CHAMPLAIN-ROUSES POINT JAYCEES, Rouses Point, N.Y., June 10, 1965.

Whereas the Champlain-Rouses Point Jaycees are young men of action that are dedicated to the development of the communities of Champlain and Rouses Point as well as the northeastern area of New York State; and

Whereas Tupper Lake, home of Sunmount Hospital, is located in the same geographical area as Champlain and Rouses Point; and

Whereas there are 70,000 veterans in the northeastern part of New York State in 10 upstate counties; and

Whereas there is a veterans' hospital employing over 400 people or about 45 percent of the Tupper Lake work force which earns about \$3 million annually; and

Whereas this hospital has maintained such a high ratio of patients being returned to their homes and businesses rather than being turned into nursing homes; and

Whereas an undue hardship would be placed on relatives visiting these injured or sick veterans if they were transferred to Albany or Syracuse; and

Whereas the only patients and outpatients to be treated at Government expense would be service injured veterans, nonservice in-

jured veterans would not be treated unless they traveled to Albany or Syracuse at their own expense: Now, therefore, be it

Resolved *this 10th day of June 1965*, That the Champlain-Rouses Point Jaycees are in favor of the continuance of the Sunmount Veterans' Hospital with its present staff, budget, and facilities, in Tupper Lake, N.Y. (Unanimously approved at a regular business meeting of the Champlain-Rouses Point Jaycees on June 10, 1965.)

ARTHUR J. BYLOW,  
President.

#### "OUR FLAG IS A SYMBOL"—ADDRESS BY RABBI ABRAHAM J. FELDMAN

Mr. RIBICOFF. Mr. President, June 14, 1965, marked the 188th anniversary of our Nation's flag.

Patriotism and pride inspired the design of this banner—just as patriotism and pride inspired the design of this great Nation.

The American flag symbolizes meaningful memories and bold ideals. It represents a way of life, and offers us a world of challenges. The flag symbolizes national responsibility and achievement for our country today.

Dr. Abraham J. Feldman, Rabbi of the Congregation Beth Israel, in West Hartford, Conn., expressed these sentiments with eloquence and feeling in a recent speech.

I ask unanimous consent that the address by this outstanding spiritual leader, delivered on June 13, over station WTIC-TV, in Hartford, be printed in the RECORD.

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

##### SETTING UP OUR BANNERS

(A Flag Day address over WTIC-TV (channel 3), Hartford, Conn., by Rabbi Abraham J. Feldman, D.D., June 13, 1965)

Ladies and gentlemen, tomorrow, we should be celebrating Flag Day in commemoration of that June 14, in the year 1777, when the Stars and Stripes was adopted as our country's national banner. With relatively minor changes, it has remained our national flag for these 188 years. This is a relatively short time as history goes but our flag is one of the oldest, perhaps the oldest amongst the national flags in the world today.

The custom of using some kind of a banner, or standard, or ensign, as a means of identification for royalty, or a nation, or armies, or individual units of armies, or navies, or even religious institutions—is as old as civilization and, in most cases, such banners "were associated in the minds of men with feelings of awe and devotion."

The Bible has numerous references to the existence and use of banners and flags. For instance, in the Book of Numbers (2:2), we read: "Every man of the children of Israel shall pitch by his own standard, with the ensign of their father's house." In Psalm 50, we read: "Thou hast given a banner to them that fear Thee that it may be displayed \* \* \*." In Song of Songs (6:10), we read: "Who is he that looketh forth as the dawn, fair as the moon, clear as the sun, terrible as an army with banners?" And in Psalm 20, we find the statement: "We will shout for joy over thy victory and in the name of our God we will set up our banners." And, there are other such mentions in the Bible.

These banners, or flags, in time required a significance greater than that of their being identification marks of an individual, or a company, or a tribe or nation. Banners be-

came symbols, reminders of higher spiritual values. They were not only symbols of royal prerogatives, of armed forces or of military goals. They became the visible symbols of ideals and of the loyalty to these ideals and, because of such ideals, flags, banners, became items of inspiration and exaltation, symbols of dedication and of constant rededication. They became—in the words of the Psalmist—banners which can be, and often are, set up in the name of the Lord and, accordingly, offer persistent and constant challenges which may come to all of us to remember the ideals and, in the words of someone, "Whenever you are tempted to anything mean, anything unworthy, look on that flag and forbear."

So—on this 188th birthday of our Nation's flag what does the flag mean to you and to me?

It seems to me that our flag: (a) Speaks to us of memories; (b) it offers a challenge; (c) it holds out a hope and a promise.

(A) Our flag evokes memories: It reminds us of the beginning of our Nation "conceived in liberty and dedicated to the proposition that all men are created equal." It reminds us of men who had a vision of a country established on justice, founded on the principle of the inalienable dignity of all human personalities, dedicated to the freedom of men to live and dream, to speak and read and write, to assemble and to petition, to vote and to dissent, to worship God, each in accordance with his own convictions, to participate in all the multifarious activities of life in our republic in accordance with our own choice, our own capacity, and with due regard for the identical rights of others.

Our flag reminds us of the beginnings of a great and noble experiment in representative democracy among a people, our people, which is diverse in origin, diverse in religion, diverse in historic background, tradition, and heritage, and yet, a people united in will and purpose and in determination to have this experiment succeed.

(B) Our flag offers us a challenge. As we proceed from the consideration of our national beginnings to the evaluation of our history since then, we must be thrilled by the realization that the experiment which European lands scoffed at, and scorned, has succeeded beyond the most daring dreams of the founders. As at the beginning—we stand today as a Nation which dares to believe in the reality and validity of an ideal; a Nation retaining its faith in God, yes, and its faith in man; a Nation committed to liberty, to justice for all within its own borders; a people united while scorning regimentation; a people strong because of the massed strength and democratic discipline of its constituent parts.

We were the only bulwark of democracy then. Even now, we are a citadel of democratic freedom in a world in which contempt for liberty, and scorn, and mockery, and oppression are abundant and militant.

Our flag is a symbol, the visible beauteous symbol of our past glory and of our present commitment. It is a symbol, too, of the heroism, the sacrifice, of American men and women in every part of the world, for the preservation of what we proudly call "the American way of life," against every threat wherever and by whomsoever offered; a symbol of the faith of American men and women backed by our substance and by our lives, faith in the validity of our way of life and faith in its enduring rightness. And as such a symbol, our flag challenges us who are the heirs of yesterday's valor and promise and the witnesses of, and participants in today's efforts, to be worthy of our heritage and strength, and vigilant in its preservation.

(C) This challenge we accept. And as we accept the challenge which the billowing folds of the Star-Spangled Banner offer us, this standard becomes also the symbol

of a hope and the assurance of a promise. The hope is for the perpetuity of freedom in our land and its preservation inviolate. The promise is for today and tomorrow that our unity, that our liberty, that justice and brotherhood, that amity and cooperation, will continue to be controlling and governing factors in our living together.

Ladies and gentlemen, this is what Flag Day in 1965 should mean to us, and how necessary and timely this is. Within our land there are conflicts which threaten our heritage and which endanger the survival of the ideal of which the flag is our noble symbol. Too many in American life today look upon this banner and display it in public procession who are completely unmindful of what the flag should remind us. And overseas, in all the corners of this earth, there are those who are actively, belligerently, maliciously, tearing down and trampling upon this, to us, sacred ensign in a concerted effort to "black out" the light and the promise which our flag represents.

I say to you, my fellow Americans, in the words found in our Bible, "In the name of our God," the God of history, the God of holiness, the God of the spirits of all flesh; in the name of God in whose spiritual likeness all men have been created; in the name of the God of righteousness, the God of justice and of mercy; "in the name of our God, let us set up our banner." By the memories which it evokes, by the challenge which it offers, by the hope and promise which it holds out to us, let us consciously, responsibly, honestly, rededicate ourselves and our communities to the end that the American people may find itself standing and marching in the days ahead as in days of yore, ranks closed, souls enkindled, so that the lights of faith and of freedom may continue to burn undimmed on this continent and, perchance, God willing it, we may be privileged not only to keep the lights bright in our own midst but to help our brothers all over the world to keep them burning.

Unfurl this banner then, ladies and gentlemen; unfurl it to the breeze. Stand reverently before it. Salute it with hands, salute it with love, salute it with renewed devotion. Let us be reminded that this flag is the symbol of our idealism and commitment. Let it become also, the meaningful symbol of our loyalty and of our pledge of sacrificial devotion.

This is our flag, my fellow countrymen. "In the name of God, let us set up our banner."

A 3-year-old little girl, I read somewhere recently, found an American flag tucked away somewhere in her home. She pulled it out and brought it over to her parents in the living room and asked, "What is it?" Before the parents could answer, the child's 5-year-old sister, a kindergartener, said: "That's our country's flag. You hang it up and salute it to show that you like living here."

I can't improve upon this child's answer. Can you?

#### ANTIDUMPING ACT AMENDMENTS

Mr. SCOTT. Mr. President, as the principal cosponsor, with Senator HARTKE and other Senators, of the 1965 Antidumping Act amendment (S. 2045), it is gratifying to see the broad bipartisan support which this sorely needed measure is receiving within Congress. Senate bill 2045 has been cosponsored by 32 Senators; and 94 Representatives have introduced identical bills.

I hope this Congress will have an opportunity to focus its attention on Senate bill 2045 in an atmosphere free of the old "protectionist versus freetrader"

cliches to which all of us have been conditioned, and which I have no doubt, will be banded about again. Let us, instead, cut through to the problems involved in the operation of the U.S. Antidumping Act, and weigh the merits of the solutions proposed, without the emotional fanfare which only beclouds the issues. I urge Senators who have not yet done so to indicate their support of action on this moderate and constructive amendment to make ours a fair, effective Antidumping Act.

It has been most encouraging to note the frank remarks of Eliot Janeway, published in his syndicated column, "As Janeway Views It," of June 14. I recommend the article as one which loosens the shackles on some of the thinking that has long accompanied any attempt to explore the realities of our trade policies; and I ask unanimous consent that the article be printed in the RECORD.

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

[From the Chicago Tribune, June 14, 1965]

ANTIDUMPING BILL GETS SOLID SUPPORT  
(By Eliot Janeway, consulting economist,  
Chicago Tribune press service)

NEW YORK, June 13.—Ever since Alf Landon said, "Politics end at the water's edge," bipartisanship has been standard operating procedure when our military security has been threatened. Now that the main battlefield of the cold war has moved to the marketplace, bipartisanship also is the order of the day when our economic security is threatened.

Happily, a strong and representative bipartisan movement has started in Congress which aims to update our thinking and our procedures in order to meet this threat on our critical front and neutralize it. Despite all the changes in our foreign trade since the end of World War I, despite the thoroughgoing internationalization of our economic relationships, the Antidumping Act on the books today is the one that was put there back in 1921.

Senator VANCE HARTKE, Democrat, of Indiana, has introduced a bill not merely to amend the 1921 act, but to modernize it. Senator HUGH SCOTT, Republican, of Pennsylvania, has joined him as the new bill's principal cosponsor. The bill's support is as powerful as its two principal sponsors. The list of signatories from both parties, in both Houses, leaves no doubt that the new Hartke-Scott approach expresses the sense of Congress.

On the Republican side, liberal Senator THOMAS KUCHEL, of California, conservative Senator JOHN TOWER, of Texas, and middle-of-the-road Senator THRUSTON MORTON, of Kentucky, support it. The Democrat endorsements reflect the same broad consensus, ranging from Senator FRANK LAUSCHE, of Ohio, who often is to the right of the administration, to Senator JOSEPH CLARK, of Pennsylvania, who often is to the left of the administration, to Senator EUGENE McCARTHY, of Minnesota, who often speaks for the administration. Support throughout the House is comparably powerful.

#### PURPOSE OF BILL

The purpose of the new bill, as Senator HARTKE defined it, is "to assure a price floor on imports, tied not to U.S. prices, but to their own home market prices \* \* \*. If the foreign supplier sells his product cheaper to the United States than in his own home market or to third countries \* \* \* special dumping duty is determined by the Treasury which in effect brings

the price to the United States back up to the foreign price level."

Senator SCOTT went to the heart of our need for updating our trade defenses when he explained that we do not need antidumping legislation "to prevent foreign manufacturers from selling in the United States at prices below those charged by domestic producers. Manufacturers in this country have never feared legitimate competition. The act does seek to curb, however, injury to U.S. industry from a foreign supplier dumping his product into this market at a price below what he charges in his own home market."

There is much food for thought here, and a compelling invitation to unfreeze old attitudes, to outgrow taboos, to put sacred cows out to pasture, to recognize new competitive challenges, and to improvise new techniques for meeting them. For instance, the restoration of price cuts by U.S. industries which have been hit by dumping has been taken as a pretext for antitrust suits. The bill would stop such harassment. It invites a hard new look at all our antitrust taboos in the light of our international economic involvements.

#### GATT A SACRED COW

Then there is the sacred cow we make of the General Agreement on Tariffs and Trade. Our naivete has made us a laughingstock in the GATT countries. As Senator HARTKE invites us to discover, all the GATT countries reserve the right to have antidumping laws against their free trade partners. Italy finds that her babies do not like the state of French bottle nipples, and the French find that the sound of foreign automobile horns grate on their nerves.

The non-Communist world is suffering from a liquidity crisis, which our new payments surplus is intensifying. A new dumping drive to get dollars at any cost is in the making. The Hartke-Scott bill is well timed. If, in addition, it needles our Government into ferreting out the sweetheart contracts made with the Soviet bloc by countries having the run of U.S. markets, it will put us in position to trade as hard with our friends as our enemies are.

#### THE VENDING MACHINE INDUSTRY AND THE SHORTAGE OF COINS

Mr. BIBLE. Mr. President, on May 25, I introduced Senate bill 2036, which, if passed by Congress and approved by the administration, will, in my opinion, stop much of the speculation and hoarding of our coins. I reintroduced this bill in early June, with additional cosponsors.

I have always held that we had sufficient coins with which to meet our needs within commerce and trade, and that the present shortage is an artificial one, created, not by a lack of coinage, but by hoarders and speculators.

Now the Treasury staff report and statements from responsible Senators have pointed out the need to accommodate the vending machine industry with a coin which would operate in its machines without requiring expensive changes. All have been sympathetic in regard to this problem, for we realize this is a billion-dollar industry.

Nevertheless, since this great amount of cooperation has been extended, I think it appropriate that the vending machine industry take a close look at some of its operators, who are literally rolling in coins. This is evident from advertisements offering all types of coins—rolls, bags, and so forth—for sale to the public. If the vending machine industry is

concerned with a coinage shortage, one would think many of these operators would stop the sale of such coins and, instead, would put them into the channels of trade and commerce. I submit, for printing in the RECORD, concrete evidence that many vending machine operators are helping to create a shortage of coins. I urge that Members of this body review some of these advertisements.

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

[From Coin World, May 26, 1965]

Dimes, 2,000 dimes, \$216.50. Sent prepaid anywhere in the United States. Like our cents, guaranteed unpicked from our vending machines.

We think that dimes because of their silver content are going to be good. Even the common dates. We suggest that you go through the bag and take out the better dimes.

"Walk in" sales always welcome. Hours 7 a.m. to 5 p.m. daily; 9 a.m. to 1 p.m. Saturday.

A. Kantor, First National Vending Service, 5322 West Belmont Avenue, Chicago, Ill.

Unsorted numismatically untouched bags vending machine cents, nickels, dimes; \$55 per \$50 bag, plus shipping. TR 7-5841. H. & M. Enterprises, 6150 Cleon, North Hollywood, Calif.

Fifty-dollar sacks unsorted cents from California gum machines, \$53; shipped express collect upon receipt of money order. E. A. Holliday Co., 6430 Freeport Boulevard, Sacramento, Calif.

Poverty area coins, direct from our own vending machines to you. Numismatically untouched. Most our customers repeat, some every week. Need say more? \$50 bags of cents \$55, \$50 nickels \$54, \$50 dimes \$53. If quantity totals \$150, deduct \$3. Southeastern Venders, 419 Quincy, Knoxville, Tenn.

WOW, 5,000 vending machine cents with all 1961, 1962, 1963, and 1964 PD's removed \$65. Or 5,000 cents with 1956-64 PD's removed \$95. Guaranteed numismatically untouched. Shipped freight collect. John Gash, Box 372, Gardena, Calif.

One thousand nickels \$55; 500 dimes \$53.50; 200 quarters \$53.50. Shipped prepaid numismatically untouched from our own cigarette vending machines located in metropolitan New York. Send money order or certified check to: Aetna Automatic Vending Corp., 750 10th Avenue, New York, N.Y.

Guaranteed absolutely unsearched. Bagged by electric counter just as taken from vending, gum ball, cigarette machines. Try us once and you will reorder. \$50 bag cents \$54, \$100 bag nickels \$105, \$100 bag dimes \$105, \$100 bag quarters \$105, \$500 bag dimes, quarters, special \$514. Reference Southern Bank & Trust, Greenville. Express collect. Summey's 309 Blue Ridge Drive, Greenville, S.C.

California vending cents: Beware of secondhand bags picked up at banks, city halls, vendors, then sold as "untouched." We ship direct from our own machines throughout California in lead sealed canvas bags, guaranteed untouched.

Counted by weight (147 per pound); 5,000 cents 35 pounds, gross \$55; 500 dimes 3 pounds, gross \$54; 200 quarters 3 pounds, gross \$54. Shipping charges collect. Order three or four bags and include \$9 extra for prepaid shipment anywhere in U.S.A. No

walk-in sales. Mail check to Peerless Weighing & Vending Machine Co., 2166 Market Street, San Francisco, Calif.

We have halves. Orders shipped in 2 days and shipped prepaid. That's right—prices below include all shipping and insurance charges.

Halves are still hot and getting scarce, but we are shipping as promised above.

Numismatically unsorted halves brought in by visitors from all 50 States are fresh and unpicked—just as we receive them. All the good ones stay in. Most of our customers repeat. F.O.H., Akron, Ohio, has bought over 50 bags. Mrs. F.G., New York City says "the best I've seen, only 4 bad ones in 2 bags." T.C., Philadelphia, Pa., writes "Really good—send three bags again." Many other letters on file.

Halves are rich in mint mark Liberty—many AU—1959-63 Franklins—even AU Kennedy's. Many scarce halves reported found. You'll find fun and profit in our halves. Satisfaction guaranteed.

1 bag \$100 face	\$107.75
3 bags \$300 face	321.00
5 bags \$500 face	532.00

Dimes, quarters: 1,000 dimes; 400 quarters; \$100 bags. Prices include shipping and insurance.

1 bag	\$106
2 bags	211
3 bags	315
5 bags	523

Remember—above include all shipping and insurance. No other charge to you and we ship within 2 business days. You don't wait 3 weeks or more for your orders, if you send money order or certified check. Personal checks held for clearance. National Premiums, 8841-G Biscayne Boulevard, Miami, Fla.

Unsorted vending nickels: 2,000, \$102.50; 3,000, \$153.50; 4,000, \$204.50. Shipped collect upon receipt of money order. M. Schaubert, Box 32, Granger, Ind.

Twenty-five hundred (one-half bag) cents numismatically untouched, good area, \$30.50 prepaid; 1,000 (one-quarter bag), nickels numismatically untouched, \$55.50 prepaid. California residents \$1.50 less, Herb Hord, 625 College, Fresno, Calif.

Parking meter coins, bank sealed: cents, 5,000, \$51.95; 2,500, \$26.95; nickels, 4,000, \$205.80; 2,000 \$102.95; 1,500, \$77.20; 1,000, \$51.47. Vending machine coins: dimes, 1,000, \$102.80; 500, \$51.45; quarters, 400, \$102.80; 200, \$51.45; halves, 200, \$103.50; 100, \$52; \$500 bags of dimes, quarters, \$510; \$500 halves, \$518. All coins numismatically untouched. Money order or certified check. Roger Pollock, 456 Poinciana, Albany, Ga.

Vending machine coins: Free: 100 wrappers with each bag.

5,000 cents (1 bag)	\$55
3 bags or more	54
10 bags or more	53
500 dimes	52

Shipped cheapest way collect or as you direct. Send money order with order.

Walk in sales welcome.

These coins come from vending machines that have high child appeal—ball gum machines and trinket machines, thus are a good source for collectors finds. Guaranteed unpicked. Automatic Merchandise, 3616 East 25th Street, Indianapolis, Ind.

Southern California cents: Do you know the difference between bags labeled "from our own machines" or labeled "vending machine cents"? Many vending machine operators pay for their supplies with cents. Then the supplier sells you these cents as

"untouched." Over half of these bags have been searched by the operator or his family, before the supplier got them. Be wise, ask first, then buy. We are operators, not a vending machine supply house, and we are not numismatists. We ship coins direct from our own machines, located mostly in small towns. Try us and see the difference. No walk in sales.

Cents, dimes, quarters: \$50 bag at \$55 each or 3 or more at \$54 each. Shipped collect or for \$9 extra, we ship up to 4 bags prepaid. Immediate delivery. Mail check to Standard Vending Service, 5117 Hollywood Boulevard, Hollywood, Calif.

Direct from gumball machines in New England. Cents or nickels, one \$50 bag \$55; two \$50 bags, \$107; three \$50 bags, \$160; six \$50 bags, \$315. From jukeboxes and cigarette machines. Dimes, quarters, and halves, \$100 at \$105; \$200 at \$208. Guaranteed unsearched or money refunded. Freight collect, cheapest way. King Vending, Box 4153, East Providence, R.I.

Guaranteed unsearched vending coins from "D" and "S" rich area. Cents 2,500 (\$28), 5,000 (\$55); nickels 1,000 (\$54), 2,000 (\$107). Special on dimes and quarters only \$500 bag (\$512), 2 or more bags \$510 each. Many, many keys reported. Many, many repeat orders indicates satisfaction. All shipping charges express collect. Personal checks OK, allow time to clear. Free wrappers. Free delivery. Loudon Co., Post Office Box 6510, Minneapolis, Minn.

Los Angeles, Calif.: Bags of vending machine coins. Guaranteed numismatically untouched. 5,000 cents, \$52; 500 dimes, \$52; 1,000 nickels, \$52; 200 quarters, \$52.

Walk-in sales welcomed. All shipments via REA freight collect. No personal checks accepted. Acme Vending Machine Co., 1696 West Washington Boulevard, Los Angeles, Calif.

STATEMENT BY SENATOR PELL, URGING ADOPTION OF TWO AMENDMENTS TO H.R. 6675, PROVIDING AN AUTOMATIC INCREASE IN SOCIAL SECURITY BENEFITS, BASED ON INCREASES IN THE COST OF LIVING, AND RAISING THE INCOME LIMITATION PLACED ON SOCIAL SECURITY BENEFICIARIES

Mr. PELL. Mr. President, the Senate will soon be debating the Social Security Amendments of 1965, which include a hospital-insurance plan for our elderly, a 7-percent increase in social security benefits, and certain other benefits. It is long overdue, but assuredly is most welcome.

The two amendments I offered on Thursday are designed to eliminate the need for Congress to act periodically on legislation to increase social security benefits or in other ways to liberalize the act.

The first amendment to House bill 6675 would link the social security system directly to the cost-of-living index as compiled monthly by the Bureau of Labor Statistics. Using the year 1964 as a base period, my amendment provides for an automatic increase of 3 percent in social security benefits when the cost of living rises by that amount.

Since the mid-1930's, when social security was first enacted, the act has not

kept pace with the spiraling rise in living costs. Benefits to our aged citizens that may have been adequate in 1938 or 1948 are no longer so, as the purchasing power of the dollar has decreased. However, by linking the act directly to the cost-of-living index, we can provide an equitable and realistic system of benefits, similar to those provided for in the Civil Service Retirement Act and the Military Retirement Act. Both of these retirement programs provide a 3-percent increase in benefits when the cost of living rises by that percentage. The Civil Service Act, as amended by Public Law 87-793, uses the base period of 1962; the Military Retirement Act, as amended by Public Law 88-132, uses the base period of 1963. I believe it would be entirely consistent with the general intent of Congress to adjust the Social Security Act in an identical fashion; and, to insure that the social security fund will not fall into financial jeopardy, I have also provided that the Secretary of Health, Education, and Welfare report to Congress his recommendations for necessary increases in the tax rate or the wage base in order to cover the costs of this program.

The second amendment I offered, Mr. President, would raise from \$1,200 per annum to \$1,800 per annum the income limitation presently leveled on social security beneficiaries. Under present law, a person receiving social security benefits is penalized by loss of benefits of 50 cents on each dollar if he earns between \$1,200 and \$1,700 a year. If he exceeds \$1,700 in annual income, his benefits will be reduced by \$1 for each dollar of the excess. Thus, a person who makes the mistake of earning \$1,700 in a year will lose \$250 in social security benefits. If he earns \$2,400 in any 1 year, he will lose \$950 in benefits.

To my mind, the limitations on income imposed by the Social Security Act are unfair and unjust. On the one hand, we are saying that a person is entitled to certain benefits paid for under a Federal social-insurance program; and, on the other hand, we say that a person loses his right to such benefits if he makes the unfortunate error of earning more than \$1,200 a year.

I recognize, Mr. President, that it would be virtually impossible to completely wipe out the income limitations in the act; but the very least we can do is raise them to a reasonable level. I am also mindful of the fact that the Senate Finance Committee voted to raise the limitation to \$1,500; but I do not think this goes far enough.

My amendment would allow an individual to earn up to \$1,800 a year, without any loss in benefits. If we consider the fact that the maximum benefit to an individual now is \$127 a month, this would mean that a single person could receive as much as \$3,324 a year, in combined income and social security benefits. I doubt that such a sum would provide a barely adequate standard of living; I believe it would be not too far above what is generally accepted as a level of poverty.

My amendment would then follow past precedent, and would reduce the benefits by 50 percent for income in excess of

\$1,800 and up to \$3,000 a year, and only then dollar for dollar on income exceeding \$3,000.

I request that the two amendments be printed in full at this point in the RECORD.

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

On page 218, strike out lines 16 through 19, and insert in lieu thereof the following:

"Sec. 310. (a) (1) Paragraphs (1), (3), and (4) (B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out '100' wherever it appears therein and inserting in lieu thereof '150'.

"(2) The first sentence of paragraph (8) of such subsection (f) is amended by striking out '\$500' each place it appears therein and inserting in lieu thereof '\$1,200'.

"(3) Paragraph (1) (A) of subsection (h) of section 203 of such Act is amended by striking out '100' and inserting in lieu thereof '150'."

On page 266, between lines 22 and 23, insert the following:

"COST-OF-LIVING INCREASE IN BENEFITS

"Sec. 328. Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"'COST-OF-LIVING INCREASE IN BENEFITS

"(w) (1) (A) For purposes of this subsection—

"(1) the term 'price index' means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"(1) the term 'base period' means the calendar year 1964.

"(B) For purposes of determining under this subsection the per centum of increase (if any) of the price index for any year over the price index for the base period, the price index for the base period shall be regarded as 100 per centum.

"(2) As soon after January 1, 1966, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this subsection, an increase of 3 per centum in insurance benefits payable under this title.

"(3) Increases in insurance benefits provided under this subsection shall be effective, in the case of monthly benefits, for benefits payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to paragraph (2) is made and ending with the close of the following March, and, in the case of lump-sum death benefits, with respect to deaths occurring during such one-year period.

"(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded, amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

"(5) Any increase to be made in the monthly benefit or lump-sum death payment payable to or with respect to any individual shall be applied after all other provisions of

this title relating to the amount of such benefit or payment have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of \$0.10, it shall be reduced to the next lower multiple of \$0.10.

"(6) Whenever the Secretary determines that the application of the foregoing provisions of this subsection will result in an actuarial deficit to the trust funds established by section 201 of this Act, he shall report the matter to the Congress together with such recommended changes in social security tax schedules or such changes in the wage base, or both, as may be necessary to offset such deficit."

#### ARGENTINE DECREE IMPOSING UN-REALISTIC PRICE STRICTURES ON DRUGS

Mr. BAYH. Mr. President, those of us who watch developments in our Latin American neighbor countries have been increasingly dismayed in recent days by a government action in Argentina which could destroy its entire pharmaceutical industry. I am informed that this would be the unavoidable result of the Argentine decree No. 3042 which would impose on drugs such totally unrealistic price strictures as to force manufacturers to close their doors.

Enforcement of what appears to be a shortsighted law could endanger the livelihood of more than 20,000 Argentine families whose bread is earned in the pharmaceutical industry, and could prove detrimental to the good health of the entire country. Among many others in that country, members of the medical profession of Argentina have been gravely concerned.

A recent editorial in one of Buenos Aires' most important medical periodicals, *Medical Orientation—Orientacion Medica*—has commented in part as follows:

#### THE MEDICINALS ACT

We all know that this century has witnessed an accelerated advance in the realm of therapeutic agents, including drugs which are almost magical, capable of controlling conditions heretofore considered untreatable, such as tuberculosis, syphilis, infections of all sorts, etc., through the availability of antibiotics, chemotherapeutic agents, corticoids, psychiatric drugs, diuretics, and many other substances, with the help of which the physician's task has been simplified to such a point as in some cases to relieve him of the need for differential diagnosis of the conditions entrusted to his care, owing to the broad spectrum of activity of agents like those enumerated. Furthermore, the brilliant results obtained by their use affords him satisfaction undreamed of in the past century.

Now all these marvelous therapeutic weapons were created by research men working in laboratories organized and maintained by the pharmaceutical industry of the world, including that of our country, which has contributed in some measure to the advance referred to. This endeavor of transcendent human importance is not always engaged in disinterestedly, but inspired by a pragmatic sort of incentive, subject to the laws governing the economic life of any industry. If these laws are violated, the motive power of the operations of industrial management changes pace and diverts its attention to other horizons, leaving a void in an aspect of community activity which should by no means be neglected, as this would lead to a disastrous neglect of public health.

That unhappy condition may soon be reached if our pharmaceutical industry cannot, as has been brought out repeatedly by its responsible management, adapt itself to the new situation and organize the system of manufacturing and marketing pharmaceutical products on some other basis. We are well aware that the contribution of medical specialty laboratories operating among us is not at present of any very great significance in the field of original creation, but they are in a position to grow quickly into the production stage on any progress achieved elsewhere, thus performing a public service which otherwise would be unavailable or available only to those on a high economic level, with the further disadvantage that under abnormal conditions of warlike conflict, we should be completely cutoff from our supply of drugs and medicines.

In other words, if the consequences pointed out by the group affected by the measures in the regulations in question come true, our country cannot henceforth depend on a regular supply of medicinal products nor expect to benefit by pharmaceutical progress in other countries. Inevitably, such a situation will be gravely reflected in the health of the population, and physicians will directly feel the anxiety of not having access to the means by which to treat the ills of their patients.

This is an impartial analysis of the question; it may be that its scope has been exaggerated, but in any case, it will be appropriate for the responsible authorities to give it careful study, to avoid unforeseen disaster in times to come.

#### OPPOSITION TO REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT—RESOLUTION OF SAN ANTONIO RETAIL MERCHANTS ASSOCIATION

Mr. TOWER. Mr. President, on June 14, at a meeting of the board of directors of the San Antonio Retail Merchants Association, a most important resolution was adopted.

I am in full agreement with the resolution. In order that other Senators may share the views of the distinguished directors of the association and may gauge the depth of Texas interest in retention of our State's right-to-work law, I ask that the resolution be printed at this point in the RECORD.

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

##### SAN ANTONIO RETAIL MERCHANTS ASSOCIATION,

*San Antonio, Tex., June 16, 1965.*

Whereas in 1947, the Texas Legislature enacted a law which affirmed the inherent right of every person to work and bargain freely with his employer, individually or collectively, and gave assurance that no person should be denied employment on account of membership or nonmembership in a labor union; and

Whereas the movement for enactment of right-to-work laws began in 1944, and today some 20 States, with a total population in excess of 58 million, now have these laws in force; and

Whereas at the national level, section 14 (b) of the Taft-Hartley bill, enacted in 1947, affirmed the authority of the States to pass such laws by providing that nothing in the act should be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment where such

execution or application was prohibited as State or Territorial law; and

Whereas the U.S. Supreme Court subsequently upheld the constitutionality of section 14(b) and all State laws enacted under its authority; and

Whereas labor union leaders are organizing to bring about the repeal of section 14 (b) by the 89th Congress, and, in the same vein, the National Labor Relations Board recently ruled to deny an employer the right to express his views to employees except through union representatives at the bargaining table; and

Whereas the right-to-work law in Texas and other States has served as the single greatest stimulant to economic growth since World War II, resulting in prosperity unprecedented in history.

We urgently request your support in opposing the repeal of section 14(b).

Sincerely,

T. C. TARIN,  
Secretary-General Manager.

#### OPPOSITION TO REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT—RESOLUTION OF TEXAS CITY CHAMBER OF COMMERCE

Mr. TOWER. Mr. President, the directors of the Texas City Chamber of Commerce recently adopted a most important resolution supporting retention of section 14(b) of the Taft-Hartley law.

I fully agree with the position taken by these distinguished directors. In order that other Senators may have the benefit of their views, I ask that the resolution 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 by the board of directors of the Texas City Chamber of Commerce, That it opposes the repeal of section 14(b) of the Taft-Hartley Act, or any modification thereof which would impair or prevent any State from adopting or maintaining its own statute accepting or rejecting union membership as a condition of employment.*

The board of directors makes this statement of policy for the following reasons:

1. That each of the sovereign States should retain the authority to determine for itself the wisdom of denying or granting labor unions the right to impose compulsory union membership upon the citizens of that State as a requirement of gainful employment. Section 14(b) of the Taft-Hartley Act constituting an express recognition of such authority.

2. That the decision to join or not to join a union is among the constitutional rights of the individual, and that the individual should be permitted to make that choice free of coercion or undue influence from either the employer or the labor union.

3. That unions should no more have the authority to insist that all employees become union members than employees should be able to require that all employees reject union membership as a condition for employment.

*Be it further resolved, That this action and policy be communicated promptly to Congressman CLARK W. THOMPSON and such other public officials as would be appropriate; be it further*

*Resolved, That the board of directors of the Texas City Chamber of Commerce approves and endorses the continuation of the Texas right-to-work statute (art. 5207a, Vernon's Civil Statutes), as such statute is protected and embraced within the coverage of said section 14(b) of the Taft-Hartley Act; be it further*

*Resolved, That the officers, staff, and committee of this chamber of commerce be authorized and directed to work with other organizations and agencies in the carrying forward of the policy above stated, emphasizing the importance of preserving section 14(b) of the Taft-Hartley Act.*

Adopted this 14th day of June 1965.

JAMES C. FULLER,  
President.

Attest:

LESLIE H. BOX,  
General Manager.

#### "DEFINITION OF A CONSERVATIVE"—STATEMENT BY RT. REV. MSGR. JOHN J. CLEARY

Mr. TOWER. Mr. President, the Right Reverend Monsignor John J. Cleary, pastor of St. Mary of the Assumption Church, in Staten Island, recently stated what he means by the word "conservative."

I ask that his interesting and informative comments be printed in the RECORD for the information of the Senate.

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

##### DEFINITION OF A CONSERVATIVE

A conservative is one who strives to conserve the great and tested progress made by the human race in all fields of life—spiritual, moral, intellectual, material—and in all phases of human activity—religious, educational, economic, political, international.

A conservative does not accept the myth that no advance has been made in the past and that progress will come only from the rejection of the accumulated wisdom of the ages and the destruction of the past achievements of the human race.

If recognizing the existence of two substances, material and spiritual, body and soul;

If recognizing Almighty God as in the Declaration of Independence as "Nature's God," as "Creator," as "Supreme Judge," as "Divine Providence";

If recognizing that all men are created equal, endowed by their Creator with certain inalienable rights;

If maintaining that these rights are listed in the Ten Commandments;

If maintaining that governments are formed among men not to confer or to destroy but to preserve inalienable rights already given by God;

If agreeing with Pope John XXIII that "Order between the political communities must be built upon the unshakable and unchangeable rock or the moral law";

If agreeing with Pope John that "peace will be but an empty-sounding word unless it is based on an order founded on truth, built according to justice, vivified and integrated by charity, and put into practice in freedom"; "whose principles are universal, absolute and unchangeable, and its ultimate source is the one true God who is personal and transcends human nature. Inasmuch as God is the first truth and the highest good, He alone is the deepest source from which human society can draw its vitality";

If agreeing with Pope Pius XII that "A true peace is not, in fact, achieved without the employment of force, and its very existence needs the support of a normal measure of power"; "law and order may at times have need of the strong arm of force. But force should be held always in check by law and order and be exercised only in their defense";

If agreeing with J. Edgar Hoover that it would be a mistake to set up any device that will demoralize and discourage any police force from maintaining law and order;

If agreeing with Pope Pius XI that "the evil we must combat is at its origin primarily an evil of the spiritual order. From this polluted source the monstrous emanations of the atheistic system flow with satanic logic";

If agreeing with Pope Pius XI that the ancient tempter has never ceased to deceive mankind with false promises;

If agreeing with Pope Pius XI that "one explanation for the rapid diffusion of violently atheistic ideas is a propaganda truly diabolical";

If agreeing with Pope Pius XI that "one cherishes the firm hope that the fanaticism with which the sons of darkness work day and night at their materialistic and atheistic propaganda will at least serve the holy purpose of stimulating the sons of light to a like and even greater zeal for the honor of the Divine Majesty";

If agreeing with Pope Pius XI that "in this battle by the powers of darkness against the very idea of divinity, it is our fond hope that all those who still believe in God and pay Him homage may take a decisive part. We therefore renew the invitation invoking their loyal and hearty collaboration in order to ward off from mankind the great danger that threatens all alike";

If agreeing with the Pope that "Since \* \* \* belief in God is the unshakable foundation of all social order and of all responsibility on earth, it follows that all those who do not want anarchy and terrorism ought to take energetic steps to prevent the enemies of religion from attaining the goal they have so brazenly proclaimed to the world";

If agreeing with Pope Pius XI that "all diligence should be exercised by states to prevent within their territories the ravages of anti-God campaign \* \* \* there can be no authority on earth unless the authority of the Divine Majesty be recognized: no oath will bind which is not sworn in the name of the living God. How can any contract be maintained, and what value can any treaty have, in which every guarantee of conscience is lacking? And how can there be talk of guarantees of conscience when all faith in God and all fear of God have vanished? Take away this basis, and with it all moral law falls";

If agreeing with Pope Pius XI that "A powerful factor in the diffusion of communism is the conspiracy of silence—the press of the world \* \* \* due to political policy and by occult forces to overthrow the Christian social order";

If agreeing with Pope Pius XI that "communism strives to entice the multitudes by trickery of various forms, hiding its real designs behind ideas that in themselves are good and attractive. They try perfidiously to worm their way even into professedly Catholic and religious organizations";

If taking seriously and carrying out the mandate of Pope Pius XI: "See to it, venerable brethren, that the faithful do not allow themselves to be deceived. Communism is intrinsically wrong and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever";

If progress for peace begins in each one's heart by praying for one's enemies;

"If all the preceding makes one a conservative, then by God's grace I am a conservative.

#### "PATRIOTISM"—ESSAYS BY VALDEMAR PEREZ, JR., AND STEVE CAVAZOS

Mr. TOWER. Mr. President, the Latin American influence, both cultural and political, in my State, has been, and is, very pronounced. Persons of Mexican ancestry have contributed a great

deal to our society. They have fought well in the wars our sons have been called upon to fight around the world. They have contributed much in the way of cultural development. They have served, and are now serving, in positions of trust and influence in politics and government. In a word, they are good citizens.

It is with particular pride, then, that I ask consent to have printed in the CONGRESSIONAL RECORD the essays on patriotism written by two young Texans from Kingsville. With these essays, the youngsters won the John G. Tower scholarship in their community, which will be of some assistance, I hope, in furthering their education.

Valdemar Perez, Jr., and Steve Cavazos were students at H. M. King High School, in Kingsville, until their graduation this year. Both of them were good students; and what is more important—both have a good understanding of our country and its purposes.

Sometimes, Mr. President, in this day and age, when there is so much confusion about our purpose in Vietnam or in Santo Domingo, and about whether our country really means anything to our youngsters, it is good to turn to the thoughts of people like Valdemar Perez and Steve Cavazos, for renewed faith.

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

#### PATRIOTISM

(By Valdemar Perez, Jr.)

Patriotism can be simply defined as love and loyal support of one's country. But this definition is not completely suitable because love for one's country is a natural quality which most of us are born with, and support for one's country is more like a duty than just being patriotic.

However, American patriotism should and does have a very special meaning. This patriotism is one including pride and honor of the many great Americans who fought and died so bravely for this their country. It is a patriotism in which one not only advocates, but also does his task toward betterment of his country.

Growing from the Original Thirteen Colonies to the present 50 States was not an easy accomplishment. Many patriotic men and women perished for this country during this period of growth. Although their bodies died, their spirit of patriotism lived on. And today, this patriotism is conveyed by the Americans who give recognition and honor to all those others so valiant in past times. This pride held by Americans is a part of the national patriotism.

Knowing how one's government is maintained is one other trait of a good patriotic American. This is not only best for one's country but also for oneself. Even support of one's country includes various things. Stating one's voice in government, either directly or through representatives, shows the makings of a patriotic citizen. Yet, often one hears of so-called Americans who failed to cast their votes because they just didn't care enough to do so. Such a plain occasion as voting shows one's support of their American government. And after all government is a major part of this country.

As we can see for ourselves, patriotism is the main characteristic of the American way. It is a characteristic which was established in the beginning of these United States and which shall be so till the very end if it should ever come.

#### PATRIOTISM

(By Steve Cavazos)

What causes the chills which run through us when the flag passes? What causes the beliefs and faith which we hold in our Nation? There is only one answer to these and similar questions—patriotism. Patriotism is the determining factor in our life and the life of our country. This patriotism has caused people to care enough to change and develop several colonies into the most powerful nation on earth.

Patriotism is not a seasonal feeling, developed only on historic holidays, but a deep love of our country instilled into its people. Without patriotism, elections and other government business would mean nothing. Patriotism is what every American feels as he goes to the polls to decide his country's future. Without this feeling, it is doubtful that we would care enough to find the most responsible leaders and decisions for our country.

Patriotism causes men to unite for the welfare of their country, be it after overwhelming victory, or crushing defeat. The bonds men feel between themselves and their country causes elimination of trivial differences between them, and allows them to join together for a single goal.

Although patriotism is scoffed at by liberal internationalists in their struggle to rid countries of nationalism, it will never die. For how could such a strong factory which has brought a country from a meager beginning to undreamed of power be ignored? The thousands of men who have fought and now fight for our free way of life will never allow patriotism to die. And neither will the millions of Americans who, with a chill of pride, will not be afraid to stand and shout, "I am an American."

#### EGYPT'S VIOLATIONS OF PUBLIC LAW 480 HURT U.S. BALANCE OF PAYMENTS AND AID CUBA

Mr. GRUENING. Mr. President, the basic purpose of the foreign aid program of the United States is to promote peace throughout the world. In keeping with this purpose, it was gratifying to see that the Senate voted 73 to 13 for an amendment—proposed by the able and distinguished junior Senator from Oklahoma [Mr. HARRIS] to this year's foreign aid bill—that will prohibit any kind of aid to Indonesia or the United Arab Republic "so long as they continue to commit aggression."

In 1963, I proposed to the Foreign Assistance Act of 1963 an amendment which provided that no further assistance and no further sales under Public Law 480 should be made to any nation found by the President to be "engaging in or preparing for aggressive military efforts against any country" receiving assistance from the United States. That amendment was adopted, and is now the law of the land.

Since that time, despite the United Arab Republic's continued aggression in Yemen, its active support through the furnishing of arms to the rebels in the Congo, its supplying of arms to Cyprus to promote strife there, its continuing threats to destroy the independent nation of Israel, and its continuing boycott of that country and the perpetuation of a declaration of war against it, our President has not made the necessary finding that the United Arab Republic was an

aggressor within the meaning of my amendment.

The Harris amendment refines my amendment.

Without binding the hands of the President, under the Harris amendment, if adopted, Congress would be making the finding that both the United Arab Republic and Indonesia are aggressors within the meaning of the law. This would still leave the President perfectly free to find, whenever he feels that the facts so justify, that either or both of these countries are no longer aggressors, and thereby are again eligible to receive U.S. foreign assistance and to purchase grain and fiber under Public Law 480.

Recently, there have come to my attention facts indicating a serious and illegal misuse of wheat sold to the United Arab Republic under title I of Public Law 480.

The figures show clearly that wheat sold to the United Arab Republic has been utilized by the country in violation of the provision of Public Law 480 which requires that wheat sold under title I of that law should not be used so as to cut down normal purchases in the commercial market. This safeguard has been flouted by the United Arab Republic. The result is that the United Arab Republic has improved its foreign-exchange position; and the foreign exchange, which Nasser has thus freed, at the expense of the U.S. foreign-exchange position, has been used by him to support his aggressions.

The figures also show clearly that wheat sold to the United Arab Republic has been used, not to increase the food supply to the people of that country, but, rather, to free rice, which otherwise would be consumed within Egypt, for sale to such Iron Curtain countries as Cuba, the U.S.S.R., East Germany, and Bulgaria, and to such countries as Indonesia. Thus, Egypt's violation of its agreement with the United States under Public Law 480 enabled Egypt to ship more than 60,000 metric tons of rice to Cuba in 1964.

Senator HARRIS' amendment should be retained in conference, if we are to show the world that we will not permit our food-for-peace program to be used as fuel for carrying on wars or to harm the United States own vital interests.

Since 1952, U.S. foreign policy in the Middle East has been vacillating, weak, and ineffectual. U.S. persistent efforts to appease President Nasser have, in fact, been poorly concealed attempts to bribe a ruthless dictator who wants to spread his influence throughout the Middle East, and who seeks to thwart U.S. foreign policy at every turn.

Our appeasement of Nasser, by sending him food and funds for economic development, has enabled him to divert more and more of Egypt's resources to the development of a war-making machine.

In the last 2½ years, Nasser has deprived Egyptian people of the economic benefits of \$2 billion, by diverting that sum from economic goals, so that he could fight an aggressive war in Yemen. No development loans have been made

to Egypt in the last 18 months; but we have continued our technical assistance to Egypt, by the sale of grain and fiber to Egypt, under Public Law 480. Under title I of this program, we have shipped \$365 million worth of commodities to Egypt since 1962. These commodities are sold for Egyptian currency; and, because of the excess currency situation in Egypt, they are, in effect, grants to Egypt.

In this connection, a few sentences of the testimony of the Administrator of the Agency for International Development, when he testified before the Senate Committee on Foreign Relations on March 12, 1965, are pertinent:

Mr. BELL. Senator, the title I sales have run in recent years from \$130 to \$150 million annually; the value of wheat at world prices.

Senator HICKENLOOPER. You are talking about sales, you mean for local currencies.

Mr. BELL. Yes, sir; title I sales for local currencies.

Senator HICKENLOOPER. Which is a gift, as a matter of fact.

Mr. BELL. In the Egyptian case, yes, because we have excess currencies. In addition to that, Senator, we have a technical cooperation program, technical assistance and training, which has been running at about between \$1.5 and \$2.5 million, \$2.8 million in 1965, \$1.4 million in fiscal 1964.

The Public Law 480 program reflects the compassion of the people of the United States for the starving peoples of the world. One of its goals is to assure that our surplus food is distributed to hungry people in countries where there is a wide gap between the extremely rich and the extremely poor.

For this reason, and for reasons of our own enlightened self-interest, Public Law 480 contains provisions which are intended to effect wide distribution of our surplus food within the countries aided. One method of insuring that the hungry people in the country for which our food is destined receive the food is to ask the recipient government to agree that it will not increase its food exports as a direct result of the food that we supply. This forces the recipient government to distribute the food to its own starving population before it fills its coffers with foreign exchange earned by exporting food.

Thus, section 101(a) of Public Law 480 provides:

In negotiating such agreements the President shall (a) take reasonable precaution to safeguard usual marketings of the United States and to assure that sales under this act will not unduly disrupt world prices of agricultural commodities or normal patterns of commercial trade with friendly countries.

By obtaining with recipient nations agreements that they will continue to buy from the United States the amounts of commodities that they have always bought, this provision insures that U.S. commercial interests will not lose foreign markets. Otherwise, our balance-of-payments position would be adversely affected.

At the same time, it effects a wider distribution of our agricultural surplus within the recipient nation, because this provision simply states that the com-

modities shipped should be in addition to our normal commercial shipments.

This provision of the law has been violated by the United Arab Republic since the initiation of our Public Law 480 program in that country in 1955.

Mr. President, I ask unanimous consent that a table showing U.S. commercial exports of wheat and/or wheat flour to the United Arab Republic from 1952 to 1963 be printed in the RECORD at this point in my remarks.

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

*Schedule of U.S. commercial exports, Egypt, wheat*

[Metric tons of wheat]	
BEFORE PUBLIC LAW 480	
Fiscal year:	
1952.....	306,000
1953.....	339,000
1954.....	242,000
AFTER PUBLIC LAW 480	
1955.....	23,000
1956.....	48,000
1957.....	14,000
1958.....	10,000
1959.....	52,000
1960.....	40,000
1961.....	100,000
1962.....	2,000
1963.....	50,000

Mr. GRUENING. Mr. President, as this table clearly indicates, from an annual average commercial export of 295,000 metric tons of wheat in the years before the inception of the Public Law 480 program in 1955, the average rate of commercial exports has dropped to 37,667 metric tons of wheat a year. This represents a hidden grant to the United Arab Republic at the rate of more than \$15 million a year, over and above our other AID programs for that country, or approximately an additional \$135 million since 1955.

It represents a decrease in the U.S. favorable trade balance at the rate of more than \$15 million a year, or approximately \$135 million since 1955.

It represents an increase in Egypt's foreign exchange expendable in countries other than the United States at the rate of more than \$15 million a year, or approximately \$135 million since 1955.

Moreover, at the expense of the economic welfare of the Egyptian people, it has enabled Nasser to expand his own brand of economic and political socialism and to continue his attempts toward the violent overthrow of neighboring governments. Mr. President, this diversion of U.S. foreign exchange by Egypt, in violation of the explicit provisions of Public Law 480, should be stopped.

Egypt has, in addition, violated section 304 of Public Law 480, which provides:

The President shall exercise the authority contained in title I of this Act . . . (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

The latest agreement under title I of the Public Law 480 program was signed by the United States and the United Arab Republic in October 1962. That

agreement provides for the shipment of \$132 million worth of commodities to the United Arab Republic through June 30, 1965, under certain conditions.

One of those conditions is that the imports of wheat and wheat flour from the United States will not increase the availability of rice for export by the United Arab Republic. This condition was meant to preclude the possibility of substituting wheat for rice in the United Arab Republic, and then shipping rice abroad. In other words, the United States was attempting to make sure that the commodities shipped to Egypt were used for the benefit of the Egyptian people. Under the food-for-peace program, the United States has no interest in helping a foreign exchange—at the expense of its own people and the American taxpayers—so that it can carry on unjust wars with its neighbors.

This condition was stated in the following way in a letter dated October 1962 and signed by His Excellency, Dr. M. Nostafa Kamel, Ambassador of the United Arab Republic, to the Honorable Dean Rusk, Secretary of State of the United States of America:

Further, the Government of the United Arab Republic assures the Government of the United States of America that imports of wheat and wheat flour in this agreement will not increase the availability of rice for export by the United Arab Republic. It is accordingly agreed, that, on an assumed milled rice production totaling 1.3 million metric tons in the current year, rice exports in the 12 months beginning November 1, 1962, will not exceed 400,000 metric tons. Exports of rice in excess of 400,000 metric tons would be affected during this period only to the extent that final production figures for milled rice exceed 1.3 million metric tons. Levels for rice export for the second and third years of the agreement, will be considered during the annual review.

On December 9, 1963, the U.S. Government received a communication which was signed by Dr. Hadi Maghrad, Under Secretary of the Ministry Supply, of the United Arab Republic. The communication was an understanding on United Arab Republic rice exports for the period from November 1, 1963, to October 31, 1964. The following is an excerpt from that communication:

This is to acknowledge receipt of your letter dated December 4, 1963.

I have the honor to inform you of my Government's understanding of the following:

The Government of the United Arab Republic agrees that, based on an assumed milled rice production totaling 1.4 million metric tons in the current year, rice exports in the 12 months beginning November 1, 1963, will not exceed 455,000 metric tons. Exports of rice in excess of 455,000 metric tons would be effected during this period only to the extent that final agreed production figures for milled rice exceed 1.4 million tons.

Mr. President, the United Arab Republic has violated this agreement. The United Arab Republic exported more than 455,000 metric tons of rice in 1964, and it exported hundreds of thousands of metric tons of that rice to Cuba, Russia, and other countries behind the Iron Curtain and the Bamboo Curtain.

The wheat which we have shipped to Egypt has been substituted for rice. The

food-for-peace program, which is paid for by American taxpayers, is being used by the United Arab Republic to help the economies of Communist nations.

I ask unanimous consent that a table which shows United Arab Republic rice exports from January 1, 1964, to December 1964, be printed in the RECORD at this point in my remarks as additional support for the statement Senator HARRIS made last Wednesday.

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

Table showing United Arab Republic rice exports by amount and country of destination for the period Jan. 1, 1964, to Dec. 31, 1964

	Amount in metric tons
Syria.....	20,000
Jordan.....	1,823
Iraq.....	4,000
Sudan.....	650
Palestine (Gaza strip).....	3,573
Lebanon.....	13,400
Lybia.....	3,300
U.S.S.R.....	131,398
East Germany.....	13,451
Hungary.....	6,350
Greece.....	1,752
Bulgaria.....	4,850
Poland.....	16,995
Czechoslovakia.....	24,919
Rumania.....	17,127
Finland.....	9,925
Cyprus.....	1,966
Yugoslavia.....	16,145
Austria.....	3,450
Sweden.....	100
United Kingdom.....	8,853
Italy.....	1,500
Belgium.....	1,500
The Federal Republic of Germany.....	29,687
Switzerland.....	1,000
France.....	2,500
Netherlands.....	2,000
China.....	20,000
India.....	29,022
Kuwait.....	3,000
Indonesia.....	52,245
Cameroon.....	2,050
Senegal.....	15,000
Cuba.....	62,710
Somalia.....	430
Ship stores.....	22
Total.....	526,693

Mr. GRUENING. Mr. President, this table was compiled by the Food and Agriculture organization of the United Nations. Although there is a slight overlap in time between the dates in the United Nations table and the dates contained in the agreement between the United States and the United Arab Republic, which I have cited previously, it is perfectly obvious that the total of 526,693 metric tons of rice exported from the United Arab Republic during the calendar year of 1964 is far in excess of the amount of 455,000 metric tons which is the limit which the United Arab Republic promised to hold in its agreement for the period from November 1, 1963, to October 31, 1964.

Last year, the United Arab Republic shipped 62,710 metric tons of rice to Cuba. As can readily be seen from the table, the United Arab Republic also shipped 31,398 metric tons of rice to the U.S.S.R., 13,451 tons to Eastern Germany, 6,350 tons of rice to Hungary, almost 5,000 tons to Bulgaria, almost 17,-

000 tons to Poland, and over 52,000 tons to Sukarno, in Indonesia.

Thus, it is obvious that foreign aid from the United States is bolstering Communist economies throughout the world. Not only is it contributing to the economic well-being of the Communist empire in Russia and the satellite countries, but our foreign aid program enables Castro to devote more of his resources to armaments, instead of to food. The U.S. taxpayers are being forced, through the foreign aid program, to support the economy of a Communist dictatorship 90 miles from our shores.

At the same time, by not holding Nasser to the limits for exports, both under section 101(a) of Public Law 480 and under our agreements with the United Arab Republic, we are permitting Nasser to restrict the market distribution of food to the people of Egypt. Instead of negotiating with Nasser, the State Department has appeased him. Instead of promoting peace in the Middle East, we have been financing war and ruthless violations of the rights of man.

In addition to all of this, our aid program in Egypt is contributing to the deficit in our balance of payments.

We must cut through the redtape which is permitting a continuation of U.S. support of a tyrannical dictatorship. I believe it is mandatory that the Harris amendment, which would cut off all aid to Egypt, be maintained in conference.

Mr. President, this morning, there was published in the Washington Post an Associated Press dispatch to the effect that a 6-month-old suspension of food aid which resulted from a series of United States-Egyptian disputes would be ended, and that a shipment of \$37 million worth of surplus food would go to Egypt. I ask unanimous consent that the entire item, as it appeared in the Washington Post of June 23, 1965, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. GRUENING. Mr. President, according to this news story, the State Department stated:

There has been a definite improvement in our relations with the United Arab Republic (Egypt) since aid was suspended 6 months ago.

This action is again indicative of the appeasing attitude of the State Department toward Nasser.

It is also illustrative of Nasser's astute handling of the State Department, and of his blackmailing tactics. Whenever a new largesse from the United States appears possible, he becomes a cooing dove.

While there is in force a firm agreement with the United States for the shipment of Public Law 480 food and fiber to Egypt, to be purchased with local currencies, the sky is the limit, for Nasser's misbehavior. The John F. Kennedy Memorial Library can be burned and ransacked; the government-controlled Egyptian press and radio can be as vitriolic against the United States as possible; President Nasser, with Russian Communist leaders at his side, can publicly tell the United States to jump in

the lake with its aid; Egypt can supply arms to the Congolese rebels; Egypt can supply Communist arms to Cyprus; Egypt can continue its aggressive war in Yemen, can continue to threaten the destruction of Israel, and can build up a fantastic arsenal of sophisticated weapons, which can be intended only for aggression; and, in general, Egypt can continue its tactics of thwarting U.S. policy at every turn.

But when Congress expresses its disapproval of such treatment—as the Senate did recently, by an overwhelming vote—and when the time for renewal of the agreement looms, Nasser quiets down, and gives the State Department an opportunity to say he has reformed.

These tactics should fool no one. Nasser has used them in the past. He has quieted down only in comparison with his previous outrageous behavior toward the United States. He has quieted down only long enough to get a renewal of his agreement with the United States for Public Law 480 food and fiber. Once he has that agreement safely signed, he will again seek to work in every way against the U.S. foreign policies.

Congress should show that it is not fooled by these tactics, and should keep, in conference, the Harris amendment, which denies all aid to Nasser and to Sukarno.

#### EXHIBIT 1

[From the Washington, (D.C.) Post,  
June 23, 1965]

#### U.S. FOOD AID TO EGYPT IS ORDERED RESUMED

President Johnson has approved the shipment of \$37 million worth of surplus food to Egypt, ending a 6-month-old suspension of food aid which resulted from a series of United States-Egyptian disputes.

A State Department spokesman, questioned about the President's decision, said last night:

"There has been a definite improvement in our relations with the United Arab Republic (Egypt) since aid was suspended 6 months ago."

Officials said that in mid-April the United Arab Republic stopped giving assistance to Communist-backed rebels in the Congo. The delivery of aid to the rebels was one of the reasons for friction with the United States at the end of last year.

Officials said they had also noted recent statements and actions by the Egyptian Government which seemed designed to avoid adding to tensions in the Arab-Israel dispute.

A statement issued by the State Department announcing Mr. Johnson's decision said in part:

"The President has determined that it is in U.S. interest to fulfill remaining commitments under Public Law 480 entered into with the United Arab Republic in October 1962 and which ends June 30, 1965.

"Accordingly the Department of Agriculture is proceeding with the issuance of purchase authorizations totaling approximately \$37 million.

"In connection with the agreement the United Arab Republic Government has undertaken to enter into discussions with us on any outstanding differences and to resolve these to our mutual satisfaction."

The only specific difference for a discussion which was identified by State Department officials is one involving an Egyptian agreement with the United States, linked to the aid program, to control exports of Egyptian rice according to a quota system.

The State Department about a week ago confirmed reports that United Arab Republic rice shipments, presumably in excess of the quota, had gone to Communist China and Cuba. This situation is under discussion between Cairo and Washington now, officials said.

#### THE GOOD CHARACTER PROVISION IN THE LOUISIANA STATE CONSTITUTION AND VOTING RIGHTS

Mr. JAVITS. Mr. President, during the consideration of S. 1564, the Voting Rights Act of 1965, a provision of the Louisiana constitution was brought to my attention with a request that the bill be amended so as to invalidate the State law.

Article VIII, section 1(c) of the State constitution provides that electors in Louisiana be of "good character," and so defines that term as to exclude any person who has borne or fathered an illegitimate child within the preceding 5 years and any person who has lived in a common-law marriage within the preceding 5 years. It was my interpretation of section 4(c) (3) of S. 1564 that such State statutes would be suspended for purposes of determining voter eligibility in affected States, of which Louisiana would be one, and that an amendment to the bill would not be necessary. This view was confirmed by the Attorney General, Nicholas Katzenbach, in a letter to me dated June 11. For purposes of clarifying the legislative history of the bill, therefore, I ask unanimous consent that the text of the Attorney General's letter on this matter be printed at this point in the RECORD.

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

OFFICE OF THE ATTORNEY GENERAL,  
Washington, D.C., June 11, 1965.  
Hon. JACOB K. JAVITS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR JAVITS: This is in response to your letter in which you raise a question about the relationship of S. 1564 to the Louisiana good moral character test. Article VIII, section 1(c) of the Louisiana constitution provides that an elector must be of "good character." The section then provides that a person shall not be deemed of "good character" if, among other things, he has been convicted of any of a variety of misdemeanors, has borne or fathered an illegitimate child within 5 years prior to the time of registration, or has lived in common-law marriage within 5 years of the time of registration. These constitutional provisions are implemented by title 18, section 32, Louisiana Code (1960) which prescribes the form of the application for registration. That application form contains questions paralleling the "good character" definition in article VIII.

One of the tests or devices suspended by S. 1564 is any requirement that a person, as a prerequisite for voting or registration for voting, "possess good moral character." I think that it is without question that the Louisiana good character test, which I have described above, would be suspended by operation of S. 1564. S. 1564 is intended to prevent the denial of the right to vote for reasons of lack of good character, irrespective of whether the phrase "good moral character" is used in the law or whether the law, in substance, constitutes a good moral character requirement.

This is also the opinion expressed in the joint views of 12 Members of the Judiciary Committee, of which you were one, in support of the adoption of S. 1564. In that statement, section 4(c) (3) of S. 1564 is analyzed as follows (S. Rep. No. 162, pt. 3, p. 24):

"The third type of test or device covered is any requirement of good moral character. This definition would not result in the prescription of the frequent requirement of States and political subdivisions that an applicant for voting or registration for voting be free of conviction of a felony or mental disability."

Hence, although S. 1564 would suspend the good character provisions of article VIII, section 1(c) of the Louisiana constitution, Louisiana would continue to be free to exclude from the ballot persons convicted of felonies. See article VIII, section 6, Louisiana constitution (implemented by title 18, sec. 42, Louisiana Code) which excludes from the franchise persons "who have been convicted of any crime which may be punishable by imprisonment in the penitentiary, and not afterwards pardoned with express restoration of franchise."

Sincerely,

NICHOLAS DEB. KATZENBACH,  
Attorney General.

Mr. MANSFIELD. Is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

Mr. KENNEDY of New York obtained the floor.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. KENNEDY of New York. I yield to the Senator from Montana.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

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

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

#### DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Department of Justice are considered and confirmed en bloc.

#### U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the Coast Guard nominations are considered and confirmed en bloc.

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

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

#### LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

#### COINAGE OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2080) to provide for the coinage of the United States.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

#### HAZARD OF NUCLEAR WAR

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent that the germaneness rule may be waived during the duration of my speech.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY of New York. Mr. President, I rise today to urge action on the most vital issue now facing this Nation and the world. This issue is not in the headlines. It is not Vietnam, or the Dominican Republic, or Berlin. It is the question of nuclear proliferation—of the mounting threat posed by the spread of nuclear weapons.

Five nations now have the capacity to explode nuclear bombs. This capacity was developed at great cost, over a period of a generation. But at least a dozen, perhaps a score, of other nations are now in a position to develop nuclear weapons within 3 years. Two of these nations—Israel and India—already possess weapons-grade fissionable material, and could fabricate an atomic device within a few months.

These nations, moreover, can develop nuclear capabilities at a fraction of past costs. Within a very few years, an investment of a few million dollars—well within the capacity even of private organizations—will produce nuclear weapons. Once such a capability is in being, weapons will probably be produced for costs in the hundreds of thousands of dollars each. Similarly, delivery systems are far cheaper than they once were. Jet bombers can be purchased from the great powers for a few million dollars. And our own Minuteman missile is far less costly than

were our earlier missiles, or even the B-52's that preceded them.

Nuclear capability, then, will soon lie within the grasp of many. And it is all too likely that if events continue on their present course, this technical capability will be used to produce nuclear weapons. Since the explosion of the Chinese bomb, for example, pressure to develop a counterpart has built steadily in India despite Prime Minister Shastri's announced decision to refrain from nuclear armament; his policy may be reversed as a result. If India does acquire nuclear weapons, Pakistan will not be far behind. Finding itself threatened by the Chinese, Australia might work for nuclear capability—and in turn produce the same fears and desires in Indonesia. The prospect of nuclear weapons in West German hands might result in great pressures on Eastern European nations to acquire or develop a counterweight of their own. Israel and Egypt each have been deeply suspicious of the other for many years, and further Israeli progress would certainly impel the Egyptians to intensify their present efforts. Similar developments are possible all over the world.

Once nuclear war were to start, even between small, remote countries, it would be exceedingly difficult to stop a step-by-step progression of local war into a general conflagration.

Eighty million Americans—and hundreds of millions of other people—would die within the first 24 hours of a full-scale nuclear exchange. And as Chairman Khrushchev once said, the survivors would envy the dead.

This is not an acceptable future. We owe it to ourselves, to our children, to our forebears and our posterity, to prevent such an holocaust. But the proliferation of nuclear weapons immensely increases the chances that the world might stumble into catastrophe.

President Kennedy saw this clearly. He said, in 1963:

I ask you to stop and think what it would mean to have nuclear weapons in so many hands, in the hands of countries large and small, stable and unstable, responsible and irresponsible, scattered throughout the world. There would be no rest for anyone then, no stability, no real security, and no chance of effective disarmament.

There could be no stability anywhere in the world—when nuclear weapons might be used between Greeks and Turks over Cyprus; between Arabs and Israelis over the Gaza strip; between India and Pakistan in the Rann of Kutch. But if nuclear weapons spread, it is dangerously likely that they will be so used—for these are matters of the deepest national interest to the countries involved.

There could be no security—when a decision to use these weapons might be made by an unstable demagogue, or by the head of one of the innumerable 2-month governments that plague so many countries, or by an irresponsible military commander, or even by an individual pilot. But if nuclear weapons spread, they may be thus set off—for it is far more difficult and expensive to construct an adequate system of control and

custody than to develop the weapons themselves.

There could be no effective disarmament—when each nation would want guarantees, not from one or two or five powers, but from a dozen or a score or even more nations. But if nuclear weapons spread, such guarantees would be necessary.

Think just of the unparalleled opportunities for mischief: a bomb obliterates the capital city of a nation in Latin America, or Africa, or Asia—or even the Soviet Union, or the United States. How was it delivered—by plane? by missile? by car, or truck, or ship? There is no evidence. From where did it come—a jealous neighbor? an internal dissident? a great power bent on stirring up trouble—or an anonymous madman? There is only speculation. And what can be the response—what but a reprisal grounded on suspicion, leading in ever-widening circles to the utter destruction of the world we know.

It is clear, in short, that the United States—and the entire world—have the most vital interest in preventing the scattering of nuclear weapons. Upon the success of this effort depends the only future our children will have.

The need to halt the spread of nuclear weapons must be a central priority of American policy. Of all our major interests, this now deserves and demands the greatest additional effort. This is a broad statement, for our interests are extremely broad. The need to be strong—to meet aggression in far-off places—to work closely with allies all over the world—all these needs must be met. And the crises of the moment often pose urgent questions, of grave importance for national security. But these immediate problems, and others like them, have been with us constantly for 20 years—and will be with us far into the future. Should nuclear weapons become generally available to the world, however, each such crisis of the moment might well become the last crisis for all mankind.

Thus none of the momentary crises are more than small parts of the larger question of whether our politics can grow up to our technology. The nuclear weapon, as Henry Stimson said, "constitutes merely a first step in a new control by man over the forces of nature too revolutionary and dangerous to fit into the old concepts—it really caps the climax of the race between man's growing technical power for destructiveness and his psychological power of self-control and group control—his moral power."

The United States took the initiative and made the maximum effort to secure the nuclear test ban treaty in 1963 because we knew that our security and the future of the world depended on halting the arms race and exerting every possible effort toward peace. And we hailed the treaty not principally for its specific benefits—important and necessary as they were—but for its value as the first of many necessary actions to secure a lasting peace. It was "the first step in a journey of a thousand miles"—a jour-

ney to which President Kennedy was deeply committed, and to which President Johnson is deeply committed.

But we have not yet taken the second step. The world has not moved, beyond the limited nuclear test ban itself, to halt the proliferation of nuclear weapons. If we are to leave our children a planet on which to live safely, to fulfill the bright promise of their lives, we must resume the journey toward peace.

And at the outset of this journey, we cannot allow the demands of day-to-day policy to obstruct our efforts to solve the problem of nuclear spread. We cannot wait for peace in southeast Asia, which will not come until nuclear weapons have spread beyond recall. We cannot wait for a general European settlement, which has not existed since 1914. We cannot wait until all nations learn to behave, for bad behavior armed with nuclear weapons is the danger we must try to prevent.

Rather we must begin to move now, on as many fronts as possible, to meet the problem. With every day that passes, the likelihood increases that another nation will develop the bomb; and every new possessor will lead others to abandon the restraint that alone keeps them from acquiring a nuclear capability now. William Foster, head of the Arms Control and Disarmament Agency, has pointed out that as long as the problem involved only the United States and the Soviet Union, a delay of a year or more was not fatal to the conclusion of an agreement. But in the multination problem in which we now find ourselves, "a delay of a year or so, or perhaps even of months . . . could well mean the difference between failure and success."

I therefore urge immediate action along the following lines.

First, we should initiate at once negotiations with the Soviet Union and other nations with nuclear capability or potential, looking toward a nonproliferation treaty. This treaty would bind the major nuclear powers not to transfer nuclear weapons or weapons capability to nations not now in possession of them. And it would pledge nations without nuclear arms, on their part, not to acquire or develop these weapons.

This pledge would require a third component: the extension to all nations foregoing nuclear weapons a guarantee against nuclear aggression or blackmail. We presently protect our allies against nuclear attack. But our alliance umbrella does not extend to nonaligned nations such as India; and while the President indicated that the United States would help them to resist nuclear blackmail, more specific and definite measures are needed. If these nations are to forego nuclear weapons—especially when their neighbors may possess them—they must be guaranteed against nuclear aggression.

To be effective, such a guarantee would have to be extended by the United States and the Soviet Union bilaterally—or better still, by a group of nuclear powers, and, in fact, nonnuclear powers, as well. But I would warn that such an umbrella-

la—if it is to be effective, and if it is not to lead to great power confrontations all over the world—must be divorced from and superior to the other policy aims of the nations involved. We cannot protect only our friends from nuclear attack—or allow nations with whom we are otherwise friendly to threaten others with nuclear weapons. We must stand against nuclear aggression—period.

A treaty to prevent nuclear spread, as Mr. Foster has indicated, is manifestly in the paramount interest of the United States and the Soviet Union. It is by far the most important step we now can take to stop the spread of nuclear weapons.

There have been suggestions that the chief stumbling block to such a treaty is the war in Vietnam. But wholly apart from the strains resulting from that war, I think we have not ourselves done all we can to secure a nonproliferation treaty.

The most prominent example is the question of the multilateral force, and the variant Atlantic nuclear force. The Soviet Union contends that either plan would give control over nuclear weapons to West Germany; although we disagree with that view, the Soviet Union has absolutely refused to conclude a nonproliferation agreement as long as we go forward with the MLF or the ANF. We have not abandoned the MLF-ANF plans, because West Germany and other nations in Western Europe feel that they must have a greater role in nuclear deterrence.

But if a nonproliferation treaty can be concluded, it will be in the national interest of every nation. We should therefore continue with increased concern, our search for a form of nuclear guarantee which, it is now felt, requires participation by other nations, to West Germany and other countries of Europe which meets their needs without meeting with rejection by the Soviet Union—such as might evolve from the allied consultation device suggested at the NATO meeting by Defense Secretary McNamara, just a few weeks ago.

Second, we should immediately explore the creation of formal nuclear-free zones of the world. Right now, one of our greatest assets is that there is not one nuclear weapon in all of Latin America or Africa. This situation can be preserved if the nuclear powers pledge not to introduce any nuclear weapons into these areas, the nations of the areas pledge not to acquire them, and appropriate machinery for the verification of these pledges is set up. Some nations—particularly in Latin America—have already exchanged informal assurances to this effect. We should encourage them to go further in every possible way. We should extend similar efforts in Africa. And if these efforts are successful, we should call on Israel and the neighboring states of the Middle East, which might not be covered, to make the same commitment. I am not, however, suggesting that, under the present circumstances, we could establish nuclear-free zones in the Far East or in Europe.

Third, we should complete the partial test ban agreement of 1963 by extending

it to underground as well as above-ground tests. Since 1963, we have made considerable scientific progress in detecting underground tests and in distinguishing many natural tremors from manmade explosions. Without jeopardizing our security, we can now extend the test ban to certain types of underground tests. And as soon as scientific advance makes it possible to extend the test ban to any other type or size of underground test without jeopardizing security, it is my judgment that it should be done. And we should also press all efforts to resolve the deadlock on inspections of those explosions which cannot be firmly identified without inspection. So let us return to the conference table, for the completion of this treaty would be a natural complement to a nonproliferation agreement. It would provide an additional incentive to nonnuclear powers to forgo a weapons development program. And it would help to restore the momentum of the test-ban treaty itself.

Fourth, we should act to halt and reverse the growth of the nuclear capabilities of the United States and the Soviet Union, both as to fissionable material for military weapons purposes and as to the strategic devices to deliver such material. Freezing these weapons at their present levels—which, as we all know, are more than adequate to destroy all human life on this earth—is a prerequisite to lowering those levels in the future.

Moreover, it would be in the direct self-interest of the United States and the Soviet Union to cut back our nuclear forces. For, as Secretary McNamara has shown, we each have more than enough to destroy the other nation—yet can never acquire enough to prevent our own destruction. And even substantial cutbacks would not affect our nuclear superiority over China in the foreseeable future. Most of all, it is essential that the two superpowers demonstrate to the world, by concrete example, their determination to turn away from weapons of absolute destruction, toward a world order based on other strengths. Here again, President Johnson has taken the initiative with the slowdown in production of plutonium and uranium 235, and with the phasing out of certain bombers. Much more, however, remains to be done.

Fifth, we should move to strengthen and support the International Atomic Energy Agency. This agency is the only truly international vehicle for inspecting peaceful atomic energy plants to assure that they are not used for the production of weapons-grade material. The IAEA is the only forum in which the United States, the Soviet Union, and Great Britain have worked without serious friction and without a Soviet veto. Already it inspects many reactors throughout the world; and its importance was increased last week when Great Britain, following an earlier U.S. initiative, opened its largest reactor to inspection.

But the IAEA has not received the full support it merits and demands. The reactor we helped India to build is subject, by prior condition, to IAEA inspection, and it has remained peaceful.

But another reactor, built with Canadian help, is not subject to equivalent conditions, and, in this reactor, the Indians may have produced their weapons-grade fissionable material.

We should insist, at a minimum, that all reactors built with the help of other powers be subject to IAEA inspection. Indeed, I think the time has come to insist that all peaceful reactors be subject to inspection. But we ourselves must also stop assisting nations which refuse inspection. In the past, for fear of antagonizing the Europeans, we have sold enriched uranium to Euratom without requiring that its plants be open to IAEA. We have thus aided the construction of reactors in France, Germany, and Holland, all of which are closed to the outside world. Until they are opened, all our assistance to their creation or functioning should cease. In this connection, I would like to pay tribute to the work of the Joint Atomic Energy Committee, and particularly to Senators ANDERSON and PASTORE, who have long insisted on adequate international safeguards on our nuclear-assistance programs.

A stronger stand in support of IAEA could have a major inhibiting effect on the diversion of peaceful nuclear plants to weapons work—for example, in such countries as Sweden or Switzerland. In fact, under the Pearson government, Canada has shown the way by responsibly insisting on guaranteed peaceful use of any uranium that it sells. That Canada has lost certain sales thereby proves the value of this policy; clearly, the material might well have gone to weapons. We should also work toward IAEA control of fabricating and reprocessing of all fuel for peaceful reactors.

Sixth, it is vital that we continue present efforts to lessen our own reliance on nuclear weapons. Since 1961, we have worked to build up our nonnuclear forces, and those of our allies—so that if conflict comes, we need not choose between defeat and mutual annihilation. We have not yet been fully successful; only the United States and West Germany have met their full conventional force commitment to NATO. But we should continue to pursue this course. For our efforts to induce others to forego nuclear forces depend in large part on our ability and willingness to sharply limit the possible use of our own.

As to all these points—in all our efforts—we will have to deal with one of the most perplexing and difficult questions affecting American foreign policy: China. It is difficult to negotiate on any question with the intransigent leaders of Communist China. And it is doubly difficult when we are engaged in South Vietnam. China is profoundly suspicious of and hostile to us—as we are highly and rightly suspicious of her. But China is there. China will have nuclear weapons. And without her participation it will be infinitely more difficult, perhaps impossible in the long run, to prevent nuclear proliferation. This was recognized, just last week, by 70 nations at the Disarmament Commission of the United Nations, who urged that China be included in any non-proliferation agreement. It has been recognized

by President Johnson, who has repeatedly offered to negotiate with any government in the world as to the peace of southeast Asia. And it has been recognized by the American people, who voted overwhelmingly in a recent poll for negotiations with the Chinese.

At an appropriate time and manner, therefore, we should vigorously pursue negotiations on this subject with China. But if we must ultimately have the cooperation of China, and the Soviet Union, and France, and all other nations with any nuclear capability whatever, it does not follow that we should wait for that cooperation before beginning our own efforts. We are stronger, and therefore have more responsibility, than any nation on earth; we should make the first effort, the greatest effort, and the last effort to control nuclear weapons. We can and must begin immediately.

In this connection, I urge that the work of the Gilpatric Committee—which included many distinguished public servants, such as Arthur Dean—appointed by the President to study the problem of nuclear proliferation, be carried forward by all concerned agencies of the Government at once. It is only by study and action by general concern throughout the Government, that the problem of nuclear proliferation will remain where it belongs—in our constant attention, the object of all of our principal concern. And we can and must continue to re-examine our own attitudes—to insure that we do not lapse back into the fatalistic and defeatist belief that war is inevitable, or that our course is too fixed to be affected by what we do—to remember as President Kennedy said, that “no government or social system is so evil that its people must be considered as lacking in virtue”—and to remember that “in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children’s future. And we are all mortal.”

Above all, we must recognize what is at stake. We must face realities—however unpleasant the sight, however difficult the challenge they pose to all of us. And we must realize that peace is not inaction, nor the mere absence of war. “Peace,” said President Kennedy “is a process—a way of solving problems.” It is only as we devote our every effort to the solution of these problems that we are at peace; it is only if we succeed that there will be peace for our children.

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

Mr. KENNEDY of New York. I yield.

Mr. MANSFIELD. I commend and compliment the distinguished junior Senator from New York for the speech which he has just made. It is a speech which required courage to give, because there will be much that many will disagree with, but it is a speech which I believe should have been given, because as long as we accept the status quo, the more we will continue to move backward.

I remember when President Kennedy came to the Northwest to speak on natural resources, in September 1963. He went into Wisconsin, Minnesota, North Dakota, and Wyoming. In those States he discussed the natural resources

of our country. In those States he was received with enthusiasm and approbation. But when he reached Billings, Mont., there was a crowd of 75,000 people there. That is more than one-tenth of the population of our State. There he did not speak so much of natural resources, but rather of human resources. He spoke of the test ban treaty which the Senate had approved the previous week. The people really were interested in what the President had recommended and what the Senate had done, and they showed their wholehearted approval of the action taken by this body. The same situation occurred in Great Falls where 100,000 people—more than one-seventh of Montana’s population—expressed their approval of the test ban treaty.

It is my belief that many of the questions raised by the Senator from New York will have to be faced, because, in his words, there may be unstable demagogues who may use weapons of this kind. He has pointed out that their cost is being reduced day by day and the knowledge necessary to manufacture weapons of destruction which could kill millions, tens of millions, and hundreds of millions of people, is increasing. Therefore, this question should be faced up to.

I am afraid our own people are becoming too accustomed to the idea of nuclear war and the results in the way of difficulty, damage, and destruction that such a conflict would entail.

Therefore, without going into the questions raised by the distinguished Senator, without going into the recommendations—I shall do so later—I express my thanks for what he has done today, for the speech he has made, for the questions which he has called to our attention, and the need for facing up to these particular questions, not only in the interest of our own country, but in the interest of mankind as a whole.

Again I commend the distinguished Senator.

Mr. KENNEDY of New York. I thank the Senator.

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

Mr. KENNEDY of New York. I yield.

Mr. AIKEN. Mr. President, the Senator from New York has made a very important speech, which had to be made. Someone had to make it. The Senator from New York had the courage to make it. I hope it is read, digested, and acted upon, not only by the leading officials of the United States, but those of every other country as well.

I commend the Senator from New York for delivering this very important speech. I do not know what else to call it but important, because the subject he has spoken on is one which so deeply concerns everybody on this earth that we must take action as fast as we can to make sure that the things that could happen do not happen.

Mr. KENNEDY of New York. I thank the Senator. Someone has said that evil triumphs when good men sit by doing nothing.

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

Mr. KENNEDY of New York. I yield.

Mr. MOSS. I commend my colleague the Senator from New York for the speech he has made today. It seems to me we have allowed ourselves to coast along. When I say that, I do not mean that no efforts have been made. We took a step forward in the test ban treaty, but we did not proceed far enough. The ban is only on tests or explosions in the atmosphere and on the surface.

This is a great cloud which hangs over mankind. I fear that we have been turning away from the problem, hoping that it would go away. But it will not go away, as the Senator from New York so clearly pointed out.

We must apply ourselves to a solution of the problem. Even though it appears to be difficult, perhaps even hopeless in some respects, someone must start, someone must try. Until a solution is found, the clouds will continue to hang over all mankind.

Therefore, I am grateful, indeed, to the Senator from New York that he has made this speech. I hope it will bring action.

Mr. KENNEDY of New York. I thank the Senator.

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

The PRESIDING OFFICER (Mr. BASS in the chair). Does the Senator from New York yield to the Senator from New Mexico?

Mr. KENNEDY of New York. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I commend the junior Senator from New York for the fine statement he has just made, and which he kindly gave me the opportunity to review prior to its delivery.

Concerning the last portion of the speech, let me say to the Senator that I agree with him so thoroughly that I hope he enlists himself in the cause. He spoke of the work of the Gilpatric Committee, that it might not be carried forward. The Gilpatric Committee report has not been made available to the Joint Committee on Atomic Energy. I am told that it also has not been made available to the Armed Services Committee or to the Foreign Relations Committee.

I agree with the Senator from New York that this is a valuable document and should be seen by all who have responsibilities in this field. I hope that he and I may join in trying to have the report made available to the responsible committees of the Congress very soon.

Mr. President, as a former chairman of the Joint Committee on Atomic Energy, and as a member for over 14 years of that committee which has major responsibilities in the control and use of atomic weapons, I wish to thank the Senator from New York once more for his recognition of the work of the Joint Committee in the curtailment of weapon proliferation and the Joint Committee's support of the International Atomic Energy Agency. I particularly appreciate his kind remarks about the Senator from Rhode Island [Mr. PASTORE] and me. I cannot praise too highly the constant attention to duty

and the highly intelligent approach of the senior Senator from Rhode Island.

Because of the highly classified subject matter with which it deals, much of the committee's work and efforts directed toward limiting nuclear weapon proliferation and curtailing the spread of nuclear weapons and nuclear weapons systems is not publicized. I should like to cite for the record, however, some instances which I believe reflect the not inconsequential results which the Joint Committee on Atomic Energy has achieved over sometimes strong executive reluctance, if not actual opposition.

In early 1958, for example, in the immediate postspuznik period, the Eisenhower administration somewhat alarmed over the exhibited Soviet technical achievement overreacted by suggesting major changes in the existing Atomic Energy Act to permit greater military cooperation in the uses of the atom with other nations.

Among the recommendations of the executive branch to Congress was a provision which would have permitted the transfer of nuclear weapon design information as well as parts of atomic weapons to other nations. In effect, this would have been a do-it-yourself kit and was so named by me and other members of the Joint Committee. The Joint Committee very carefully redrafted major portions of the bill, to assure that design information helpful to a nation in fabricating its own nuclear weapons could not be communicated, and that parts of nuclear weapons or special nuclear material for use in weapons could not be transferred to any nation that had not already achieved nuclear weapons capability. This action by the Joint Committee, endorsed by Congress, was specifically directed against nuclear weapon proliferation.

While the Congress approved certain amendments to the Atomic Energy Act in 1958 to give greater assistance to our NATO allies, particularly having to do with training their personnel for possible nuclear warfare, we are careful to maintain a prohibition against the transfer of nuclear weapons to any nation except, of course, in the case of war when the President, as Commander in Chief, through his constitutional powers, could authorize their use. I and other members of the Joint Committee also inserted a provision in the Atomic Energy Act that required all proposed agreements for cooperation for military purposes to be submitted to the Congress for a period of 60 days before they became effective, during which time the Congress by resolution could disapprove them.

Periodically, since 1955 and 1956, I and other members of the Joint Committee have been approached with proposals from the executive branch to transfer nuclear submarine information to other nations. I personally, and other members also, have strongly resisted these proposals. Basically, I do not wish to disseminate highly classified information of our submarine program to countries whose security procedures are not so secure as our own. In addition, I do not understand how on one hand we can

take a strong position against nuclear proliferation and then assist other nations in developing independent nuclear submarine capability as platforms for intercontinental ballistic missile systems which basically is the reason why some of these nations want our assistance in developing nuclear submarines.

Mr. KENNEDY of New York. Mr. President, will the Senator from New Mexico yield at that point?

Mr. ANDERSON. I am glad to yield to the Senator from New York.

Mr. KENNEDY of New York. Is it not correct that those transfers really would have taken place if it had not been for the intervention of the Joint Atomic Energy Committee, and for the personal intervention of the Senator from Rhode Island and the Senator from New Mexico?

Mr. ANDERSON. I believe that would have taken place. The Senator from Rhode Island is not a man who is easily pushed around. He cannot be pushed around. I believe that is the real answer. He defied them. He told them that he would not agree to these things. I am glad that he did so, because he contributed a patriotic service to his country and to the world.

Further proliferation of these weapons cannot do any nation in the world any good.

CHET HOLIFIELD, chairman of the committee, has done a magnificent job, and I am sure that the Senator from New York would join me in praising his work.

Mr. KENNEDY of New York. I do.

Mr. ANDERSON. I must add that the ranking Republican member, CRAIG HOSMER, Representative from California, has made a very fine contribution to the work of that committee.

Mr. President, I might also mention that over the years there have been a number of secret and top secret communications from the Joint Committee to the President of the United States inviting attention to certain matters and making recommendations directed toward better safeguards. For security reasons, I cannot disclose many of the specifics. However, I should like to point out that in February 1961, after an extensive inspection of NATO installations, a special ad hoc committee of the Joint Committee, under Chairman CHET HOLIFIELD, pointed out a number of major problems to the President. In preparing its report, the committee and committee staff initiated work on the Permissive Action Links—the so-called PAL system. The ad hoc committee report to the President strongly recommended development and installation of electronic and mechanical locks on nuclear weapons in the NATO stockpile.

As the late President Kennedy subsequently made public, the Joint Committee in this same report recommended the removal of Jupiter missile systems from Turkey and Italy. This recommendation was the basis for such action by the executive branch. Numerous other conclusions and recommendations in that report are of a classified nature directed toward developing greater assurance against accidental nuclear war and against proliferation.

As the junior Senator from New York has mentioned in his statement, the United States is helping a number of nations to construct civilian nuclear reactors. As he correctly pointed out, the reactor we are helping India to build will be subject to International Atomic Energy Agency inspection. This, of course, is well known. Because it is generally not well known, I would like to take this opportunity to give recognition to a member of the Joint Committee who, in my opinion, is most responsible for assuring that International Atomic Energy safeguards will be brought to bear on that reactor. In 1963, when the AEC and Department of State were negotiating with representatives of India for a civilian nuclear reactor to be built at Tarapur, India, the Indians were most steadfast in their refusal to permit IAEA inspection rights and there were strong indications that our negotiators would give in to them.

The senior Senator from Rhode Island, who was then chairman of the Joint Committee on Atomic Energy, and who previously had had a great deal of experience as chairman of the Subcommittee on Agreements for Cooperation, was informed that the AEC and Department of State were about to permit the Indians to obtain the American civilian reactor without International Atomic Energy safeguards.

In a strongly worded letter, Senator PASTORE, as chairman of the Joint Committee, criticized the State Department and the Atomic Energy Commission for what he characterized as "pussyfooting." In no uncertain terms, he pointed out the importance of requiring India and other nations to come under the IAEA safeguards and succeeded in getting the executive branch to take a much stronger position.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the letter to which I referred from the then chairman of the Joint Committee on Atomic Energy, Senator JOHN O. PASTORE, to the Chairman of the Atomic Energy Commission and the Secretary of State, under date of February 19, 1963.

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

CONGRESS OF THE UNITED STATES,  
JOINT COMMITTEE ON ATOMIC ENERGY,  
Washington, D.C., February 19, 1963.

HON. GLENN T. SEABORG,  
Chairman, U.S. Atomic Energy Commission.

DEAR MR. SEABORG: I have your letter of February 8, 1963, with regard to the U.S. policy toward the International Atomic Energy Agency. As I understand from your letter, and from the Department of State letter of January 22, which you referenced, it is the policy of the United States to make a determined effort to transfer safeguard arrangements as soon as possible to the International Atomic Energy Agency and get all new bilateral partners to accept Agency safeguards.

In view of this policy, I cannot understand why the United States is not more forceful in negotiating with the Indian Government on the Tarapur reactor case. It would seem to me that any proposed agreement for cooperation with India should contain a provision requiring the Indians to permit inspection by the IAEA once such a system has

been set up. I do not believe that a provision calling for "sympathetic consideration to the application of Agency safeguards" or similar pussyfooting on our part will further the stated U.S. policy.

I am at a loss to understand how we can expect other nations to come around to our policy when we fail to adhere to it in our negotiations with the Indians for a new bilateral agreement. Now is the time to set a precedent when we are being asked to finance, through AID and other arrangements, the Indian project amounting to over \$100 million. (It is my understanding that consideration is being given to furnishing approximately \$70 million through AID and approximately \$30 million for civil construction through U.S. counterpart funds.)

Separate and distinct from the safeguards problem, there is another important factor which I believe should be considered in connection with the proposed Tarapur project. Despite the efforts of our very best reactor experts, construction firms, and reactor operating specialists we have experienced numerous problems in the construction and operation of our large-scale power reactors. When one considers the remote area, the difficulties to be encountered in utilizing local construction personnel, and the generally less experienced nuclear reactor operators in India, it is questionable whether the construction of such a large full-scale power reactor in India should be undertaken at this time. I don't believe we should encourage a nation to become involved in a project which it may not be technically competent to support. Instead of expected gratitude, in the event of technical difficulties, the United States may find itself in the long run subject to severe criticism by this same government.

While I am in strong support of the atoms-for-peace program and for assisting foreign nations in the peaceful use of atomic energy, I believe premature and ill-advised projects can adversely affect not only our atoms-for-peace program but U.S. prestige in the eyes of the world.

I am sending a copy of this letter to the Secretary of State so that the Department may have my views in this matter.

Sincerely yours,

JOHN O. PASTORE,  
Chairman.

Mr. ANDERSON. Mr. President, I again commend the junior Senator from New York for his perception in recognizing the problems of a nuclear proliferation, and for his well thought-out suggestions directed toward the nonproliferation of nuclear weapons.

I particularly commend him for his recognition of the importance of the International Atomic Energy Agency safeguards, and the need on the part of the United States to require that nations receiving assistance from the United States be required to submit to IAEA inspection.

Mr. KENNEDY of New York. Mr. President, I highly value the statement made by the Senator from New Mexico. He has been involved in this problem for a long period of time. He is performing a significant service not only to the Senate, but also to the country.

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

Mr. KENNEDY of New York. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. I join my colleagues in complimenting the Senator from New York on making a timely speech on the

very serious question of the proliferation of nuclear and thermonuclear weapons.

A few days ago, I read an account of some young members of a political unit—I do not wish to mention the name of the party because I do not wish my observations to be misconstrued as being partisan—but the fact remains that they were advocating the abrogation of the nuclear test ban treaty.

Mr. President, this makes my heart bleed, because persons who talk like that do not really understand the facts.

In 1955, I went to Hiroshima, and I saw that city. It was a city of 300,000 souls. The bomb that fell on Hiroshima in August 1945 was 17 kilotons. That is equivalent to 17,000 tons of TNT power. It completely destroyed the city. It killed and maimed half the population and left a scar that civilization will never forget.

In August of 1945, the United States was the only Nation in the world which had the atomic bomb. We were the only Nation in the world that had unlocked the secret of the atom.

Within 20 years the picture has changed. Soviet Russia has vast capability in nuclear and thermonuclear weapons. Great Britain has vast capability. Much of our trouble with De Gaulle today is due to the fact that he is trying to become a prominent member of the nuclear club. Now we know of the two explosions made by Red China, which causes us great concern because their regard for human life is very much different from our own. We are very close to the point of no return.

There are enough nuclear and thermonuclear weapons in the world today which, if dropped indiscriminately, could destroy everything that man has created from the beginning of time.

What do we do?

As the Senator from Montana [Mr. MANSFIELD] has said, and as the Senator from New York has already said so eloquently, we are beginning to accept this fact as a way of life. We seem to talk about proliferation as though it were of no concern to anyone.

Here we are—man has it within the palm of his hand to bring about what the Scriptures admonished us against; namely, a world destroyed by fire—unless we in this generation begin to do something about it.

There are those who are aiming to become leaders in the political life of this great country, saying, "Let us abrogate the nuclear test ban treaty, let us throw it aside and let us begin testing all over again" as though it were the concern of no one.

The Senator from New York is eminently correct. The time is coming when we must begin to face the facts of life as they are, not as we would like them to be. The time is coming when this problem must be reviewed with a sense of responsibility that the world and civilization in particular must have for generations yet unborn, because, as the Senator from New York has said, there will be no children, and there will be no children of our children's children unless we begin to do something about this problem now.

We talk about the 17 kilotons dropped on Hiroshima, but now we are talking about 20 megatons. Let me tell the Senate what a 20 megaton bomb consists of.

If we took the TNT power of 20 megatons and loaded it on a freight train, that freight train would extend from the Atlantic Ocean to the Pacific Ocean.

We have on our planes today—and we have many, many of those planes—enough power on one plane alone greater than all the explosive power that was dropped in World War II on both sides. The total of all explosives in World War II was about three megatons. That is over 100 times more powerful than the bomb that was dropped on Hiroshima.

We have that power in the United States. Now give it to the Soviet Union, give it to Mao Tse-tung, and give it to De Gaulle, and where is the world?

The time has come when we must begin to look at this problem objectively.

I praise the Senator from New York.

I have sat with the Appropriations Committee, and every time the appropriation came up for the International Agency for the Peaceful Uses of Atomic Energy. I have been asked this question: "What good does it do?"

I must spend hour after hour going back in history to the beginning of the bomb, to show what it means.

Mr. President, this is the only salvation we have. It is the only agency in the world that has nearly the full membership of every nation.

If we lose this agency, how can we ever have international inspection? We shall not have it.

What do we pay for it? We pay a few paltry dollars—to do what? To bring about international standards of safety and international standards of control.

They are not being applied today because we have problems. But the day will come, and the day must come, unless we wish to destroy ourselves.

So I say to my good friend from New York, "God bless you for making this speech today." It is about time that someone with a name that is recognized all over this country and all over this world began to talk about this important subject.

What difference does it make if we have to talk with Red China? They are on the face of the earth. We are not ready to recognize them. Do we have to recognize them to talk to them? Of course not.

The time is coming when the leading powers of the world will have to sit down and rationally discuss this subject. If they do not do so, they will be committing suicide.

I am told that the first surprise attack could kill 65 million Americans. Imagine that. We go to a theater downtown and someone yells, "Fire." There is a stampede. Hundreds of people are killed and trampled. Imagine a bomb of 20 megatons, the equivalent of the TNT power that can be loaded on a freight train which stretches from the Atlantic to the Pacific Ocean, falling on Chicago, Washington, or on Moscow. Imagine the panic and the death and the contamination.

My God. It is almost impossible to imagine.

The time has come when the world must look at this subject objectively. I congratulate the Senator from New York.

I remember when we had before us the proposal to help build an atomic reactor in Tarapur, India. I wrote to the Atomic Energy Commission, and the Secretary of State saying that this must be under international control. Dr. Bhabha, the Indian representative, was most anxious to discuss this matter with me. He was a little sensitive about losing sovereign power. I said to him, "I am talking about mankind, Doctor. I am talking about life and death."

I hope that this country will never give a single gram of U<sup>235</sup> to any nation, by gift, by sale, or by loan, unless we specify specifically that the reactor shall be under international control, so we can be sure that no one will fabricate any more bombs. I hope that the day will come when all madness will be removed from man's mind, when the milk of human kindness will begin to flow, and we shall be able to look at this matter objectively and say, "Let us sit down and save future generations."

So I say to my good friend from New York, "Thank you for making the speech. It could not have come at a better time."

Mr. KENNEDY of New York. I thank the Senator from Rhode Island. I wish that not only those of us who are in the Senate, but all the people of the country and people of the world could have heard his speech. I thank him very much.

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

Mr. KENNEDY of New York. I yield.

Mr. COOPER. I am very glad that I was present today and heard the Senator from New York speak on the question of nuclear proliferation, a question which in time will be the most important issue upon which a decision will have to be made by our country and other countries in the world.

As I listened to him, I could not help remembering that it was his brother who sent to the Senate for its consideration and decision the limited nuclear test ban treaty. All of us who had to vote on that treaty had many difficult questions to answer. We were concerned about its effect upon the security of the United States. I believe that most of us made the decision—at least I made my decision in voting for it—upon the ground that it was a first step toward control over nuclear weapons, and perhaps ultimately to agreement that they should not be used, and better, that those in existence would be destroyed and no more made.

The Senator has suggested new ideas, and new advances toward these objectives, vital to mankind. Whatever our problems are today and whatever difficult issues are before us for decision, we cannot wait until they are solved to begin work upon this problem.

I have always thought that there is a defect in our procedures, both on the executive side and the congressional side. Preoccupied by the issues which affect us at the moment—serious as they are—we

do not work actively enough on those which will become the crises of tomorrow.

I have no doubt that unless thought is given, and steps taken—little steps though they may be—nuclear proliferation will bring about the ultimate crisis.

I join the Senator from New York today in expressing the hope that the executive branch and the Congress will work urgently on this problem and strive to find the means by which progress can be made.

The Senator has spoken about Communist China. Efforts were made in the United Nations in its early days to bring under the control of that body atomic material and atomic weapons. It was resisted by Russia because, as I am sure, Russia wanted to develop its atomic weapons. This without doubt is the attitude and position of Communist China today. Nevertheless, I believe efforts must be made, along the line suggested by the Senator from New York.

I hope that the Government of the United States and the Congress, the people, and other countries will listen to this plea, and will not wait until that day of crisis, when some irresponsible leader of another country may use nuclear weapons or perhaps our own country, placed in the position where it believes that for its own security it must use this horrendous weapon, will open the way to the destruction of mankind.

Mr. KENNEDY of New York. I thank the Senator from Kentucky. He has had wide experience in connection with our relations with other countries and with the United Nations, and I certainly appreciate his remarks.

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

Mr. KENNEDY of New York. I yield.

Mr. CHURCH. Mr. President, I, too, commend the Senator from New York for his forthright and farseeing address.

I remember that when the news first reached me of the dropping of an atomic bomb on Hiroshima, I was stationed at Kunming in China. The news broke at an intelligence briefing of the military staff. The bomb, we were told, had inflicted more than a hundred thousand casualties.

I remember how disbelieving we were at the news that that bomb was the equivalent of 17,000 to 20,000 tons of TNT. I think, from that moment forward, everyone sensed, at least partially, that the world faced a new era which would destroy the whole concept of national defense as we had previously known it. Within a very few years, we were dropping hydrogen bombs big enough to sink islands in the Pacific. As the distinguished chairman of the Joint Committee on Atomic Energy said today, we now have in our arsenal bombs hundreds of times more powerful than the bomb dropped on Hiroshima.

The effect of all this is that the very term "national defense" has largely disappeared from the lexicon of contemporary military usage. Today, instead of defense, we talk of deterrents. There is no defense. That is why the word has been dropped and "deterrent" has been substituted.

All we can do is avenge if we ever should be struck by an all-out nuclear attack.

I appreciate the fact that the Senator from New York gave me an advance copy of his excellent address. I looked at it this morning. I went back over some of the papers I assembled at the time of the Senate's debate on the nuclear test ban treaty.

Among those papers, I found an address that had been made by the distinguished Senator Brien McMahon, who was the first chairman of the Joint Committee on Atomic Energy. He was the sponsor of a resolution in which a number of contemporary Senators joined, among them the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. SPARKMAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], and the then Representative, but now Senator, from Washington [Mr. JACKSON]. The resolution concerned the overriding problem of our time then and now—how to stop the nuclear armaments race and establish a just peace.

I should like to read into the RECORD, if I may, the stirring summation that McMahon made in support of his resolution, in which he showed the depth of his concern that the world must find a way to deal with the split atom before the atoms split the world. He said:

Mr. President, the clock is ticking, ticking, and with each swing of the pendulum the time to save civilization grows shorter. When shall we get about this business? Now, or when Russia and the United States glower at one another from atop competing stacks of hydrogen bombs. Senators, destiny will not grant us the gift of indifference. If we do not act, the atom will.

If we do not act, we may be profaned forever by the inheritors of a ravished planet. We will be reviled, not as fools—even a fool can sense the massive danger. We will be reviled as cowards—and rightly, for only a coward can flee the awesome facts which command us to act with fortitude.

In the speech I delivered in support of the nuclear test ban treaty, I alluded to those remarks of Senator Brien McMahon. I noted that the United States and the Soviet Union were caught upon in the momentum of a grisly competition, and that both nations failed to heed McMahon's warnings; that during the 13 years that ensued, the clock had continued to tick away until we found ourselves, true to his prediction, glowering at one another from atop our respective hydrogen stockpiles, in the course of the two terrible showdowns of 1962—one over Berlin and the other over Cuba.

An implacable fate has not granted us the gift of indifference. What American parent in the dark hours of the Berlin confrontation or the Cuban missile crisis, in 1962, failed to look at his children and shudder at the thought of the catastrophic consequences of nuclear war?

What American who in that period honestly looked over the brink of the abyss did not realize the hideous catastrophe that confronted the world, did not feel panic in his heart, and did not emerge from that terrible crisis chastened?

I believe the leaders of both countries, President Kennedy, Chairman Khrushchev, and all those who were so closely in touch with the facts, including the distinguished Senator from New York, who has just made this brilliant address, experienced those feelings.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. KENNEDY of New York. I do not think anything could bring home more sharply and definitively what we are dealing with than did the crisis of October 1962. The leadership of not only the free world, but of the Communist world, looked down a nuclear barrel at that time. Steps were being taken by both Premier Khrushchev and President Kennedy as they considered the question of how far they should go and what we should do after Major Anderson, a U-2 pilot, was killed. That question involved not merely the death of President Kennedy, Mr. Khrushchev, or those who were in the Government; it would involve not only those who were in the Army, Navy, or Marine Corps. The decision that we were making at that time would involve, as the Senator from Rhode Island has indicated, and which I indicated in my speech, the death in the United States, within 24 hours of a nuclear attack, of at least 80 million Americans.

As I pointed out, Mr. Khrushchev said that the living would envy the dead. I believe that is correct.

I do not believe we can continue on the basis of believing that because we survived that crisis, it will not be duplicated in the future. I do not believe that any Senator, any American citizen, or any one anywhere in the world feels that we shall not again have the same kind of crisis that we had in October of 1962. Very likely, such a crisis will come again in the next decade. We shall have to make the same kind of decision.

But what might have resulted from a confrontation with Soviet Russia over Cuba could have been entirely different if Cuba itself had had control of atomic weapons.

The problems of the Middle East would be entirely different if both Israel and Egypt attain control over atomic weapons. The problems of the whole world would be different if India and Pakistan have control over such weapons.

We must consider not only what might happen to ourselves, but also what it would mean to children and people who would not have any role in the problem, or in the decisions that are made.

We as Senators, as do those in the executive branch of the Government, have a particular responsibility. We are dealing not only with the possibility of the termination of our own lives; we are also making decisions which will have an effect on people, born and unborn, who have nothing to say about what will happen.

In my judgment, therefore, we carry this major responsibility and obligation on our shoulders. If we do not fulfill that responsibility, how can we face

anyone—and I do not mean only those in this world but anyone at anytime—and say, "Perhaps we did well with a dam. Perhaps we ended water pollution in New York. Perhaps we established a job-training corps in Oregon." But what could we actually say on the major question which involves what our children and other children will have on earth to inherit? That is the question before us.

Mr. CHURCH. I am in full agreement with the Senator. The question he raises is, How close are we to the end of the rope? We have been sliding down it. When do we reach the frazzled end and drop into the witch fire of a nuclear holocaust?

The test ban treaty was one pull back up that rope. But we have not made another pull. The test ban treaty has been observed by both sides because it was eminently in the interest of both sides. Whatever we may think of the Russians, they are human, too.

Now the world has to find a way to make a second step. We have delayed too long in finding it. That is why I feel so strongly compelled to compliment the Senator from New York for his speech, together with the proposals he has made, which are worthy of the most serious pursuit, if we are to find that second step which will, as President Kennedy once said, lead us forward on the long journey toward a safer and saner world.

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

Mr. KENNEDY of New York. I yield.

Mr. PELL. I congratulate the Senator from New York on the excellence and timeliness of his speech. The problem we face is not only a question of proliferation, but of what proliferation means, because as a small nation acquires nuclear capability, it means that while whatever damage it can inflict may be small in relative terms, by setting off its weapon, it has attained the power of holding the nuclear trigger to the rest of the world. This is the problem with France. It has a nuclear trigger that could set off a holocaust.

In addition, it would seem to me that if we go into nuclear war, it will probably not mean the end of mankind, but will most certainly mean the end of our civilization. I believe it was Arnold Toynbee who said that we have been through 21 civilizations already. Our objective as Senators and leaders should be that we believe in our civilization and in preserving it, and not in laying the groundwork for a 22d civilization.

In thinking of the same ideas the Senator from New York has expressed, I have tried also to think through the problem of facing up to proliferation. One method might be if the "have" nations, the members of the nuclear "club," might somehow band together and agree that they will not let any other nations join the club; might even take forcible action, though through conventional means, to insure that the nuclear potentiality of any other nation trying to develop nuclear weapons would be removed. That would be a distasteful procedure, but it is a thought, and it would at least

keep the nuclear club down to five, which is already, in my view, five too many.

I remember when the first nuclear weapon was exploded in Hiroshima. I was walking down Pennsylvania Avenue when it went off. The thought that went through the mind of everyone was, "When will the next one go off, and where?" There was little joy, little elation, even though it brought to a close our war in the Pacific.

Finally, in congratulating the Senator from New York, I also congratulate my senior colleague from Rhode Island [Mr. PASTORE]. As I heard the emotion with which he spoke I knew it came from the depths and breadth of his knowledge of these awesome weapons of death.

Unless we take up the suggestion of the Senator from New York and move forward, we shall be in for what we all predict will be a world disaster. It was once said, "Let us begin."

We have already made a beginning; we have commenced with a nuclear test-ban treaty. But we have not gone 1 inch farther down the road since then. It is time for us to do so.

Mr. KENNEDY of New York. I thank the Senator from Rhode Island.

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

Mr. KENNEDY of New York. I yield to the Senator from Wyoming.

Mr. McGEE. I, too, wish to join my colleagues in commending the Senator from New York for raising this question again and impressing it upon us. His remarks should stir the conscience of this body, because they are a stark reminder of how much we have dawdled since the enactment of the test ban treaty almost 2 years ago. They serve further as a reminder that we ought not to defer or procrastinate further on this question. We must be grateful to the Senator from New York for having brought this ever-increasing danger to our attention. We should have been acting on the problem yesterday, and the day before yesterday. It is much later than it ought to be, but there is still time.

I should like to ask the Senator from New York his reaction to the suggestion sometimes made by some of our countrymen: Why should we be involved in this problem when we are the most powerful Nation in the world? I ask, "Do we not have the most to gain from taking the initiative, with our great power, more so than a weak power?"

Mr. KENNEDY of New York. Yes, for two reasons: First, the possibility of nuclear exchange must be restricted. A nuclear exchange will involve equals. There is no question that we are the most powerful Nation in the world. We have far more nuclear capability than has the Soviet Union. But still, in a nuclear exchange with the Soviet Union, as the strength exists at the present time, 80 million Americans would be dead from mass destruction of the United States in the first 24 hours. After that, destruction would continue as the exchange was continued with whatever weapons were left. It would continue also because of fallout.

I mentioned in my speech a number of points which bear not only on the

proliferation but also on the control of atomic weapons and in trying to reduce the number of weapons of war.

Second, the nuclear club is now restricted to a handful of nations. But more than a dozen nations now have the capability of making atomic weapons. If any one of those nations also produced the atomic bomb, the entire relationship of the United States with other nations would change immensely.

I point out, because I believe it is not understood clearly enough, that the cost of atomic weapons is becoming less and less. We can anticipate in the near future the making of atomic bombs of tremendous strength and force for a few hundred thousand dollars. There are some who believe that the cost will be much lower than that.

Not only is the construction of nuclear weapons within the capability of many other nations, but it is within the capability of private organizations. Private organizations have been uncovered around the District of Columbia that have thought it was a good idea to acquire bazookas and antitank guns. Thus such organizations might reason, "If 18 countries might be able to produce atomic weapons, why should we not do so? We will make one and put it in a suitcase, and if anyone does not behave or is going in the wrong direction, we will tell him what we will do."

That is the direction in which not only the United States, but the whole world, is moving. Every country will think it is necessary to have atomic weapons; and soon 12 or 18 countries will be making them. Israel and India can make nuclear devices within a couple of months, and weapons shortly thereafter. That is the kind of danger that confronts us.

Mr. McGEE. What the Senator from New York is really saying is that the television program "The Man From U.N.C.L.E." and similar programs are not merely TV extravaganzas that entertain us, but examples of a potential for trouble that may so exist. If we are to have order in the world, we must make certain that the means of international power bargaining and power potential can be under some kind of civilized and orderly control.

In terms of our own power in the world, we have much more to lose, for the simple reason that a government in Havana or in Tel Aviv or in Cairo, or almost anywhere else, can acquire enough destructive force to make insignificant our own great mass of power; and therefore, while we still have time, we have more to gain in a naked power sense.

Mr. KENNEDY of New York. That is correct.

Mr. McGEE. Aside from the catastrophic implications of nuclear warfare, we have more to gain as a world power if we can regulate the proliferation of nuclear power right now.

It is obvious to all of us that the easiest way to control the question would have been to have no one resolve the equation dealing with  $E=MC^2$ . That would have simplified it somewhat, although man is still developing other capabilities for destruction. The next best solution would

have been if we had been the only one to have this capability.

The hard fact remains that this destructive capability is being multiplied each year. If the Russians and the Americans were the only nuclear powers, it would have been far easier to control the problem of nuclear weapons. With the entry of India, France, and now the Chinese, it would seem to me to be beyond question that we must be prepared to enforce nuclear control or run the great risk of contributing to the deterioration of the potential of a nuclear balance in the world.

I echo the warning expressed by the junior Senator from Rhode Island [Mr. PELL] a moment ago when he reminded us that some of these procedures would not be popular. We do not dare try to win a popularity contest in the world. We have an obligation, having had a hand in triggering this great force on the world, to attempt to bring it under control.

I believe that is the reason why the remarks of the Senator, impressing this upon the conscience of the Senate, as he has done today so effectively, demonstrate that we must take steps to take the lead in this struggle.

We could find 1 million reasons why we cannot do it now. Unfortunately we find this temperament among our colleagues who can see more obstacles to such a course of action than they can see urgency in finding the right answer.

I hope that Senators will take to heart the proposals made by the Senator from New York today and move with great speed and with all the wisdom that they can command.

I commend the Senator.

Mr. KENNEDY of New York. Mr. President, there is no question that the knowledge and influence which we and the Soviet Union have developed have had an effect on other countries.

I believe that an examination by experts of the explosions that have taken place over China indicates quite clearly that the explosions would not have taken place without the help that was given to the Chinese by the Soviet Union in 1958.

Without the assistance of the Soviet Union, it is possible that the Chinese could have developed a bomb. However, they could not have developed the kind of bomb that they have developed, if it had not been for the assistance which they received. The hard fact is that such devices spread out and other countries get them.

People will say, "There is nothing that we can do about this because we are involved in a war in Vietnam."

But we can take action on many of these matters now. The inhibiting factor is not the war in Vietnam. This is a question of proliferation and of reaching an agreement with the Soviet Union. The problem is complicated by the Vietnamese situation. The problem involves our relation with NATO and our determination, here in the United States, to make a final decision on this matter. We also have the further complications of our relationships with De Gaulle. We should resolve these questions and reach

a conclusion on how best to handle these matters.

There is also the question of peaceful uses of atomic energy and our actions relative to this subject. We have permitted reactors to be constructed in Europe without any international inspection. We can make a decision on this question now. People are inclined to say that we cannot demand international inspection, even though we furnish the material, because it would offend our allies.

If we decide not to do that, I should like to have a full discussion and debate as to why we do not do it. I believe that there are steps that could be taken which would have nothing to do with the war in Vietnam. The Vietnamese situation makes it more complicated since it involves the Soviet Union and China. However, we can take steps to discuss what we are prepared to do and resolve the questions.

I do not believe that we should wait until the problem becomes more difficult. I do not believe that we should wait for years. I do not believe that it is fair for those who live in the world at the present time to pass this kind or quality of problem on to our children and our children's children.

Mr. McGEE. The Senator is correct. The war in Vietnam is difficult enough in and of itself. It is unpredictable and ugly enough in all of its connotations without using it as an alibi for forfeiting the responsibility that we have to view this problem on a far higher level. One of the most criminal and irresponsible things that we could do would be to use the war in Vietnam as an excuse for not taking the giant steps that the times compel us to take toward the goal of nuclear disarmament. The war in Vietnam has not stopped everything else. It has not simplified the cosmic society of which we are a part.

The Senator from New York has made it very clear in his remarks that the time is later than we think. We have no right to delay this matter before taking large steps. If we were to permit any more time to pass without action, it would only mean the compounding of the situation.

Mr. KENNEDY of New York. Mr. President, in that connection, conscientious efforts have been made at various levels to try to deal with some of these problems. One of these efforts was the late Conference at Geneva. I believe that we have both pointed out that there are things that the United States can and must do. There are issues that we must resolve within our Government and with our allies before we can move ahead as we should.

Mr. McGEE. Mr. President, in his remarks the Senator has clearly indicated the solution. The Senator stated that we must initiate these things. We cannot wait for some kind of international consensus. We cannot wait until some international pool reveals that this is what people demand. We have the kind of leadership that is required. We must implement it as expeditiously as possible.

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

Mr. KENNEDY of New York. I yield.

Mr. McGOVERN. I believe that the Senator from New York has delivered perhaps the most significant speech that has been made on the floor of the Senate this session. The Senator has discussed what I believe to be the most important problem of our time—the question of our survival.

Many great speeches have been delivered in the Senate this year. Two of them have made a great impression on me. One was the speech delivered earlier by the Senator from Idaho [Mr. CHURCH], in which he warned against our deepening involvement in Asia and Africa in a way that would not enable us to project our strongest assets in that part of the world. The other speech was delivered by the Senator from New York today.

It is true, as the Senator has said, that the war in Vietnam ought not to divert our attention from the consideration of the fundamental problem of nuclear disarmament. Unfortunately, that is one of the most tragic byproducts of this crisis. It tends to absorb our energy, our attention, and the best talents of those in the executive and legislative branches.

The Vietnamese situation is important, but it is certainly secondary in importance to the enormous challenge raised by the Senator from New York today.

Very frequently, when one goes out on a busy highway early in the morning, after the night's traffic has moved through, he will find a number of animals that have been killed on the road, whether they be squirrels, badgers, possums, or one kind of animal or another. Those animals have been killed, not because they lacked speed or coordination or the capacity to move away from danger, but because they were somehow paralyzed or blinded by the lights of approaching vehicles on the highway.

Much the same thing has happened to us with respect to nuclear power. We have been blinded by the danger of nuclear energy that confronts us.

The special importance of the speech of the Senator from New York is that he has called us back to reality and spelled out a commonsense set of initiatives that are within our capabilities to implement.

On September 25, 1961, in addressing the United Nations General Assembly immediately after the death of Dag Hammarskjöld, President Kennedy had this to say:

Every man, woman, and child lives under a nuclear sword of Damocles hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness.

He added:

The weapons of war must be abolished before they abolish us.

As the Senator from New York has said, each time a new power develops nuclear capability and the capacity to deliver nuclear bombs, it further weakens the slender thread that means the difference between survival and life for ourselves and generations to come.

I have often pondered on the impact that the life and death of the late President Kennedy had and the unprecedented amount of grief that followed his death, not only in our own country, but all over the world.

The primary explanation of it is that the people of the world, on this side of the Iron Curtain, on the other side of the Iron Curtain, and in the noncommitted nations of the world, felt that our late President represented a hope for peace. They saw a chance for survival and a hope for peace with his leadership. The Senator from New York has today done much to renew that hope which I know President Johnson and my colleagues here in the Senate share. I commend him on his fine speech.

Mr. KENNEDY of New York. I thank the Senator from South Dakota, who served with President Kennedy in his administration, and who made so many efforts to better the lives of people all over the world.

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

Mr. KENNEDY of New York. I yield.

Mr. HART. I will not even presume to bespeak the thanks of the people of Michigan, much less the people of the world, to the Senator from New York, for the thought that produced the speech he has made today. I thank him as a human being for what he has said, and I presume I can speak for my children. I hope it will remind us, among many other things, that we ought to seek to look at ourselves through the eyes of people elsewhere in the world, and consider what they think of us, how they see us—not that we must lose our national identity or responsibility, but recognizing, if we can, what others attach to our acts and our omissions, realizing, as we must, that for long years the finger has been pointed at the United States as a threat to the peace. We know the story. We know the charge long made that the United States cannot afford to disarm. Those of us who have represented a community that lost a defense contract know that that kind of disarmament is not popular.

I would hope we would today, in reviewing the speech just made by the Senator from New York, take each of the particular recommendations he has marshalled, none of which really is new, and ask ourselves, "I wonder what the citizens in Timbuktu will interpret our real motive to be?"—in view of the fact that that recommendation has been on our desk for years and all it produced up to this moment as that person may see it is a speech—a magnificent speech. It should remind us, too, that we are so busy finding somebody's lost social security check, or scrambling for a defense contract, or replying to letters about a gun law, or untangling a rural mail carrier problem, and seeking to improve our level of educational excellence, purifying water and the air, and conserving areas for recreation, and all the other "right" things, that we can spend a long lifetime here and never give our continued attention to the overriding problem that should confront each of us in our days here. And that is the problem the Sen-

ator from New York has abruptly, with a sort of thumb in our eye, called attention to. It is good he did. It is too bad that he must.

I will not ask him, How do we avoid now a silence of 6 months, and then another speech? He has made specific suggestions as to what we ought to do. I for one, as a human being, thank him for what he has done.

Mr. KENNEDY of New York. I thank the Senator.

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

Mr. KENNEDY of New York. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I join in the general commendation of the distinguished Senator from New York. What I like about this speech particularly are two things. First, it is a positive speech. The sentence which will stick in my memory longer than any other one comes near the end of the speech, when the Senator said:

We must realize that peace is not inaction, nor the mere absence of war.

He goes on to say:

"Peace," said President Kennedy, "is a process—a way of solving problems."

Second, the Senator from New York does not do what critics find easiest:

Attacking what we are falling to do—the Senator from New York does not do this. He shows what constructive things we are doing. We have slowed down production of nuclear material. We have won some Russian cooperation in this. He says there has been progress in putting less reliance on our nuclear power and in the strengthening of our non-nuclear, conventional forces. But he has properly called upon us to recognize the great, in fact, the terrible urgency of the situation. He has called on us to go much further than we have.

Specifically, he calls on us to be far more stringent in limiting the dispersion of our nuclear power. I agree wholeheartedly. The vision which he has conjured in our minds, not of what would happen when Mao or De Gaulle have this power, but when Nasser, Castro, and 10 or 15 other countries have it, must impress on us the necessity for action in all the initiatives he suggests.

I, too, commend and am grateful to the distinguished Senator for an inspiring speech. I have learned a great deal from it. I thank the Senator from New York for the people of Wisconsin.

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

Mr. KENNEDY of New York. I yield.

Mr. TYDINGS. Mr. President, I should like to add my voice to those of my colleagues who have commended the Senator from New York for his fine and timely address. I should like particularly to associate myself with the simple but very eloquent remarks of the Senator from Michigan [Mr. HART].

I believe that the ability to see the forest when so many see only the trees is a great achievement. When the Senator from New York selected this particular subject on which to make a major address on the floor of the Senate, I believe that he did a great service not only to his own constituents, but also, as the Senator from Michigan pointed

out, to all the world. Both the cogency of what he has to say and the fact that the junior Senator from New York, bears a great name, will bring public attention to the great problem of our generation; namely, whether we can make sufficient political adjustments and social progress to meet the immense problems and challenges which arise from the incredible scientific achievements of the last 25 years.

The manner in which the Senator analyzed the problem, the manner in which he presented the facts, and the constructive approaches he suggested, should give a great deal of impetus to the leadership which this country must produce if we are going to meet the challenge of this generation.

Therefore, on behalf of myself and the constituents of Maryland, I thank the Senator from New York for the great contribution he has made today.

Mr. KENNEDY of New York. I thank the Senator very much.

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

Mr. KENNEDY of New York. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. I join in the commendations of my colleagues of the important and excellent speech just made by the Senator from New York. It is an objection from which no one could possibly dissent. It is an issue which has been properly and most eloquently raised by the junior Senator from New York, and I applaud its purpose highly.

Let me comment on some of the difficulties which I see in the way of carrying out the Senator's ideas, and particularly with reference to the remarks just made by the Senator from Maryland [Mr. TYDINGS] as to the pertinent and cogent remarks of the junior Senator from Michigan [Mr. HART].

In approaching this subject, I believe as he does that we must view it from the other fellow's point of view. We must get out of the natural habit of viewing another country's attitudes and actions solely from the standpoint of our interest. The other country has its interest at heart as we have. It is a basic fact—albeit a distressing fact—that the United States developed the nuclear bomb and is the only nation yet to use it in war. The United States alone rained its horrible death and destruction on the people of another nation. This makes it rather difficult for us to come forward and persuasively be the leader in a reform movement to limit nuclear warfare when we have moved in the other direction, and were the only nation to do so.

I note, for example, a single reference in the Senator's speech to France compared to references to other nations. The other nations get fuller treatment in the Senator's address. I believe that we should start consideration of the problem from the standpoint of France. After all, the position of President de Gaulle in seeking nuclear capability for his country is inseparably related to the fact that he feels that if France were threatened he could not necessarily count on the assistance of the United States, and that he would not wish to wait until a decision which crucially involved the

safety of France, had been arrived at in Washington. I can hardly see how he can be criticized for that, although he has been. I fail to see how he could act otherwise.

The history of our handling of the Suez Canal controversy, to cite only one example, when we went back on our traditional allies, France and Great Britain and got into bed with Soviet Russia, and handed the canal over to an aggressor, Nasser, and rebuked France and Britain in particular, sought to impose sanctions on them in the United Nations, and imposed them unilaterally, on these longtime friends, makes it understandable why President de Gaulle wishes to have all the weapons he can obtain independently, including nuclear weapons. Why should he not? So this is one of the problems facing us in seeking the objectives of nuclear disarmament. We must study past history and our own relations to the problem, and what we have done in the past.

Particularly now, I venture to say, it will be difficult to negotiate with China, in view of the fact that a far more pressing and immediate problem has been raised in the war in southeast Asia as to whether it will be possible, at this time, when we are raining death and destruction on a country neighboring China, North Vietnam, to approach the Chinese regarding the cessation of nuclear bombing and testing.

I believe those are among the questions we must take seriously to heart.

I commend the Senator from New York once more, as well as the Senator from Michigan, for their most appropriate comments.

Mr. KENNEDY of New York. Let me comment on some of the problems. I do not give this speech on the basis that any of these problems are easy to solve. They are difficult. After all, we struggled with the question of the test ban treaty, a treaty to ban nuclear explosions in the air, for a long period of time until it was finally concluded in 1963. But we were able to achieve that important result.

France, for reasons which the Senator from Alaska has described, did not see fit to become a signatory to that agreement.

The problem of France is difficult, but I do not know that that problem is always going to be with us in the form it presently takes.

In the meantime, I believe that it is of even greater importance that we begin to improve our relations with Soviet Russia, where it is my feeling there are areas in which we can make progress. My feeling is that we wish to be judged fairly. We do not wish to be judged as were the two leaders of Germany and Austria in the book "Guns of August." They were exchanging views as to how Europe exploded in the First World War; one asked the other why it happened, and the reply was, "Oh, my God, if we only knew—if we only knew."

We do not wish that written about those of us who have the responsibility within Government—that the problem was so difficult that we did not make the effort—and that when it was asked, how did it come about that the world

was destroyed by an atomic exchange, the reply was, "Oh, my God, if we only knew—if we only knew."

Mr. President, as long as I am in the Senate and have any involvement in Government, I shall make every effort I can to bring about control of nuclear weapons. I know that it will be a constant struggle, that it will not be achieved overnight, but I believe that we can move ahead and lay out a program. We can resolve some of the problems concerning American policy and submit them to the nations of the world. If they are rejected, that will not be our fault. At least, we shall have made the effort.

We have made more efforts to limit nuclear weapons than has the Soviet Union. Their efforts have been negative.

But I should like to have not only all Senators and Representatives, but all the people of the world to know that we took the last step, walked the last final mile, to try to reach a firm understanding with the other countries of the world.

That is an extremely important objective which faces not only our constituencies, but also every Senator who represents them. It is an objective which must be in our hearts and minds each morning as we look at ourselves in the mirror.

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

Mr. KENNEDY of New York. I am glad to yield to my colleague.

Mr. JAVITS. Let me say to my colleague that I did not have an opportunity to listen to his speech, because I was on my way to and from the funeral of Bernard Baruch. I know that my colleague would have wished he could have joined me were it not for the importance of making his speech on the floor of the Senate today.

I have read the Senator's remarks with the greatest interest. I assume they were generally delivered as written.

Although the Senator has spoken in the Senate before, of course, I can understand why he considered this subject for his first major speech, because it addressed itself to the number one problem of our age.

The speech is thoughtful and most constructive. What I like most about it is the fact that the Senator has committed himself to specific positions—positions with which we have wrestled in the Senate so many times and which have left many Senators with great experience and unquestioned patriotism in grave doubt.

My colleague has—as we sometimes say—"stuck his neck out," which is what one expects of a U.S. Senator.

I know that my colleague has had great experience in politics—in the Cabinet, as counsel for a Senate committee, and in other ways—but I believe that by the speech he has made today, he marks himself as a thoughtful Senator in appraising the whole of our past and of our future, counseling, as he must, with great influence and persuasiveness, what we must do in the present.

I find myself in agreement with a great deal of what the Senator has said. The crucial issues he has treated so ably have often weighed upon me as well.

I consider the Senator's speech to mark the maturing of my colleague as a Senator from New York. He will be to the greatest service to our State.

The speech is historic—a clear and thoughtful exposition of the monumental problem facing us.

Mr. KENNEDY of New York. I thank my colleague from New York for his very kind remarks.

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

Mr. KENNEDY of New York. I yield.

Mr. HARRIS. Mr. President, the distinguished Senator from New York has been on his feet for a long while, and I believe that the number of Senators who have come here to comment on his speech speaks eloquently of its importance and its impact and thought-provoking nature.

Therefore, I will simply say that under our Constitution, a Member of the Senate has no higher responsibility than in the field of foreign affairs, the responsibility, not only to agree or disagree with treaties and policies in the field of foreign affairs after they are made, but also to speak out, untrammelled by some of the restrictions which hem in some of those in the executive department, and help to mold and shape that policy before it is made.

The distinguished Senator from New York has today risen to that highest responsibility of a Member of the Senate of the United States by his speech.

Mr. KENNEDY of New York. I appreciate the kind remarks of the Senator from Oklahoma.

I yield the floor.

Mr. CLARK subsequently said: Mr. President, an extremely significant happening took place on the floor of the Senate this afternoon. The junior Senator from New York [Mr. KENNEDY], a Member of this body for hardly 6 months, took the floor and spoke up with courage and logic in favor of the United States taking the lead in international agreements which would end the further proliferation of nuclear weapons and result in both the Soviet Union and ourselves cutting back drastically our supply of such weapons.

It was significant indeed that ROBERT F. KENNEDY should make this speech. But perhaps it is even more significant that 16 other Senators—I am the 17th—should rise on the floor of the Senate and commend him for turning our minds away from nuclear war, from a nuclear holocaust, which would, as many Senators have pointed out, surely destroy civilization, if not human life. It was a speech which called upon the executive branch of our Government to take immediate and urgent steps to move forward toward an international agreement. I hope that both the press and the executive arm of our Government will take note of the apparently unanimous support in this body for a turn toward peace and away from war.

I point out a little known and little referred to fact. Earlier this month the Senate with practically no debate, adopted, without a dissenting voice, Senate Concurrent Resolution 36.

That resolution, in identical form, was adopted by the House of Representatives yesterday. It will be my privilege, as one of the Senate observers at the 20th anniversary celebration of the founding of the United Nations in San Francisco, tomorrow, Friday, and Saturday, to take engrossed copies of that resolution to that meeting of the United Nations, in order to show that without a dissenting vote the Senate and the House of Representatives of the United States have gone on record in support of urgent measures to be taken by the executive arm of this Government in a further search for peace and for accommodation with all the countries of the world in general, and the Soviet Union in particular.

I should like to read the pertinent parts of Concurrent Resolution 36. After a number of preambles, which recite the very useful part the United Nations has played in maintaining and advancing the cause of peace during the last 20 years, and referring to the International Cooperation Year established by the General Assembly, that year being 1965, and after resolving that it is the sense of Congress that our country rededicates itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order, Concurrent Resolution 36, in section 2 provides:

SEC. 2. It is further the sense of the Congress that in connection with the examination for International Cooperation Year of United States participation in international cooperative activities, the executive branch should—

(1) review with a high sense of urgency the current state of international peace-keeping machinery with a view to making specific suggestions for strengthening this machinery, (2) review other major elements of international community and cooperation with a view to making specific suggestions to promote the growth of institutions of international cooperation and law and order, and (3) review urgently the status of disarmament negotiations with a view to further progress in reducing the dangers and burden of competitive national armaments.

In section 3 the concurrent resolution provides for a group of 12 Senators and Representatives to create a congressional delegation to participate in the White House Conference on International Cooperation, which will be held this fall.

To me, Mr. President, it is extremely significant that without a dissenting vote Congress should have taken this strong position urging the executive arm to move with a sense of urgency toward, not a war offensive, but a peace offensive.

I point out that in many ways Senate Concurrent Resolution 36 is the minor child of Senate Concurrent Resolution 32, introduced in the Senate on behalf of myself and 25 other Senators on April 8, 1965.

We held some good hearings on Senate Concurrent Resolution 32. I commend them to all the readers of the CONGRESSIONAL RECORD.

I should like to read into the RECORD at this point two of the preambles of Senate Concurrent Resolution 32, which I believe are peculiarly appropriate in view of the fact that this great speech was made by the junior Senator from New York on the floor of the Senate this

afternoon. Senate Concurrent Resolution 32 recites:

Whereas the United Nations General Assembly, at its fourteenth session, unanimously adopted "the goal of general and complete disarmament under effective international control," and

Whereas President Kennedy stated on September 25, 1961, that we must create "worldwide law and law enforcement as we outlaw worldwide war and weapons," and stated further on June 10, 1963, that "our primary long-range interest" is "general and complete disarmament—designed to take place by stages, permitting parallel political developments to build the new institutions of peace which would take the place of arms"; and

Whereas the U.S. program for general and complete disarmament in a peaceful world, introduced at the 16th session of the United Nations General Assembly, defined the objective of the United States as "A world where there shall be a permanent state of general and complete disarmament under effective international control" and the "institution of effective means for the enforcement of international agreements for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations" and called for the creation of an International Disarmament Organization to insure compliance with disarmament obligations, a United Nations Peace Force to keep the peace during the period of disarmament and thereafter; and improved processes for the peaceful settlement of international disputes—

Mr. President, it might have been difficult to report Concurrent Resolution 32 and have it passed in the general warlike atmosphere of the moment. It certainly would have been impossible to bring it out and have it passed by June 24, when the celebration of the 20th anniversary of the founding of the United Nations will take place. But Concurrent Resolution 36 is a pretty sturdy child of Concurrent Resolution 32.

In substance, it states, without elaborate preambles and with a slightly watered down series of preambles, what was in the minds of those of us who have all along felt that the way towards peace was laid down by John Fitzgerald Kennedy in three magnificent addresses in 1961, 1962, and 1963, two of them before the United Nations, and the third at American University.

So it is a heartening thing to me to see so many Senators stand on the floor of the Senate this afternoon and commend the junior Senator from New York [Mr. KENNEDY] for making a specific, concrete suggestion in a relatively narrow field with respect to this broader field where his brother, our late great President, had taken so inspiring and constructive a lead.

Having made that statement, I am confident that President Johnson shares the ideals of President Kennedy. I am confident that he is as anxious to bring to pass that peaceful world as was his predecessor. With respect to the particular specific suggestion of the junior Senator from New York, I should like to read into the RECORD a part of the recommendations made by President Johnson on January 21, 1964, to the Conference of the 18-Nation Committee on Disarmament at Geneva. This is what he had to

say with respect to the proliferation of nuclear weapons:

Specifically, this Nation now proposes five major types of potential agreement:

Fifth, and finally, to stop the spread of nuclear weapons to nations not now controlling them, let us agree:

(a) That nuclear weapons not be transferred into the national control of states which do not now control them, and that all transfers of nuclear material for peaceful purposes take place under effective international safeguards.

(b) That the major nuclear powers accept in an increasing number of their peaceful nuclear activities the same inspection they recommend for other states; and

(c) on the banning of all nuclear weapons tests under effective verification and control.

So President Johnson has anticipated the magnificent speech of the Senator from New York [Mr. KENNEDY], and our country is on record in favor of moving forward toward a workable treaty which will eliminate the proliferation of nuclear weapons.

One might ask, Why has nothing effectively happened since January 21, 1964? The answer is clear. The answer is simple. The answer should be understood by every Senator in this body, by the press, and by the general public. The answer is probably MLF—the multilateral nuclear force. So long as we play around with the obsolete notion of MLF, so long as we flirt with the suggestion that Western Germany should be given a finger closer to the nuclear trigger than it has now, so long with the Soviet Union in all likelihood be unwilling to agree to a treaty which will ban the further proliferation of nuclear weapons.

Mr. President, I ask unanimous consent that an excerpt from the statement made by Mr. Tsarapkin, the head of the Soviet delegation to the Conference of the 18-Nation Committee on Disarmament at Geneva, under date of January 28, 1964, be printed at this point in my remarks.

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

#### 6. PREVENTION OF THE FURTHER SPREAD OF NUCLEAR WEAPONS

As the stocks of nuclear weapons increase, and the methods of manufacturing them are improved, and as every new type of such weapons are being devised, the question of preventing their further dissemination becomes increasingly important. A widening of the circle of states possessing nuclear weapons would increase many times over the danger of the outbreak of a thermonuclear war. At the same time a widening of the circle of nuclear states would also make it much more difficult to solve the problem of disarmament.

The Soviet Government notes that at present there is an increasing awareness throughout the world of the danger threatening mankind in connection with the further spread of nuclear weapons. It is the duty of all governments to make every effort to avert this danger before it is too late. It is particularly important from the point of view of the interests of peace to close all the channels, whether direct or indirect, through which nuclear weapons could come into the hands of those who twice during this century have caused the conflagration of a world war and who are now actively striving to obtain nuclear weapons.

In order to shut off all possibilities for the spread of nuclear weapons, the Soviet Government proposes that an agreement on this question should contain, besides the prohibition to transfer such weapons or to give information on their manufacture to any particular government, also provisions to guarantee that such a transfer of nuclear weapons or access to them shall not take place indirectly, through military blocs, for example, through the so-called multilateral nuclear force of NATO.

Mr. CLARK. Again, on August 13, 1964, at Geneva, the same Mr. Tsarapkin made crystal clear in a much shorter statement why Russia would condition its agreement to a nonproliferation of nuclear weapons treaty on our withdrawing our efforts to bring West Germany, through the NATO organization, closer to the trigger on the nuclear bomb. I ask unanimous consent that that statement may also be printed at this point in the RECORD.

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

In concluding, I should like once again, on behalf of the Soviet delegation, to appeal to all members of the 18-Nation Committee on Disarmament to set to work without any further delay on a practical solution of the problem of the nondissemination of nuclear weapons—such a solution as would shut off all possibilities of access to nuclear weapons for those states which do not now possess them.

Such a solution should provide that the nuclear powers shall give an undertaking not to transfer to nonnuclear powers nuclear weapons and technical information necessary for their production.

Such a solution should also provide for a commitment by the nonnuclear powers not to manufacture and not to acquire nuclear weapons from other states, and also not to obtain technical information for their production.

Such a solution should also contain clear provisions precluding the possibility of granting access to nuclear weapons to states not possessing them, through military alliances, whether indirectly through the access of their military personnel to such weapons within the joint armed forces of such alliances, or through the participation of nonnuclear states in the possession, disposition and control of such weapons.

That would be a comprehensive agreement on the prevention of the further spread of nuclear weapons, the conclusion of which is awaited with so much hope by the peoples of the world. The Soviet Union is prepared to sign such an agreement this very day. It is now up to the Western powers and, above all, the United States, to take the next step.

Lastly, I should like to mention that we listened with great attention to the statement made today by the representative of the United Arab Republic, Mr. Hassan, and were most interested in his ideas and suggestions. Above all we welcome, and we note with deep satisfaction, the decision taken by the leaders of the African States and Governments at the Cairo Conference, at which the African States expressed themselves ready to conclude, under the aegis of the United Nations, an agreement renouncing the production of nuclear weapons and the acquisition of control over such weapons. There is no doubt that this resolution represents a substantial step forward on the road to the nondissemination of nuclear weapons and toward lessening the threat of thermonuclear war.

Mr. CLARK. Mr. President, who can tell whether the Russians mean what

they say? Certainly not I. Who knows whether it is the heating up of the cold war resulting from Vietnam which has caused them to withdraw their interest, so far as we can tell, toward moving forward in the area of peaceful coexistence and progress in the general field of arms control and disarmament?

I point out that those two Russian statements were made long before we heated up the war in South Vietnam by bombing North Vietnam, long before the strong offensive of the Vietcong, with which we are having to contend right now; and if we try to exercise some sense of empathy to put ourselves in the position of the men who are in charge at the Kremlin, I wonder whether we, too, would not be concerned with U.S. efforts through MLF to come closer to a proliferation of nation-state control over nuclear weapons through the aegis of the NATO Alliance?

I suggest that whether the Russians are using the MLF as an excuse or whether they sincerely believe that it is impossible because of MLF to go forward with a treaty which would prevent the further dissemination of nuclear weapons and cut down on our own atomic stockpiles, we should call their bluff. MLF is as dead as a duck anyway. It was a silly idea in the first place. It was obsolete by the time the bureaucrats in the State Department were able to push it up from below and get the approval of the Secretary of State and the quite reluctant approval of President Johnson, from which he some time ago, apparently at least, withdrew.

So I say that what we should do is to urge the Executive, with that same sense of urgency set forth in Senate Concurrent Resolutions 32 and 36, to get into an active negotiation with the Soviet Union with respect to the kind of international agreement so ably recommended by the junior Senator from New York [Mr. KENNEDY] and other Senators on the floor of the Senate this afternoon, and let us see what can be accomplished. Perhaps we shall not accomplish anything. But let us at least turn aside for a while the dominance of the military and industrial complex in our country and in many countries of Western Europe, and instead of concentrating our attention on further ways of spreading nuclear proliferation against what is almost certainly an obsolete concept of danger in the world today—a Russian attack on Western Europe—see whether we cannot move along the lines recommended by the junior Senator from New York toward a limited detente with Soviet Russia in the field of nuclear proliferation.

And, actually, I mean more than this. I mean a detente not only in this restricted area of nonproliferation of nuclear weapons; I mean all along the line. It is my firm conviction that the major objective of our foreign policy should be an overall detente with Russia, so that bound together by a mutual economic self interest we can move forward together to maintain the peace of the world. This might well require a joint agreement to oppose the aggressive ambitions of Communist China, and to ar-

rive eventually at that western union from the western shores of the Atlantic to the Urals, which that most unpopular but often wise President of France, General de Gaulle, has, to my way of thinking, recently been advocating.

Let us appreciate that our present foreign policy is obsolescent, if not obsolete; let us make an effort, before it is too late, to turn the world away from war and toward peace. This will be in the best interests not only of the Soviet Union, not only of Western Europe, not only of the underdeveloped countries of the world, but most important of all in the best interests of the people of the United States of America, as well.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that I may make the suggestion without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. BENNETT. Mr. President, the pending legislation is the silver coinage bill, reported by the Banking and Currency Committee. As one of the joint sponsors of the bill and the ranking minority member of the committee, I should like to discuss what probably is the most important coinage decision the Senate will make during my lifetime and in the lifetime of other Members of the Senate.

#### SILVER

I recommend speedy approval by the Senate of the silver legislation (S. 2080) as it has been reported from the Senate Banking and Currency Committee. This is an objective approach to an extremely difficult problem which has been building up for many years and which now must be met head on. The bill before us is the result of intensive study by the Treasury staff, by independent research institutions, by Members of Congress and others interested in the coinage and silver problem.

The basis of our present coinage and silver problem is the fact that silver is both a commodity used in industry and the arts as well as a metallic base for money, and as such, it is subject to all of the economic laws which affect both uses. Chief among these laws are the law of supply and demand and Gresham's law that bad money drives good money out of circulation. In addition to these two important laws, and in a measure conflicting with both of them, have been the policies of the Federal Government which during more than a century have influenced silver production, consumption, and price.

#### DEVELOPMENT OF A PROBLEM

To understand our silver and coinage situation and what must be done at this time, one needs to know how the problem developed and the factors that led to its development. I regret that apparently some members of this body have not understood the problem and are thus likely to be misled by regional biases and special interests.

In 1792, shortly after this Nation was founded, Congress enacted the first monetary law. This legislation set up a bimetallic standard, based on silver and gold at the ratio of 15 to 1, and the then current price of silver of \$1.29 an ounce. The volume of pure silver chosen for the new dollar was 371.25 grains, a rough average of the silver content in the Spanish dollars then in circulation. With a content of 371.25 grains—.7734375 of an ounce—the silver in the new dollar was worth \$1. In other words, it had full intrinsic value.

Neither the official silver content in a dollar nor the official monetary price of that silver has varied since the original law established it.

The market price of silver as a commodity, however, has fluctuated widely as a result of supply and demand for both industrial usage and coinage purposes. It has not maintained any specific relationship to the monetary price except in times when government action brought about such a relationship.

As long as the market price of silver remained below the monetary price, the face value of our silver-bearing coins was greater than their value as silver and the coins circulated and performed their purpose as a medium of exchange, regardless of this variation. During the periods of inflation or war, the market price of silver sometimes exceeded the monetary price and the silver bearing coins were withdrawn from circulation for their silver content and hoarded.

Frequently, during those early years, subsidiary coins were withdrawn because their silver content was set at full intrinsic value rather than on a token basis. This problem was finally alleviated when Congress, in 1853, reduced the silver content in subsidiary coins by 6.9 percent, thus giving the silver in these coins—the dime, the quarter, the half dollar—a monetary value of \$1.38. This meant that the price could reach a level of \$1.38 before it would prove profitable to withdraw coinage in denominations less than a dollar for their silver content. Our present dimes, quarters, and half dollars have retained the same silver content as provided in the 1853 act.

#### BIMETALLIC STANDARD ENDS

Soon after the Civil War, major countries of the world began to move away from a bimetallic standard and to use only gold as the metallic base of their monetary systems. The United States followed that pattern in 1873, and as a result of the cessation of free coinage of silver, the price dropped from \$1.27 an ounce in 1874 to 61 cents an ounce in 1905, in spite of the Bland-Allison Act of 1878 and the Sherman Silver Purchase Act of 1890 under which the Treasury purchased and stockpiled 460 million ounces of silver.

In 1896, William Jennings Bryan staked his political career on an attempt to restore the prior ratio of silver to gold prices. He failed and the price of silver dropped to 47 cents an ounce in 1916 and to a low of 24 cents in 1932.

By Presidential proclamation in December of 1933 and then by law in June of 1934, the Treasury began to support the silver market by offering to buy all newly mined domestic silver at \$0.646 an ounce. In July of 1939, the Treasury price was increased to \$0.711 an ounce and in 1946, it was raised to \$0.905. Because these prices were above the world price, the Treasury stockpile built up rapidly.

Before 1939, new production of silver exceeded the demand for the metal and Treasury policy of purchasing at above the market price was for the purpose of supporting the price received by domestic silver producers. By supporting the price, some silver was produced that would not have been mined at a lower price because it would not have been economically feasible or profitable to mine it and sell it in the private market.

The silver the Treasury was required to purchase during this time at above market prices is the very silver that is being sold by the Treasury today at the much higher price of \$1.2929. If the Treasury had not had the previous purchase policy, the silver which is so vital now would never have been mined and would not be available for industrial needs, arts, or coinage today. Looking back, this was probably one of the wisest programs that has ever been undertaken by the U.S. Government. Even though it was strongly opposed by silver users, it is now providing them with silver at much lower costs than would have otherwise been the case.

#### DEMAND GROWS—PRODUCTION LAGS

In 1939, silver usage had increased until it equalled new production and since that time, the demand for the unique metal has continued to grow rapidly while production has lagged. The deficit between production and usage each year since 1939 has been made up from previously mined silver stocks which had been released for usage by the holders as the market price rose. By 1959, the world supply and demand factors resulted in a price of \$0.905 an ounce at which price, the Treasury became an involuntary seller of silver. As long as the Treasury was willing to sell at \$0.905 and had sufficient "free" silver not needed to back silver certificates, to meet all demands, \$0.905 an ounce became the ceiling price on silver.

A net increase of 92 million ounces of Treasury silver in 1958 gave way to a net decrease by withdrawal of 46 million ounces in 1959. The handwriting was on the wall. The law of supply and demand was operating and since current supplies of silver were not sufficient to meet current demands, the deficit was made up from Treasury stocks. It could only be a matter of time until the Treasury would be forced to suspend sales, but for some reason Treasury officials believed that the situation was a temporary one and those of us who tried to

persuade suspension were brushed off until November of 1961. By then, the stocks had been greatly depleted.

As soon as the Treasury stopped selling at \$0.905, the price began to rise in the world market, as supply and demand again began to determine price. As the price climbed, the Treasury used its silver for coinage and other official purposes and by the beginning of 1963, the Treasury's free silver had dwindled to only 30 million ounces. The coinage requirements for that year had been estimated to be over 75 million ounces. This caused a major problem. The Treasury needed more silver than it could use from its own stock, yet it could not go into the market and purchase it for coinage because silver was already approaching the official monetary price of \$1.2929 an ounce.

If the Treasury had entered the market as a buyer, the price of silver would have immediately risen above \$1.29 and silver dollars would have become worth more as silver than they were as money. As had happened before, they would have been withdrawn. In fact, in anticipation of a rise in silver prices, our silver dollars had already begun to disappear in 1963. With the Treasury as a buyer, not only would the price have exceeded \$1.29, but also the \$1.38 an ounce price at which it would have become profitable to withdraw subsidiary coins—half dollars, quarters, and dimes—for their silver content.

#### TREASURY TURNS TO OWN STOCK

The Treasury had no choice but to look to its own huge silver stocks backing silver certificates as a supply of coinage silver. These reserves included 300 million ounces backing \$5 and \$10 certificates and 1.3 billion ounces backing the \$1 silver certificates.

The Silver Purchase Act of 1963 made it possible to issue \$1 Federal Reserve notes and thus the silver that was required to back silver certificates could be used for other purposes as the silver certificates were retired and replaced with the new Federal Reserve notes which had partial gold backing instead of silver.

By September of 1963, the price of silver in the world market, responding to the law of supply and demand, had risen to the monetary ceiling of \$1.29 an ounce. At that point, the U.S. Treasury again became a supplier. Silver certificates bear a promise to pay to the bearer on demand \$1 in silver; so rather than paying a higher price than \$1.2929 an ounce for silver, those who wanted it demanded it from the U.S. Treasury at that price either through turning in silver certificates or asking the Federal Reserve banks to acquire silver certificates of an equivalent amount and surrender them. Thus, industrial users, or for that matter anyone, could draw on the Treasury silver stock. To add to this drain, a coin shortage developed and the U.S. mint was forced to increase production to capacity.

Not only did this put a strain on mint facilities, which continues at the present time, but it resulted in a significant increase in the use of silver. Coinage which had required only 46 million ounces in 1960, demanded 56 million

ounces in 1961, 77 million in 1962, 112 million in 1963, and 203 million ounces in 1964. The combined world demand for industry and coinage needs resulted in a 366.3-million-ounce withdrawal of silver from the Treasury during 1964.

The present total Treasury stock of about 984 million ounces of silver, including that backing the silver certificates and not reserving any for a defense stockpile would last, at that rate of withdrawal, between 2 and 3 years.

In common everyday terms, "We have come to the end of our rope."

#### NEED TO CHANGE COINAGE CITED

In 1963, I tried to impress upon the Treasury that it would be necessary to change our coinage system within the next 2 or 3 years and made some recommendations which would have given the Treasury greater flexibility within which to act. I received a rebuff both to my recommendations and to my prediction. I think that it would be desirable to include at this point part of the Treasury response.

Adoption of Senator BENNETT's proposal, then, would make it necessary very soon to reduce or eliminate the silver content of our subsidiary coins. Senator BENNETT indicated in his questioning of the Secretary that he accepted this reasoning and believed that the Government should face this possibility frankly at once.

The Treasury, which considered this possibility before presenting the present bill, disagrees. It does not claim that passage of H.R. 5389 will solve the problem of providing silver for coinage for all time, but it does believe that its passage would assure the Government of adequate supplies of silver for coinage for at least the next 10 to 15 years.

That was the Treasury's estimate 2 years ago.

Continuing to read the response—

Because the United States has had a silver coinage since 1792 and its people, we believe, attach considerable value to having silver coins, and because of the great difficulties which a change to a base-metal coinage would involve for our large and expanding coin-operated vending machine industry, the Treasury considers it unwise to abandon silver coins before it is absolutely necessary to do so, if indeed, it ever should be.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. LAUSCHE. When was the letter from the Senator from Utah suggesting that there then be done what is now proposed to be done by the Federal Government written?

Mr. BENNETT. I did not write a letter. What I have read involved questioning by the Senator from Utah of the Secretary of the Treasury in a hearing on the bill to repeal the Silver Purchase Act, and that was only 2 years ago.

Mr. LAUSCHE. Did the Senator from Utah at that time suggest a program such as we are now asked to adopt?

Mr. BENNETT. The Senator from Utah said that we were within 2 or 3 years of the end of our available silver stock and suggested to the Treasury that it prepare a program and do so immediately.

Mr. LAUSCHE. Did the Department of the Treasury answer that we had at least 10 years?

Mr. BENNETT. The Treasury answered—and I have read the statement—that passage of that bill would “assure the Government of adequate supplies of silver for coinage for at least the next 10 to 15 years.”

Mr. LAUSCHE. If I remember correctly, the Senator from Utah has been raising the alarm about the seriousness of the silver problem for more than 3 years.

Mr. BENNETT. The Senator from Utah has been talking about it ever since the Treasury became a seller of silver and ceased to buy it. It seems to me that that was the day we were on warning that we would face the problem inevitably, and probably sooner than we thought.

Mr. LAUSCHE. I thank the Senator.

Mr. BENNETT. I truly regret that the Treasury was mistaken. I personally wish that we could continue our present system of coinage with 90 percent silver content. I then wished that we could then also, but one cannot make a wish and expect the problem to be solved.

I believe that if the problem had been faced then, while there was still a much larger supply of silver in the Treasury, the new coinage system could have been planned so as to have more silver in the new coins than the present plan would permit.

Convinced that I was correct, I asked the Treasury to undertake a thorough study of the problem. That study, which began shortly after enactment of the Silver Purchase Act of 1963, was completed and reported to Congress on June 3 of this year and is the basis of the proposed legislation.

#### THERE HAD TO BE A CHANGE

It was determined that there must be a change in our coinage system and a reduction in the usage of silver. There is no alternative. In 1964, the United States produced only about one-eighth of our needs, as usage in batteries, brazing alloys, dental and medical, electronic components, mirrors, missiles, photographic film, silverware, jewelry, and other miscellaneous products reached a new high of 127 million ounces in this country and coinage required another 203 million ounces.

On a worldwide basis, free world new silver production during the year was only about 40 percent of world usage. For more than the past 10 years, new production has been less than that required by industry and the arts, exclusive of that used in coinage.

Since 1949, the accumulated deficit between production and consumption has totaled about 1.75 billion ounces and, as mentioned previously, at present rates of withdrawal, the remaining Treasury stock of less than one billion ounces would be completely exhausted in from 2 to 3 years. We cannot afford to let this happen for two important reasons.

First, silver is a strategic metal used for defense purposes, and the Treasury stock is the only stockpile that we have.

Second, if we were to allow the Treasury silver to disappear completely, the price of silver would immediately rise above the \$1.38 an ounce level and it

would become profitable to melt coins for their silver content. If this were to occur, our coins would be withdrawn from circulation and none would be available for commercial transactions. One can hardly imagine the problems and chaos that would face an advanced economy such as ours if this should ever happen.

Since private industry has not been able to find or develop substitutes for silver in its processes and products, and its consumption is increasing even at the higher prices reached during the last 2 or 3 years, little hope for an easing of demand can be seen in the private sector. This left the burden of change on the Treasury, because the Treasury cannot afford to purchase silver in the open market at prices which would be much higher than the monetary value of the coins made from that silver.

Mr. PASTORE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. PASTORE. The assertion has been made that if the price of silver could be increased, that in itself would constitute an incentive to produce more silver. I noticed that the President, in his message, intimated that no matter what we do, no matter how hard we try, no matter what attractions we offer, the supply of silver could not be augmented appreciably. Will the Senator from Utah comment on that?

Mr. BENNETT. The Senator from Rhode Island used the word “appreciably.” It is, therefore, impossible for me to answer simply yes or no. Silver is produced normally as a byproduct of the production of other metals. It appears in mixed ores. So we do not get a direct and immediate effect of a price increase.

On the other hand, any increase in price would raise the marginal level at which ore not now being mined but containing silver could be brought into the market. So there would be some increase with every rise in the level of the price of silver. However, I do not believe the increase would be great enough over the next 4 or 5 years to make up the deficit.

Mr. PASTORE. That is precisely the point the Senator from Rhode Island would like to reach. A serious problem confronts us. Silver is used today in much of our industry. I do not believe any Member of the Senate wants to hurt any segment of the silver community, whether it be the producer, industrial users, or the silverware makers. Nevertheless, the fact still remains, as we consider the entire problem, that we have failed to find any solution whereby the supply of silver can be increased to meet the demand, whether it be for coins, for industrial purposes, or anything else. That constitutes the crux of the problem.

The problem that confronts us now is: At what point ought we to break off in the use of silver in our coins? One solution proposed is that all silver be removed from the 10-cent piece and the quarter, as the administration has suggested; that 40 percent instead of 90 percent silver be used in the half dollar; and that the content of the silver dollar remain exact-ly as it is.

Others—and I am now addressing myself to the amendment that will be sponsored by the distinguished Senator from Nevada [Mr. BIBLE]—believe that a 40-percent silver content should remain in the 10-cent piece and the quarter, as well.

The Senator from Rhode Island takes the position that we must look at the proposals realistically—and that is not easy. If the silver content is to be removed entirely from the 10-cent piece and removed entirely from the quarter, why should a 40-percent silver content be retained in the half dollar, unless for practical reasons to satisfy certain segments of the population?

No matter how provincial one wishes to be, the fact still remains that this is, overall, a national problem. The population is increasing. There is more use for coins than ever before. But not enough silver is available. No matter how hard we try, we cannot produce as much as is actually needed. So there will be a shortage, and the price of silver will be high no matter what we do.

The point I wish to establish—and perhaps I am laboring it a little—is that I do not believe, no matter what the incentive is, that as much silver can be produced in 1 year as the demand requires. The only reason why there is a surplus in the Treasury is that when the price was low, we were wise enough to acquire it. But if we continue to retain silver in the dimes, quarters, half dollars, and silver dollars, it will be only a matter of time before no silver will be available in the Treasury.

Does the Senator from Utah agree with that statement?

Mr. BENNETT. I agree that there is and will likely continue to be a deficit in production until the price is allowed to rise. It is a basic problem, and I would like to discuss it in a minute.

Mr. LAUSCHE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Pertaining to the inquiry made by the Senator from Rhode Island, as to whether increased prices would induce increased silver production, so as to raise production in some measure beyond the needs of consumption, I should like to read what Mr. Glenn B. Smedly, of the American Numismatic Association, said on that subject on December 22, 1964:

The world's known silver deposits are being steadily depleted. Furthermore, about two-thirds of current silver production is obtained as a byproduct of other metals and, of course, the level of such production is not responsive to changes in the price of silver. William L. Graham, Jr., a graduate geologist and author of a current book entitled “The Silver Crisis,” has stated unequivocally that “free world production is going to continue on down as it has for over 30 years and increased prices are not going to stop it.”

This, in a measure, confirms what the Senator from Utah has said and what the Senator from Rhode Island has at least implied and, I think, also expressed.

I thank the Senator from Utah for yielding.

Mr. BENNETT. Mr. President, I appreciate the patience of my colleagues.

I am bothered a little by the length of the statement I am making; but I am trying to give a history and background of the problem, which I think should be in the RECORD, in view of the decisions we shall have to make.

Before I return to my main statement, I should like to comment on the statement made by the friend of the Senator from Ohio [Mr. LAUSCHE] who said that free world production is declining. The Senator's friend is mistaken.

I have before me a table showing the free world production of silver since 1930. Only in 8 years during that period was more silver produced than was produced during 1964. In 1946, it was 125 million ounces; in 1950, 179 million ounces; in 1955—I am skipping—it was 199 million ounces; in 1960, it rose to 215 million ounces and was 215 million ounces in 1964. So although the production of silver is not rising rapidly, it is not declining.

Mr. LAUSCHE. But the rise in production constantly—

Mr. BENNETT. Is slower than the rise in consumption; there is no question about that.

Mr. BIBLE. Mr. President, at this point the record should be clear. I believe that it is almost impossible to predict what the production of silver will be because the price has been a closed price, as the Senator from Utah knows, for the past 2 years.

I am encouraged by the reports which I have received from the Department of the Interior. Those reports indicate the most recent discoveries in the silver field. These are predicated upon the price of \$1.29 an ounce. As this price goes higher, I do not believe that any one of us can predict with accuracy how much silver will come out of the ground. I am prepared later to show the reasons why we should continue to have silver in coins, the 10-cent piece, the quarter, and the 50-cent piece.

A few years ago it was stated that there was no more gold. However, prospectors in Nevada went on to discover a gold mine which might become a second Comstock lode, with reserves of some \$40 or \$50 billion. Actual annual production of this new Nevada mine opened just last month in late May is 200,000 ounces per year. Newmont Mining officials expect the life of the mine to be in the neighborhood of 15 years.

I believe that same thing might very well happen in the case of silver, if the price of silver were to go higher.

The Senator from Utah is an expert in the mining field. He comes from a great mining State.

The order in L. 208 closed many gold mines which never reopened again. It did the same to the silver mines.

The retarding factor in the case of both gold and silver has been one very largely of price.

I do not believe that anyone can look in the crystal ball and see exactly how much silver can be produced. However, I should venture a guess that as the price of silver goes higher, as it will inevitably, and this will occur regardless of action taken by Congress in the months ahead—and I believe the Senator will agree—

that the price of silver will go higher. As the price goes higher, more silver will be produced.

I thank the Senator for yielding. I shall not interrupt again.

#### TREASURY STARTS MAJOR INVESTIGATION

Mr. BENNETT. Mr. President, in trying to find a solution to this dilemma, the Treasury used its own research facilities and those of private institutions. After intensive investigation of all possible substitutes, the Treasury has proposed an alternative coinage system with greatly reduced silver content. To me, the recommendations are practical, objective, workable and reasonable.

I think that the greatest virtue of the proposed bill is that it does provide an effective solution for the immediate problems related to the necessary changeover to a new coinage system. In an area so fraught with imponderables, it does not and cannot supply answers to the deeper, long-range problems created by the continuing overall silver production deficit which both of my colleagues have mentioned. These must be deferred for the time being until the transition has taken place.

The responsibility to face this long range problem has been wisely left to a Joint Commission on the Coinage which this bill creates. This Commission will be composed of the Secretary of the Treasury as Chairman, the Secretary of Commerce, the Director of the Bureau of the Budget, the Director of the Mint, the chairman and ranking minority members of the Banking and Currency Committees of the House and Senate, one additional member from the House and one from the Senate, and four public members to be appointed by the President. The Joint Commission will study the progress of the coin transition and any other factors related to the coinage and silver problem, and make recommendations for future Treasury policy and legislation.

During the changeover period, there must be no interruption in the outpouring of coins from our mints if we are to escape a coinage crisis. This bill proposes that we continue to mint the present high-silver dimes, quarters, and half dollars at the same time that the new ones are being produced. Only when there is an ample supply of the new ones, can a tapering off of the production of the present high-silver content coins be permitted to occur. This could require as much as half of the Treasury's present silver stock, according to production estimates made by the Treasury.

During the changeover, it is also imperative that the value of the silver in present coins not be allowed to fluctuate substantially either upward or downward. To safeguard against a rise in the price of silver, the present silver content of the dollar will be maintained and the Treasury will continue to release its silver on demand at \$1.2929 an ounce.

To protect against a substantial decline, which is not likely nor expected, a provision requiring the Treasury to purchase all newly mined silver at a price of \$1.25 an ounce for a period of 5 years, is contained in the bill. This could act to protect against any unfore-

seen adverse effect that might occur as a result of the coinage changeover.

#### SPECIAL INTEREST GROUPS UNSATISFIED

There are special interest groups which are not satisfied with this bill. I have received numerous letters, telegrams, and calls from both users and producers, stating their objections which naturally are opposing each other. Through all the years in which the Government has had laws relating to its purchase of silver, producers and users of silver have disagreed. That problem will be with us as long as the Treasury is in the silver market. The problem will be with us today in the form of proposed amendments offered by both sides.

The producers of silver and Senators from silver-producing States of the West—and I am one of them—have always felt that we should have silver in our coinage and as a result are disappointed in the approach taken by the Treasury which would eliminate silver from our dimes and quarters. Certainly this is a reasonable objection and it probably expresses the feeling of a majority of the people in this country. Most of us would like to keep our coinage as it is now with its same silver content of 90 percent. It is a beautiful coinage unsurpassed by any in the world. It has a good feel and a good ring. Because I am from the fifth largest silver-producing State in the United States, I too, have some personal feeling for silver coins and a sincere regret that it is not possible to continue them indefinitely.

I hope the Senate will support the Treasury's proposal to keep 40 percent silver in the half dollar. I wish it were possible to keep the same 40 percent silver in the dimes and quarters, but, if the Treasury is to succeed in establishing the new coinage system, it must strike a safe balance between the western demand for silver in coinage and the eastern demand for silver in the arts and industry. It must reserve enough silver to give it flexibility and protection against unforeseen or unexpected withdrawals for either use and this protection must continue into the future, safely beyond the transition period.

The Treasury studies indicate that there is little if any chance of upsetting this balance by keeping 40 percent silver in the half dollar only, but to include the dimes and quarters would be very risky. Our economic pattern requires fewer half dollars than dimes and quarters. The Treasury could suspend minting the halves at any time, and supply the country's needs by increasing the numbers of quarters. Then, too, the half dollar is not often used in vending machines and, in most such cases, can be replaced by two quarters. On the other hand the increased volume in silver that would be required to maintain this same 40 percent in the dimes and quarters would be so great that it could create a crisis during the transition period.

I realize that the miners of silver from Utah and other Western States are hoping for the day when the present ceiling price of \$1.29 will be removed and the price of silver allowed to seek its own

level. That day will surely come no matter what may be in the bill. But it would be tragic, if by keeping a high silver content in the new coinage system, we precipitated it before we have passed safely beyond the necessary period of transition.

On the other extreme, silver users, processors and their congressional representatives are insisting that there be no silver in any of our coins. Since new production does not equal consumption, they argue that continuing silver in any coins in any amount would result in depleting the silver stock of the Treasury at a more rapid rate than would otherwise be the case.

I agree with this, obviously.

I have received telegrams and letters claiming that mass layoffs in silver-using firms will be prevented only if we remove all of the silver from our half dollar. Such a claim is unwarranted, and unrealistic, and I hope that it will not be the foundation on which any Member of this body will determine his vote.

Of course, silver is essential to many industries in this country and these industries provide thousands of jobs, but retaining silver in the half dollar will use only an estimated 15 million ounces of silver a year and will not adversely affect one single job.

There are in the Treasury now about 983 million ounces of silver. The Treasury estimates that it will require 15 million ounces a year to maintain 40 percent silver in the half dollar—approximately 1½ percent of its total volume. There is no intention of shutting off the supply of silver used in industry. So there is no reason to believe that those industries, during the period of transition, will be forced to lay people off work because they cannot obtain silver. There is no proposal to deny silver to the processors.

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

Mr. BENNETT. I yield.

Mr. PASTORE. I am reluctant to interrupt the Senator, because he is making an excellent presentation of the committee's and the administration's position on this matter; but is it not a fact that before we reach the point of making the new 10-cent pieces and new 25-cent pieces we may be using between 200 and 250 million ounces of the silver to make dimes and quarters?

Mr. BENNETT. Yes.

Mr. PASTORE. When that amount is subtracted from the existing stockpile, and the 15 million ounces the Senator has referred to are used, will it not be merely a matter of time before we shall run out of silver?

Mr. BENNETT. The 15 million ounces of silver represents at most a very small amount and even with its use, silver in our outstanding coins plus that held by the Treasury should last for several decades, though no one could accurately estimate how long at this point.

Mr. PASTORE. I do not know what claims others have made. I do not believe anyone with whom I have talked about this problem has taken the position that in a matter of months there will be widespread layoffs and that the

entire industry will be paralyzed. I do not know of anyone who had made that contention.

What we have been saying is that, inasmuch as world consumption is much higher than world production, it is only a question of time before we shall have to make up our minds as to where we are going. Are we going to continue to have a ring in our coins, or are we going to preserve supplies for the electronic industry, the photographic industry, or the silver industry? If there is no more silver, of course, the factories will have to be closed. I am not saying it is not going to happen tomorrow, or even next year, but we shall have to make a serious decision. The only question I am raising is, if we recognize the fact that we produce much less than we use, why should we continue to maintain silver in the half dollar? Is it because of the sentiment felt on the part of some with regard to the half dollars? Is it for a practical reason? I am a practical man.

Mr. BENNETT. It was done at least partially because it makes people feel better if they have some vestige or remainder of silver in their coinage system.

When we try to estimate when the present supply of silver will be diminished to the point that people in the film or silverware or electronic businesses will be laid off, we must remember there are nearly 2 billion ounces of silver retained in our present coinage system. I am sure that long before we reach the point where an important industry might be destroyed, acting through the coinage committee appointed in this bill, there would be a decision as to some kind of program to withdraw silver from present coins. The officials say they have no present intention at this time, but I am sure they would not let American industry go down the drain.

The question of maintaining a token amount of silver in the new half dollar has much less significance than the possibility of getting the silver content out of the present half dollars, dimes, and quarters, which could be done without too much difficulty.

A demand that all silver be removed from the coins certainly ignores the traditional reaction of many American citizens to silver in our coinage. No one really knows what the public reaction to the new coins will be, but it seems obvious that it will be less adverse if we have a silver half dollar than if all the silver is removed.

Mr. LAUSCHE. Mr. President, will the Senator yield on the item just mentioned, as to whether the public will hesitate in the acceptance of this program?

Mr. BENNETT. I yield.

Mr. LAUSCHE. Was any testimony submitted to the committee as to what the experience has been in other countries, especially in Great Britain, when a substitute metal for silver was placed in coins?

Mr. BENNETT. There are several countries—Great Britain is one of them—which took silver out of coins. Some have put it back in one coin. France, Italy, Japan, South Africa, West Germany, and some other countries have at least one silver coin. They have the

concept of one coin with some intrinsic value in it. That fact may have had some effect on the Treasury's decision to keep silver in the half-dollar coin.

Mr. LAUSCHE. The same gentleman whom I quoted earlier made the statement that, "To dispose first of one of the arguments which have been publicly made against base metal coinage, there is not the slightest reason in the world to fear widespread refusal by the public to accept the new coinage merely because it does not have intrinsic value. Provided we shift to a quality coinage later, the experience of many other countries which have abandoned silver coinage is adequate proof that coins are perfectly stable. Great Britain reduced the silver content of its coin to 50 percent and in 1947 it abandoned silver coins altogether. Yet I know of no great difficulty that such changes have caused."

As I understand the Senator from Utah, he is of the belief that, partly to offset a fear that might develop, it is now proposed to keep 40 percent of silver in the 50-cent coin.

Mr. BENNETT. I would not say it that way. I would say that in order to maintain at least one coin with the prestige of continued silver content, the Treasury decided to select the half dollar and keep the silver in it. I do not believe it is from fear as much as perhaps pride. We do not want the greatest Nation on earth to say that it cannot keep any silver in any of its coinage.

It is interesting to me how my colleagues anticipate the discussion which I have prepared.

Mr. PASTORE. Perhaps we have read the speech.

Mr. BENNETT. Perhaps the Senator did.

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

Mr. BENNETT. I yield.

Mr. MAGNUSON. In the colloquy between the Senator from Rhode Island and the Senator from Utah, the Senator used the argument that to keep silver in the quarter and the dime—

Mr. BENNETT. I have not used it.

Mr. MAGNUSON. I thought the Senator said 250 million ounces would be used.

Mr. PASTORE. Between now and the time when the new law will take effect.

Mr. MAGNUSON. How much would be required in a year to keep the present content of silver in the quarter and dime?

Mr. BENNETT. The best way to answer is to see how much silver the Treasury used last year—203 million ounces were used last year in coinage.

Mr. MAGNUSON. If the content of silver in the quarter and dime were reduced—as to which proposal there will be amendments, some providing 30 percent, some 40 percent, some less—that amount would be reduced accordingly; would it not?

Mr. BENNETT. Obviously, when we reduce the content we reduce the total amount of silver used.

Mr. MAGNUSON. With the exception that there might be a widespread use of coins, and we might have to do a little more, if there were 40 percent in

the quarter, and 40 percent in the dime. We are talking about 100 million ounces of silver, are we not?

Mr. BENNETT. We are talking about more than that, at the Treasury's projected rate of coinage.

Mr. MAGNUSON. Compared with the world supply, that is a small amount, though, is it not?

Mr. BENNETT. The Treasury supply now is less than 1 billion ounces. They will keep 165 million ounces for a strategic stockpile and are probably going to chew up about 250 million to see the program through. So we are talking about 500 to 600 million left and we would use a great proportion of it to keep the silver in the dime, half dollar, and quarter for 1 year.

Mr. MAGNUSON. If we never purchased any more, is that correct?

Mr. BENNETT. But where will they get it?

Mr. MAGNUSON. We produce a number—100 million pounds of silver a year.

Mr. BENNETT. The total produced in the free world was 215 million ounces last year, but this is not going to the Treasury for coins, it is going to industry and the arts.

Mr. MAGNUSON. We could buy enough silver to keep 30 percent in the quarter and dime, could we not?

Mr. BENNETT. We could, but only at higher prices than the value of silver in our coins and at the expense of industry and the arts; and this is a part of the problem.

Mr. MAGNUSON. The arts?

Mr. BENNETT. Yes. We serve private industry, and we serve our coinage system. We cannot continue to serve them both. We cannot serve either of them completely.

Mr. MAGNUSON. Let us assume that there will be no more silver and that the supply of silver will be less than the demand. I cannot assume that, and none of those who produce silver can assume it either, because there are new mines coming in and old mines are being reopened. The estimate this year is that we would produce 47 million more ounces than last year. Thus, we start on a different basis, I believe.

Mr. BENNETT. The American Mining Congress has issued an estimate of the increased production that could be brought out, and the basic estimate is 38 million ounces. The top estimate is 52 million ounces.

Mr. MAGNUSON. I used the figure of 47 million. I believe that figure is in between, and can be realized. I know of other producers of silver who say they can produce more.

The Senator from Utah knows how silver is mined in independent mines. It is blocked out from year to year in the known veins, and this is done for tax purposes. Only so much silver is mined every year. The blocking is carried out for sometimes 20 to 30 years. But that does not mean that this is all the silver we have in the country or in the world. I cannot subscribe to the base that there will be no more silver produced than there has been in the past few years.

Mr. BENNETT. I wonder if I could finish my speech, and then I shall be glad

to yield later, because this is a debate between the two regional groups and has been going on for some time already. After I take my seat, I am sure that amendments will be offered, and they will be debated.

Mr. SALTONSTALL. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Let me advise the Senator from Washington—if I am correct in my figures—that consumption has been greater than production since 1953. Total consumption ranged from 264 million ounces, average from 1953 to 1957, running up to 550 million ounces last year; whereas total new production has ranged from 191 million ounces up to 216 million ounces. That is worldwide, whereas ours has remained about the same—38 million ounces to 36 million ounces. So when it is said that we can build up our production, I remind Senators that it has not been built up since 1953.

Mr. MAGNUSON. That is because of the price of silver. The mines cannot afford to operate at the prices being paid for silver.

Mr. BENNETT. Mr. President, this has now become debate, and I have not yielded for that purpose. If Senators do not mind, I should like to complete my speech.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator has the floor, and may proceed as he desires.

The Senate will be in order.

The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, I should also repeat that the bill does not force the Treasury to mint any half dollars if the supply of silver should ever become that critical. The fact that dimes and quarters can do the work of half dollars makes it possible to take care of all the needs of our commerce for coins without using any silver.

With these facts in mind, the position of those who demand that the new half dollar be minted without silver cannot be justified and should be rejected by the Senate.

#### INTRINSIC VALUE OF NEW COINS

There has also been some discussion of the intrinsic value of the new coins. It should be made crystal clear that the new coins will be just as valuable as the present ones for all monetary purposes. The fact that the half dollars will contain 40 percent silver and the dimes and quarters will contain no silver does not effect their purchasing power nor does it affect any other monetary use for which one might desire of them.

There are those who have expressed concern that the change in metallic content of the coins represents a debasement of our coins. One must ask, "A debasement in relation to what?" They are certainly not debased in their purchasing power. The new ones will purchase exactly the same amount as will the old ones. They are not debased in their relationship to gold. Thirty-five dollars worth of the new half dollars or dimes or quarters will be equal to the price of an ounce of gold. Two half dollars, four quarters, or ten dimes will still be

equal in value to a silver dollar which will be maintained at its silver content of 371.25 grains—0.7734 of an ounce. If silver dollars are not available in exchange, one may request and obtain 0.7734 of an ounce of silver for any combination of coins with a face value of \$1. This means that the new coins will actually purchase more in silver than our present coins contain. A half dollar at present contains 0.3636975 of an ounce of silver. Double this and you have 0.727375 of an ounce, yet they may be exchanged for 0.7723 of an ounce of silver. The same holds true for the quarter and dime which contain the same ratio of silver to monetary value.

The intrinsic value of a nickel is \$0.0076335. Twenty nickels therefore contain an intrinsic value of just over 15 cents, yet one can purchase just as much with 20 nickels both in goods and services and in silver as he can with a silver dollar and he can exchange it for the equivalent silver content of a silver dollar if he desires the silver.

#### PURCHASE POWER REMAINS THE SAME

No one questions the value of a nickel or a 1-cent piece just because they are less valuable for their metal content than our silver bearing subsidiary coins. The important fact is that they will purchase just as much and that they are freely exchangeable. As long as this is true, the intrinsic value of one need not bear any specific relationship to the other.

Those who think that it is important to have full intrinsic value in coins should glance back over our monetary history and they will discover that our coins have only had full intrinsic value in times of crisis such as war or inflation, and that our coinage system collapses whenever that occurs. As I pointed out earlier it happened in 1812, again in 1837, and again during the Civil War. And the reason it happened is that the coins were more valuable as metal than they were as money. Finally, in 1853, Congress reduced the silver content in subsidiary coinage—half dollars, quarters, and dimes—by 6.9 percent, thus giving the silver in these coins a monetary value of \$1.38 an ounce as compared with the \$1.29 an ounce monetary value of silver in the silver dollar. If our present subsidiary coins contained the same intrinsic value in relation to their monetary or face value as the dollar, we would find that they had also been withdrawn from circulation as the dollar has been.

Continuing our historical review, one discovers that the yearly average New York commercial price of silver has never been equal to the monetary price since 1874. Only if the commercial price equals or exceeds the monetary price of \$1.38 do the coins have full intrinsic value. There were, however, very short periods during which the commercial price of silver approached or exceeded its monetary value as mentioned before. The latest of these was in 1919 when the price hit a high of \$1.38 an ounce. But on an annual average basis, our subsidiary coins have had only token value and not full intrinsic value during the whole last century.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the yearly average of New York commercial prices between 1874 to the present time.

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

TABLE I

Calendar year	Yearly average, New York commercial price	Intrinsic value of silver	
		In silver dollar	In half dollar
1874	\$1.27195	\$0.984	\$0.460
1875	1.23883	.958	.448
1876	1.14950	.889	.416
1877	1.19408	.923	.432
1878	1.15429	.892	.417
1879	1.12088	.867	.405
1880	1.13931	.880	.412
1881	1.12823	.872	.408
1882	1.13855	.881	.412
1883	1.10874	.858	.401
1884	1.11161	.859	.402
1885	1.06428	.823	.385
1886	.99880	.772	.361
1887	.97899	.757	.354
1888	.94300	.729	.341
1889	.93684	.724	.338
1890	1.05329	.814	.381
1891	.99033	.766	.358
1892	.87552	.677	.317
1893	.78219	.605	.283
1894	.64043	.494	.231
1895	.66208	.513	.240
1896	.68195	.527	.247
1897	.60774	.470	.220
1898	.59064	.457	.214
1899	.60507	.468	.219
1900	.62065	.480	.225
1901	.59703	.462	.216
1902	.52815	.408	.191
1903	.54208	.419	.196
1904	.57843	.447	.209
1905	.61008	.471	.221
1906	.67379	.521	.244
1907	.65978	.510	.239
1908	.53496	.414	.194
1909	.52163	.404	.189
1910	.54245	.419	.196
1911	.54062	.418	.195
1912	.62036	.479	.224
1913	.61241	.473	.221
1914	.56331	.433	.204
1915	.51082	.395	.185
1916	.67151	.519	.243
1917	.84000	.650	.304
1918	.98445	.761	.356
1919	1.20870	.934	.437
1920	1.01940	.788	.369
1921	.63066	.488	.228
1922	.67934	.525	.246
1923	.65239	.504	.236
1924	.67111	.519	.243
1925	.69406	.537	.251
1926	.64248	.483	.226
1927	.56680	.438	.205
1928	.58488	.452	.212
1929	.53306	.412	.193
1930	.38154	.295	.138
1931	.28701	.221	.103
1932	.27892	.216	.101
1933	.34727	.268	.126
1934	.47973	.371	.173
1935	.64273	.497	.232
1936	.45087	.349	.163
1937	.44883	.347	.162
1938	.43225	.334	.156
1939	.39082	.302	.141
1940	.34773	.269	.126
1941	.34783	.269	.126
1942	.38333	.296	.138
1943	.44750	.346	.162
1944	.44750	.346	.162
1945	.51928	.401	.188
1946	.80151	.620	.290
1947	.71820	.555	.260
1948	.74361	.575	.269
1949	.71930	.556	.260
1950	.74169	.573	.268
1951	.89368	.691	.323
1952	.84941	.657	.307
1953	.85188	.659	.308
1954	.85250	.659	.308
1955	.89099	.689	.322
1956	.90826	.702	.328
1957	.90820	.702	.328
1958	.89044	.688	.322
1959	.91202	.705	.330
1960	.91375	.707	.331
1961	.92449	.715	.334
1962	1.08374	.838	.392
1963	1.28912	.989	.462
1964	1.29293	1.000	.468

Mr. BENNETT. Mr. President, to be even more specific, one may refer to table I which lists the market price and the intrinsic value of the silver in the dollar and half dollar, by year, since 1874. Note that in 1932, when the dollar would purchase more than twice what it will now purchase, its intrinsic value was about one-fifth what it is at the present time. A half dollar contained 10 cents worth of silver which, incidentally, is less than half the intrinsic value of the new half dollar proposed in this bill.

## NO EFFECT ON REAL VALUE

From this discussion, it should be obvious that as long as our subsidiary coins are freely exchangeable for dollars or their equivalent in silver, a change in their metallic content does not affect their real value.

It should also be pointed out at this point that as long as they are freely exchangeable, there should be no effect of Gresham's law which states that bad money drives out good money.

This law operates only when one type of money is inferior to another and as long as it is completely exchangeable that condition does not exist. It is important that all users of U.S. coins realize this fact and that they refrain, therefore, from holding the old coins or withdrawing them from circulation. Those who use the intrinsic-value argument in the framework of this bill which we are considering are only arousing unnecessary fears which could result in hoarding and disruption of an orderly changeover to the new system. They do their country a great disservice regardless of how well intended their efforts may be. If the coins were not freely exchangeable for silver coins or for silver, or for real estate or some other goods or service, then their argument would have merit, but in the present context, it is unfounded.

Because of my own personal interest in silver, I have followed developments over a number of years with concern. During recent months, while the Treasury at long last has been preparing to meet the problem squarely, I have tried to be as completely objective as possible in my own suggestions for its solution and have avoided any public statement or support of any legislation that might have made it more difficult or added to the Treasury's problems. Indeed, I have drafted several bills myself, but have refrained from introducing them because I know that this is a very sensitive issue.

My last formal statement made in December of 1964 to the meeting of the Northwest Mining Association was well received. In it I summarized my views on the actions needed. I am sure that the projections and recommendations I made at that time have been used as a basis for many statements on the problem in the intervening period. And I am glad that I was able to make such a contribution.

## CONFORMS WITH SPIRIT OF RECOMMENDATIONS

While the bill we are considering today does not correspond exactly with what I recommend at that time, it conforms with the spirit of my recommendations to a remarkable degree.

I said at that time that:

1. We must have a change in our coinage system.
2. The change should disrupt our present system as little as possible. This recommendation included acceptability of the new coins to vending machines, and reactions of the public to the new system.
3. We must be prepared for a difficult transition period and take precautionary measures necessary.
4. The sooner the change takes place the better it will be for all concerned.
5. Congress must act on the problem early in the session.
6. The system must be one that will not need to be changed again in the foreseeable future.
7. We should mint no more silver dollars.
8. The Treasury must hold the price of silver below \$1.38 an ounce until the transition is completed.
9. Reduction rather than elimination of silver should be approved.
10. Eventually, the price of silver must be released from what is now an artificial ceiling if we are ever to expect to bring supply and demand into balance.

Nothing in this bill conflicts with those recommendations.

In the same speech, I suggested that about 30 percent silver should be retained in the coins. This recommendation was based on several considerations.

First, my desire that the coins be acceptable in vending machines. If they had not been, they would not have been "as good" in purchasing power as the present coins and Gresham's law would have taken its toll.

Second, I wanted silver retention to minimize the danger of counterfeiting and use of slugs.

Third, I felt that we should retain a continuity with our present system.

Fourth, I wanted our coins to retain their traditional beauty.

## OBJECTIVES REASONABLY MET

These objectives have been reasonably met in the Treasury plan before us through the development of alternatives which were not available at that time.

The new coins will be acceptable in vending machines and they will be difficult to counterfeit because of the clad process used to produce them. All the new coins will be attractive, and because the half-dollars are clad with an 80 percent silver alloy, even though their total silver content is only 40 percent, they will look and feel the same as the present ones—thus maintaining a tie with our present system.

My earlier recommendations would have introduced the new coins immediately and replaced present coins with the new ones as rapidly as possible, leaving both side by side only as long as was necessary to make the complete transition. Actually, this bill requires the use of much more silver in our coins to sustain the changeover than my recommendation would have done since the new coins in my earlier proposal would have used the silver from present coins to produce new ones and would not have used any Treasury silver until sometime late in the 1980's. It may well be that this plan will provide for a more orderly transition, though I am not sure that is the case.

No one will ever know which plan would have worked more smoothly, or taken the Treasury out of the business of supplying silver to industry earlier.

This bill does provide for an orderly changeover that is reasonable and workable. It gives the Treasury the needed flexibility to make the transition in an atmosphere of calmness.

It is a balanced approach meeting the needs of all interested groups, causing no hardship on any of them. Amendments either to eliminate all silver from the coins or to retain 40 percent or 30 percent in all of them are not desirable nor justified and if accepted would upset the delicate balance intended in this legislation.

If administered properly, this legislation can take care of our coinage crisis and be used as a basis for our coinage system more or less indefinitely.

It does not, and again I want to emphasize this fact, propose a solution to the long-range problem of the deficit between silver supply and demand for other than coinage purposes—a deficit that will likely remain as long as there is an artificial low ceiling on the price of silver. Only after the coinage transition, however, can the market again be allowed to play a part in the determination of price.

During the changeover, the Joint Commission on the Coinage will be in a position to follow all interrelated factors closely and by the time the transition is completed, there will be a basis for determination of future Treasury silver policy that is not presently available.

This legislation is the latest in a series of steps which have been necessary for an orderly transition from a past of silver surpluses and price subsidies or ceilings, to a future based on a free market for silver with demand and supply in substantial balance at higher price levels. Until this occurs and both the price ceiling and floor contained in this bill have been removed, we cannot expect to have resolved our silver problem.

This step is necessary at this time. I hope that all of the Members of this body after hearing the comments on all sides of the problem will forget their regional biases which in this case are unfounded and will vote for this objective, reasonable, and workable approach.

Mr. MAGNUSON. Mr. President, I wish to compliment the Senator on his very effective presentation, even though I do not agree with him on a great deal of what he has said.

Mr. BIBLE. Mr. President, will the Senator yield to me for several questions before he yields the floor?

Mr. BENNETT. Yes. Before I yield to the Senator from Nevada [Mr. BIBLE], I should like to say that I was interested in the comment of the Senator from Washington [Mr. MAGNUSON], that he does not agree with much I have said. I am sure that the Senator from Rhode Island does not agree with much that I have said.

Mr. PASTORE. I agree with two-thirds of what the Senator has said. If the Senator were to take the silver out of the half dollars, I would agree with him 100 percent.

Mr. BENNETT. That is the point on which I agree with the administration. I, therefore, stand in the middle, and I realize it.

Mr. BIBLE. I cannot help observing that if we were to put the silver back in the dime and quarter, as well as in the 50-cent piece, I would be with the Senator from Utah 100 percent. I merely wish to show that there is another side to the coin.

I should like to ask the distinguished Senator from Utah several questions. I should like to get this matter in the best perspective I can. I promise the Senator I shall not take long. He has been very patient. He has made a very scholarly address. I disagree with much that he has said, as the Senator from Washington does also. I am particularly interested to know what happens during the changeover period. Do I understand correctly that if the bill remains as it is, unchanged—and I am afraid it will not—it will mean the minting of  $x$  number of 50-cent pieces 0.400 fine?

Mr. BENNETT. It is my understanding that the Treasury would continue to mint the present 50-cent pieces for at least a year and a half, that it would mint the present quarters for a year or 6 months, and the dimes for 6 months. I do not know which one it would mint first, but it would begin to mint these coins and would introduce the new coins only after a sufficient stock had been produced. The half dollar, I would assume, would be the last to be minted.

From now until then they would continue to mint the present half dollar pieces.

Mr. BIBLE. Up to that point—and this relates to my next question—how many million ounces of silver would be required?

Mr. BENNETT. Of course, this is based on estimates, but the Senator from Rhode Island suggested it would be somewhere around 300 million ounces. I believe I have heard estimates as high as 450 million ounces. I do not know, but it would be a substantial volume of silver.

Mr. BIBLE. I understand the Senator from Utah to be saying that if we continue the 900-fine silver in 10-cent pieces and quarters and 50-cent pieces, up to the changeover, we would use somewhere between 300 million and 400 million ounces of silver. Is that correct?

Mr. BENNETT. That is the Treasury's estimate.

Mr. BIBLE. I appreciate that clarification. I am interested in the Senator's viewpoint as to what will happen when we get to the end of the transition period, and we have a new 10-cent piece and a new 25-cent piece coming into circulation with the present 10-cent piece and with the present quarter. Will they be able to go through our medium of exchange and into our marketplaces side by side?

Mr. BENNETT. It is the Treasury's hope that that will happen. That is one reason why they will withhold the release of the new coins until they have had 6 months or so in which to mint a vast

stock of them, and they expect to have them continue to come into circulation so that they will not become collector's items. They assume that people will accept either coin, and that they will work side by side in vending machines, and the Treasury also assumes that the people will not care whether they have one coin of one kind and another of another kind.

Mr. BIBLE. The Senator serves on committees that hear economists and other experts. Does he believe this is a very realistic hope? I am interested in his judgment.

Mr. BENNETT. The Treasury based that hope on studies made for it by the renowned Battelle Institute and by economists and other professionals.

I shall not challenge them. The fact that the introduction of the new coins would be delayed past the time we are arguing over the proposed legislation will be one of the reasons why people will accept them. They might be stirred up now because we are considering the bill. But none of those coins would appear for 6, 8, or 10 months. When they are released, I think that they will be interesting enough so that people will accept them.

Mr. BIBLE. That will make an interesting study. It is something we shall be getting into in a year and a half or 2 years from now. But does not what the Senator has said fly in the face of history, which teaches that the coins with intrinsic value have always driven out the cheaper coins? Is that not historically true?

Mr. BENNETT. We are talking about token coins, coins less than \$1. One can take four quarters to the bank and get a dollar for them.

As I said previously, 2 half dollars, 4 quarters, or 10 dimes will still be equal in value to a silver dollar which will be maintained at its silver content of 371.25 grains—0.7734 of an ounce. If silver dollars are not available in exchange, one may request and obtain 0.7734 of an ounce of silver for any combination of coins with a face value of \$1. This means that the new coins will actually purchase more in silver than our present coins contain. A half dollar at present contains 0.3636975 of an ounce of silver. Double this and you have 0.727375 of an ounce, yet they may be exchanged for 0.7723 of an ounce of silver. The same holds true for the quarter and dime which contain the same ratio of silver to monetary value. I expect that the two will go along side by side.

Mr. BIBLE. I should like to ask one further question of the senior Senator from Utah. The question would be directed to the inevitable day when silver in the U.S. Treasury is gone. It would be partly directed to an observation by the senior Senator from Rhode Island as to what the users will do. We shall face that in a year and a half or 2 years. If they want silver, they will have to go into the open marketplace and pay the price that is required to purchase silver. Is that not true?

Mr. BENNETT. None of us has any way of knowing when that day might come.

Mr. BIBLE. Whenever it comes; and it will come inevitably in the next few months.

Mr. BENNETT. When it comes, and I do not agree that it will come in the next few months, the Joint Committee on Coinage will have had to face the problem of what to do with the silver in our current coinage which has a high silver content. The bill would give the Secretary standby power to forbid the melting or exporting of coins. It would be easy for the Treasury to begin to hold onto some of the high-content silver coins as they pass through the banks and bring them into our monetary system. It could replenish its stock of silver in either that way or by bringing in the coins and melting them. That is a great supply.

Mr. BIBLE. The new resources, are rich, and fruitful sources of silver. As a result of man's ingenuity in conquering the mysteries of the earth and bringing silver up, we are moving forward very dramatically. I believe we shall reach the day when we purchase more silver if the price is right.

The only observation I would make is that the Senator from Utah seems to think that the day when silver stocks will be completely used up will be a year and a half or 2 years from now.

Mr. BENNETT. The Senator from Utah accepts the estimate of the Treasury that it has time enough left to complete the necessary transition. By their timetable, the process will take between 2 and 3 years. It is estimated that there will be enough silver to carry us through that point. In the meantime, we shall gain a great deal of experience that will enable us to see the next step. I cannot see that step until we have had some experience with the transition.

Mr. BIBLE. I hope that the estimates of the Treasury in the future will be better than they have been in the past. It is almost 2 years to the day that we considered the Silver Purchase Act on the floor of the Senate. It was said at that time that about \$105 million in silver certificates would be retired annually and there were then \$1.8 billion in silver certificates outstanding. Today there is less than \$1 billion in silver certificates outstanding. The redemption of silver certificates has been many times faster than anticipated by Treasury officials.

The records which the Senator from Utah related indicate that instead of being used at the rate of 105 million or 115 million ounces a year, silver has been used at a rate in excess of 450 million ounces a year—not in a period of 15 to 20 years—but in the short period of 2 years. If the forecasts of the Treasury Department are no more accurate now than they were 2 years ago, we shall be facing that critical day much sooner than we realize.

I thank the Senator from Utah. He has been very patient.

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

Mr. BENNETT. I yield to the Senator from Colorado.

Mr. DOMINICK. I join the distinguished Senator from Nevada [Mr. BIBLE] and the distinguished Senator from Washington [Mr. MAGNUSON] in complimenting the Senator on a thorough analysis of the bill, although I do not agree with his conclusions any more than they did.

The Senator has made a careful and capable analysis of a subject which should be carefully considered.

I should appreciate an opportunity to submit two amendments, which I send to the desk, one on behalf of myself, and the second on behalf of myself and Senators ALLOTT, BARTLETT, BENNETT, BIBLE, BURDICK, CHURCH, CANNON, FANNIN, HAYDEN, INOUE, JACKSON, JORDAN of Idaho, KUCHEL, MAGNUSON, MCGEE, METCALF, MONTOYA, MOSS, MURPHY, NEUBERGER, SIMPSON, and YOUNG of North Dakota.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. DOMINICK. The second amendment is quite similar to Senate bill 813, which I introduced earlier this year.

The amendment would direct the Secretary of the Treasury to establish a reserve or stockpile of at least 165 million ounces of silver for national defense purposes. The setting aside of the 165 million ounces of silver for that purpose would conform the bill with administrative action taken by Governor Ellington, Director of the Office of Emergency Planning, and the Treasury Department.

I believe some people might wish to know why we take the proposed action. I believe it is very simple. I shall read the letter from the Secretary of the Treasury to Governor Ellington under date of June 18, 1965:

Confirming staff discussions held by the Office of Emergency Planning and the Treasury Department, the Treasury Department is prepared to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that has been established by the Office of Emergency Planning. The Department would hold this amount of silver aside for that purpose unless its use were to become necessary for critical national needs during the next 3 years of transition to new coinage materials including, without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at \$1.29-plus per ounce. Such use during that period would be made only after consultation with the Office of Emergency Planning.

It seems apparent from that letter that the Treasury Department is saying to the Office of Emergency Planning, "You set up your goal. We recognize that you have a goal, but we are going to do what we want with that silver." So I believe what we need is the amendment. I shall not call it up at the present time, but I wish to submit it.

I ask unanimous consent that the amendment and a statement in support of the amendment be printed at this point in the RECORD together with the full text of the letter from which I have quoted.

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

AMENDMENT TO BE PROPOSED BY SENATOR DOMINICK TO S. 2080

On page 15, strike out lines 9 through 16 and insert in lieu thereof the following: "SEC. 209. Section 2 of the Act of June 4, 1963 (Public Law 88-36; 31 U.S.C. 405a-1) is amended by striking out the second sentence and inserting in lieu thereof the following: 'The Secretary of the Treasury shall also maintain the ownership and the possession or control within the United States of not less than 165,000,000 ounces of silver as a reserve for national defense purposes. Silver held as a reserve for national defense purposes shall be available only to meet military and other defense requirements in accordance with such terms and conditions as the Secretary, with the approval of the President, shall by regulation prescribe. The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of \$1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates and as a reserve for national defense purposes.'"

STATEMENT OF PETER H. DOMINICK

I offer an amendment to S. 2080, the bill to provide for coinage of the United States. This amendment is quite similar to a bill, S. 813, that I introduced earlier this year.

This amendment would simply direct the Secretary of the Treasury to establish a reserve or stockpile of at least 165 million ounces of silver for national defense purposes. The setting aside of 165 million ounces of silver for this purpose would conform the bill with administrative action taken by Governor Ellington, Director of the Office of Emergency Planning, and the Secretary of the Treasury.

The need for this type of amendment is obvious. The Office of Emergency Planning has recognized that national defense needs must be taken care of first. It was pointed out last year in a special study conducted by the U.S. Bureau of Mines at the direction of the Secretary of the Interior: "New uses for silver in solid-fuel rockets, supersonic jets, and special-use batteries, added to conventional strategic uses, make any shortage of silver a potential threat to national security." It is now clear to all of us that silver is in very short supply and unless we anticipate and provide for national defense needs now in this bill, we will surely regret it in just a few short years.

I do not think that the administrative actions taken by the Treasury and the Office of Emergency Planning are sufficient to provide for future contingencies. First, in reading section 209 of the bill, it provides: "The Secretary of the Treasury is authorized to \* \* \* sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of \$1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates." In plain language this means that the Secretary may sell any silver in the Treasury including that amount supposedly set aside for national defense purposes. If there is any doubt about this fact, I refer to a letter from the Secretary of the Treasury to the Director of the Office of Emergency Planning dated June 14, 1965. I shall read the letter since it is short.

If we follow the interpretation of the Secretary of Treasury, it could completely nullify the action of the Office of Emergency Planning in setting aside the reserve. There-

fore, without my amendment the action of OEP has little or no meaning.

In conversations with the Office of the Secretary of Defense they have given me estimates of their various uses of silver. It amounts to about 27 to 30 million ounces per year and is used in missiles, rockets, nuclear submarine batteries, photography and other such products. Of course, these estimates do not take into account any type of national mobilization or national emergency. By writing a 165-million-ounce reserve into the bill, we would at least be providing a 5- or 6-year supply for national defense purposes which seems to be a minimum amount for future planning.

AMERICAN MINING CONGRESS,  
June 18, 1965.

Mr. JAMES R. RICHARDS,  
Legislative Assistant to Senator Dominick,  
Old Senate Office Building, Wash-  
ington, D.C.

DEAR JIM: I am attaching a copy of the letter from Secretary of the Treasury Henry H. Fowler to Gov. Buford Ellington, Director of the Office of Emergency Planning. Since this is virtually illegible, I will quote it in full below:

"DEAR GOVERNOR ELLINGTON: Confirming staff discussions held by the Office of Emergency Planning and the Treasury Department, the Treasury Department is prepared to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that has been established by the Office of Emergency Planning. The Department would hold this amount of silver aside for that purpose unless its use were to become necessary for critical national needs during the next 3 years of transition to new coinage materials including, without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at \$1.29+ per ounce. Such use during that period would be made only after consultation with the Office of Emergency Planning.

"The Treasury Department would retain physical custody of the silver. The silver reserved for the stockpile would continue to appear on the Treasurer's daily statement as part of the Treasury's silver stocks.

"Sincerely yours,

"HENRY H. FOWLER."

This correspondence was presented to the full House Interior Committee on June 16 by committee counsel and is therefore a matter of public record.

With kindest regards, I am,

Sincerely yours,

CHARLES S. BURNS,  
Assistant Director of Government  
Relations.

Mr. DOMINICK. I was most interested in the colloquy between the Senator from Utah [Mr. BENNETT] and the Senator from Nevada [Mr. BIBLE]. As I understand, the Treasury is now obligated to redeem silver certificates in terms of silver.

According to the report, more than 800 million ounces of silver are required for those silver certificates. There has been a goal of 165 million ounces of a national reserve already established by the OEP. This comes to 990 million ounces of silver. At the present time the Treasury does not even have that much silver. In addition, they say that they will go ahead and coin, as I understand, between 300 and 400 million ounces of silver in the next year and a half, which puts us out of sight so far as our Treasury supply of silver is concerned.

I should like to ask the following question of the Senator from Utah: It seems to me that what we are doing is merely delaying the evil day when we must be able to allow the law of supply and demand to operate so that we can get additional production of silver. We cannot do so with a price ceiling. Does the Senator disagree with that?

Mr. BENNETT. This is the Treasury's problem. On the other hand, the Treasury must hold the price ceiling through the transition period; otherwise, its whole new coinage system will collapse.

Mr. DOMINICK. Would not Congress then be forced to amend the Silver Purchase Act in some way?

Mr. BENNETT. Congress did amend it 2 years ago. On the basis of that amendment, the Treasury has the right to exchange silver certificates for Federal Reserve notes as well as to redeem them for silver.

Mr. DOMINICK. Have we actually saved any silver in that way?

Mr. BENNETT. There is enough silver to meet the 165-million-ounce stockpile and still retire existing outstanding silver certificates. That is not enough for coinage. But we will meet our needs for coinage by supplanting the present silver certificates with Federal Reserve notes.

Mr. DOMINICK. Would not the Senator from Utah agree with me that the Government is in a real mess over this situation?

Mr. BENNETT. The Senator from Utah has been saying that for 5 years.

Mr. DOMINICK. I thank the Senator.

Mr. MAGNUSON. Mr. President, I submit an amendment and ask that it lie on the table.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be received and printed, and will lie on the table.

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

Mr. BENNETT. I yield.

Mr. SALTONSTALL. I merely wish to ask a question. It is my understanding that the Senator from Utah is proposing what is contained in his bill; in other words, to eliminate silver from the 10-cent piece and from the quarter, and to provide for a 40-percent silver content in the half dollar.

Mr. BENNETT. That is correct.

Mr. SALTONSTALL. There has been much discussion of two subjects. One proposal is to leave the silver in the dime and the quarter, and also to provide for a transition period. That is my assumption. Am I correct?

Mr. BENNETT. I understand an amendment will be offered to leave a 40-percent silver content in the dime and the quarter. That is before the Senate now. We have been discussing the question of the amount of silver that would be required under the Treasury plan in the transition period; but that is on the basis of an estimate.

Mr. SALTONSTALL. Is it not true that in 1964 total amount of silver con-

sumed for coinage was 203 million ounces; that in 1965, according to the President's message, it was about 300 million ounces; whereas the total production in 1964 was 216 million ounces? In other words, 84 million ounces more silver were used for coinage than the total amount produced in 1965. If the Senator's proposal were put into effect, ultimately between 15 and 30 million ounces—my understanding is that it would be practically nearer 30 million ounces than 15 million ounces—would be used in the 50-cent pieces, and the great balance of 300 million ounces would be eliminated.

Mr. BENNETT. I should like to take the Senator from Massachusetts back to his first statement. I know of no way to get a figure showing the consumption of silver for 1965. The year is only halfway through.

Mr. SALTONSTALL. I am basing my assumption on the President's message.

Mr. BENNETT. I would appreciate having the Senator from Massachusetts quote it.

Mr. SALTONSTALL. The President's message, from the White House to Congress, dated June 3, 1965, states in the sixth paragraph:

We expect to use more than 300 million troy ounces—over 10,000 tons—of silver for our coinage this year. That is far more than total new production of silver expected in the entire free world this year.

Mr. BENNETT. That is obviously an estimate.

Mr. PASTORE. Mr. President, will the Senator yield at that point? I think the RECORD ought to be clear.

Mr. BENNETT. Yes.

Mr. PASTORE. I think we are becoming confused. Under the law as it is today, and until this bill is passed, if it is passed at all, the fact remains that it will be necessary to continue minting 10-cent pieces and quarters as they are now being minted. That means that from now until the bill becomes law—until the end of the year—it is expected to use about 300 million ounces of silver in order to continue to produce 10-cent pieces, quarters, and half dollars as they are now being produced. Is not that what the statement means?

Mr. BENNETT. I think it means during the entire year.

Mr. SALTONSTALL. On the basis of the statement by the Senator from Rhode Island, if the bill becomes law, there would still be between 15 million and 30 million ounces that could be used for the 50-cent pieces.

Mr. PASTORE. That is correct.

Mr. BENNETT. The Treasury says 15 million; the users say 30 million. This becomes a little more difficult to explain. I accept the Treasury's estimate of 15 million.

Mr. SALTONSTALL. Of course the Senator does. I would not accept it in full, because there has been some experience with the Kennedy 50-cent pieces. We know that many of them have been taken out of circulation and there has been a much greater demand

for them than was anticipated originally.

Mr. BENNETT. The Senator from Utah would like to remind the Senate again that while Congress would authorize the minting of 50-cent pieces having a silver content of 40 percent, the Treasury would not be required to mint them. The Treasury can meet its coinage demands by doubling its production of quarters, if that should become vital.

Mr. SALTONSTALL. At the same time, if the Treasury did mint 50-cent pieces, it would be required to provide a 40-percent silver content in them.

Mr. BENNETT. Yes; but the Treasury expects that it would be a year and a half before it reached the point where it would mint the new coins. In the meantime, it would continue to mint the present coins.

Mr. SALTONSTALL. My only inquiry—and what I want to have clear in my mind—is that if we pass the bill which the Senator from Utah is advocating we pass, ultimately, 1, 2, or 3 years after the transition, there would be between 15 and 30 million ounces of silver for use in the half-dollar.

Mr. BENNETT. I think that is a fair assumption, based on the Treasury's estimate.

One last word: This is an interesting situation. I am the ranking minority member of the Committee on Banking and Currency, and I have been carrying much of the burden of defending the administration's silver program. As a westerner, I wish I were free to join my western colleagues and to support the amendments they offer for the very reasons they will offer them. But as the ranking minority member of the Committee on Banking and Currency, and in view of the overall silver situation as I analyze it, I must support the Treasury's program. I do that.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that, without losing the floor, I may yield 30 seconds to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I submit an amendment which, if adopted, would make mandatory the appointment of a numismatist to the Commission that would be created under the bill. Being aware of the keen intellect of the Senator from Virginia, who is about to speak, I feel rather confident that he will consent to accept the amendment and take it to conference.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table.

Mr. ROBERTSON. Mr. President, I shall open my brief comment by saying that it is difficult for me even to pronounce the name of the occupation or hobby of the proposed new member of the Commission. Naturally, I could not accept the amendment. The Treasury says, "Do not bind the President's hands by placing on the Commission someone who is interested in collecting coins because then someone who produces silver will want to become a member, and someone who uses silver might want to go on the Commission, and the next thing we know, it will be necessary to designate

everybody who wishes to go on. If that were done, the situation that confronts us today would be impossible of solution."

Mr. President, I thank my distinguished colleague from Utah [Mr. BENNETT] for his contribution, which was statesmanlike and patriotic. He comes from a silver-producing State, the fifth largest producer in the United States. His natural inclination would be to go with his silver producers, because they feel that if an amendment is accepted to take all silver out of coins, it would be calculated to reduce the price of silver and therefore hurt silver producers.

But the Senator from Utah became a cosponsor with me of the administration's bill, which was a compromise, after more than a year's study of what was involved.

In February of last year, I put the Treasury Department on notice that we could not continue indefinitely to use the same amount of silver in coins, because in 3 or 4 more years all the silver would be gone; there would be no silver coins; there would be no silver for electronics and photography, and there would be no silver for June brides.

After a year's study, the Department came up with a recommendation. The Senator from Utah and I, without definitely committing ourselves to the proposal, introduced a bill by request. However, after hearing the testimony, both the Senator from Utah and I decided that we would go along with the position of the administration.

We now find ourselves confronted with at least three major amendments. One is offered—and will be the next one to be considered—by the distinguished Senator from Rhode Island [Mr. PASTORE], who has 14 cosponsors on his amendment. That amendment relates to the 50-cent piece. It proposes to take the 40 percent silver content out of the 50-cent piece and put that coin on the same basis as the 25-cent piece and the other coins covered by the bill.

There is an amendment submitted by the distinguished Senator from Utah [Mr. MOSS] on which there are 19 cosponsors. This amendment proposes to put silver in the 25-cent piece and the 10-cent piece. That would be moving in the opposite direction from the Pastore amendment. It would not be an amendment in the second degree because one would relate to the 50-cent piece and the other would relate to the two smaller coins.

Mr. President, I ask unanimous consent that we adopt the one committee amendment, which is in the nature of a substitute for the original bill, with the understanding that the amendment, as adopted, shall be open to amendment as if it were the original text, and an amendment to it shall not be considered in the second degree.

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

Mr. ROBERTSON. Mr. President, the first amendment to be considered will be the Pastore amendment, offered on behalf of the silver users. It is the hope of the junior Senator from Virginia, the chairman of the committee, that the debate will center largely pro and con on

that amendment. That is the key amendment. It would not make any sense to take the silver out of the 50-cent piece and put it in the dime. The dime is in large circulation. The quarter is in large circulation. One reason for having only one prestige coin, as the Senator from Utah said, is that the 50-cent piece would not be manufactured on the same scale as the smaller coins.

We have a table showing that in the calendar year 1966, the mint plans to produce 4,830 million 10-cent pieces and 3,530 million 25-cent pieces, but only 134 million 50-cent pieces.

The testimony indicated that if we were to take all the silver out of the dimes and the quarters, and reduce the silver content of the 50-cent piece from about 80 to 40 percent, we would then use only 5 percent of the amount of silver that we have been using in our coins. Technically we could still mint dollars with 90 percent silver content. However, actually we do not intend to do it.

I take the position that, until the Commission which would be created by the bill—there would be six Members of Congress, four Government officials, and four public committeemen—recommends a permanent policy, the Senator from Utah and I have, in effect, agreed to a compromise.

So far as the people in Virginia are concerned, they do not produce any silver. They once had a gold mine, but that soon petered out. We never have had a silver mine, so far as I know. However, we do use silver products and coins. The price of silver would be of importance to the jewelers in Virginia. And of course my constituents must have coins to buy and sell with.

There is a considerable production of silver in Utah. The retention of the silver content in our coins, as proposed by the amendment of the Senator from Utah [Mr. MOSS] would please that State. However, the Senator from Utah [Mr. BENNETT] and I have taken the position that we would go along with what appeared to be a reasonable compromise—a reduction in the amount of silver in a sufficient amount to prolong our stockpile of silver for a very long period—even on the basis agreed upon and, at the same time, have one prestige coin which would have all the appearance, weight, and purchasing power of the 50-cent piece if one did not look too closely between the top and the bottom and see a little yellow.

Mr. BENNETT. There would be no yellow. One would see a little yellow in the dime and the quarter. However, the 50-cent piece would look exactly like the present 50-cent piece. There would be no yellow in the 50-cent piece.

Mr. ROBERTSON. Mr. President, I am happy to be reassured on that. There would be 40 percent of silver content so that they would not have to do that.

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

Mr. ROBERTSON. I yield.

Mr. SIMPSON. Mr. President, I believe that the Senator has overlooked the amendment with respect to the dollar. I want to be sure that the amendment

will be considered as part of the clean bill.

Mr. ROBERTSON. To be frank, I did overlook it. I did not see it when I looked at the list of amendments. I thought that the advocates of the dollar had given up.

Mr. SIMPSON. Not by a long shot.

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

Mr. ROBERTSON. I yield.

Mr. DOMINICK. Mr. President, I was unable to be on the floor before. Do I correctly understand that there is a unanimous-consent agreement of some kind?

The PRESIDING OFFICER. There is no unanimous-consent agreement.

Mr. DOMINICK. Mr. President, do I correctly understand that there was a unanimous-consent agreement of some kind proposed?

Mr. ROBERTSON. Not yet. We ought to have one. However, the majority leader told me that it would be futile to ask for one. I am trying to put the Senate on notice. There are only 10 or 12 Senators on the floor to hear the debate on a very important bill. I believe that every Senator should try to get as much information in the RECORD between now and adjournment tonight and try to have some limitation on all the amendments we are to consider. A record vote will probably be desired on all of them.

Mr. DOMINICK. I misunderstood the Senator.

Mr. SIMPSON. I must have misunderstood the Senator, too.

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

Mr. ROBERTSON. I yield.

Mr. BENNETT. Mr. President, there was a unanimous-consent agreement that the committee amendment should be considered as a part of the bill so that we are treating the bill as though it were a clean bill and so that the amendments would not show up in the second degree.

Mr. ROBERTSON. Mr. President, I understood that the Senator from Colorado referred to a unanimous-consent agreement as to time.

Mr. DOMINICK. No.

Mr. ROBERTSON. We adopted the substitute and are treating the bill as original text so that all amendments would be in order and not be subject to a point of order.

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

Mr. ROBERTSON. I yield.

Mr. DOMINICK. Mr. President, does the Senator agree that our basic problem is supply and demand? Is it not accurate to say that the demand is much more than the supply?

Mr. ROBERTSON. The demand exceeds not only the supply, but also the world production. Our consumption has exceeded the world production.

Mr. DOMINICK. Mr. President, the distinguished chairman, being a very able economist and having fought for the value of the dollar for so many years, I am sure, recognizes that, in order to solve the demand and supply problem, we must raise the price and thereby in-

crease production. Does not the Senator agree to that statement?

Mr. ROBERTSON. That sounds familiar, but it is a rule or principle which does not always apply—or at least there may be other considerations which may reduce its effect. It has some significance, but people have been looking for silver for many years. It is not like uranium. We were not looking for uranium until the atom was split. Then we discovered we had much uranium that we did not know we had. But silver has been in demand for a long time. St. Peter said, "Silver and gold have I none." Everybody wanted it then. I do not believe, even if the price of silver went to \$2.49, that overnight we would get all the silver we needed.

Mr. DOMINICK. I agree that we would not get it overnight, but it seems to me we ought to have a leadtime of 3 or 4 years. It seems to me that in the meantime to have industrial users obtain silver from the stockpile is to use it as their own silver mine.

Mr. ROBERTSON. The Senator from Colorado asked us to accept an amendment relating to the stockpile. We consulted the Treasury, and the Treasury recommended against it. It was thought to be much better to leave the stockpile as it is for the time being.

Mr. President, I ask unanimous consent that the amendment I have referred to be inserted in the RECORD at this point.

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

On page 15 at the end of line 16, strike out the period and quotation marks and add the following: "Provided, That the authority of the Secretary to sell silver shall be limited to a period of five years after the effective date of this Act or such shorter period as he may deem appropriate if substantially all coins having a silver content and minted prior to this Act are out of circulation or have been retired, recalled or otherwise returned to the Treasury."

Mr. ROBERTSON. The Treasury has informal assurance from the OEP to supply it 175 million ounces to meet the silver stockpile objective, but they did not want to be tied down by the amendment offered by the Senator from Colorado. However, the Senator from Colorado has about 20 compatriots on his amendment, and he will get a fair vote on it.

Mr. DOMINICK. I appreciate the Senator's confidence. I hope it will be a majority of the votes. But the point I was making was that the supply and demand situation is basic to the whole problem.

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

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. May I ask the Senator a question concerning the purpose of the amendment? I should like to ask the Senator a few questions dealing with the interpretation that the Senator and the committee make of the language in the bill describing the segment of the economy to which the members to be appointed belong. I read from page 17 of the bill, line 5: "and for public members to be appointed by the President,

none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States."

The Senator understands that I consulted him about this language. It was the Senator's opinion, as set forth in his letter of June 11, that the language contained in the bill would not preclude the appointment of a numismatist by the President, if he so determines.

Mr. ROBERTSON. That is correct, although the matter was not officially discussed by the committee. That was merely the personal interpretation of the chairman.

Mr. LAUSCHE. That is, if the President decided that a representative of this segment asked for the appointment of one person who is interested in coin collections, it is the understanding of the chairman of the committee that the President would have the power to make that appointment?

Mr. ROBERTSON. That is correct.

Mr. LAUSCHE. The Senator, however, qualifies that statement by the further narration that that is his opinion, and that he does not speak for the committee.

Mr. ROBERTSON. That is correct, in addition to numerous decisions that history on a bill cannot be made on the floor when it is in conflict with the language the bill contains. It is merely the opinion of the chairman that when the bill provides that those appointed by the President shall not be associated with an "industry, group, business, or association directly interested as such in the composition, characteristics, or production" that language would eliminate the silver mines, and those in the silver business, some of whom wanted all silver, some of whom wanted no silver. That was the primary purpose. Nothing was mentioned in committee about coin collectors. The chairman gave the personal opinion that the language of that section would not preclude the appointment of an expert in coins, who is called a coin collector.

Mr. LAUSCHE. Will the Senator from Virginia yield to me so that I may ask questions of the Senator from Utah?

Mr. ROBERTSON. I yield for that purpose.

Mr. LAUSCHE. What is the interpretation of the Senator from Utah with respect to the authority of the President to appoint a coin collector?

Mr. BENNETT. The language provides "none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics"—that is the word that gives trouble. It seems to me that, if anybody is interested in the characteristics of coinage, it is a coin collector.

I do not like to disagree with the chairman of the committee, but I believe this is a close decision. It might be possible that the Attorney General or someone charged with the responsibility of the law, if the bill were enacted into law,

would have to decide that the man interested in characteristics of coinage could be a coin collector.

Mr. LAUSCHE. The Senator from Virginia tried to protect himself by saying that there is a rule of law which provides that an interpretation cannot be gathered from a discussion on the floor which is in conflict with the language of the measure.

What did the Senator from Virginia mean by that?

Mr. ROBERTSON. The Senator from Virginia meant this: He had no request from any coin collector as to how much silver should be in the coins, or whether any silver should be in the coins. They were merely interested in having coins in 1964, 1965, and 1966, so they could have coins for every year.

In the opinion of the Senator from Virginia, the word "characteristics" related not to the year in which the coins were to be minted, but to the composition of the coin itself. However, someone might hold otherwise. Therefore, the Senator from Virginia said he could not categorically state that he was correct when he said the word "characteristics" would not apply to coin collectors. In his opinion, the word does not apply to them, but he can give the Senator from Ohio no assurance, and the best thing the Senator from Ohio could do is to offer his amendment.

Mr. LAUSCHE. From what the Senator from Virginia and the Senator from Utah have said, the answer to my question is, "No; it does not authorize the appointment of a coin expert."

Mr. ROBERTSON. The Senator from Ohio can offer his amendment, and the Senate will give him its answer.

I shall be very brief in my concluding remarks, but before I make a general statement about what is involved in the bill, I want to express the viewpoint that, in the opinion of the junior Senator from Virginia—and he has been in Congress as long as most of his colleagues—it is not a desirable practice to bring an important amendment to a bill up after the normal dinner hour of Members of the Senate.

In recent weeks, we have been held in the Chamber until 6:30, 7, 7:30, or 8 o'clock to vote on amendments, such as those on foreign aid, with the result that a total of only 60 Senators would be present and the rest would be absent.

I see no good and sufficient reason why Senators should be held in the Chamber tonight until 6, 7, or 8 o'clock to vote on amendments to the Coinage Act of 1965. Therefore, I express the hope that Senators who are for the Pastore amendment put their views in the RECORD; that those who are against it also put their views in the RECORD; and that those who wish silver in the other coins would place their views in the RECORD. Then the 80 percent of Senators who are not in the Chamber this afternoon will have an opportunity to review the respective positions before they are called on to vote tomorrow.

I do not suggest placing any time limitation upon Senators. I did invoke the reorganization rule to put a 10-minute limitation on some Senators when they

were testifying before the Committee, but we told them at that time that they would have unlimited opportunity to speak and vote in the Chamber on the bill. It will all be printed in the CONGRESSIONAL RECORD, and of course they can read the record of the hearings.

Therefore, I am not putting the "squeeze" on Senators in the Chamber, but I believe that my distinguished friend, the Senator from Rhode Island, will agree with me—

Mr. PASTORE. Yes; if the Senator will yield—

Mr. ROBERTSON. It would be in the interests of good legislation on the bill if we could get as much material pro and con in the RECORD at this time, and then go over until tomorrow, with the understanding that there will be a brief morning hour, possibly there could be a suitable time limitation on each amendment. The bill could then be brought to a vote, and action on it could be completed.

I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. That will be satisfactory to me.

Mr. ROBERTSON. Does that meet with the approval of the Senator from Nevada?

Mr. BIBLE. Mr. President, in response to the suggestion of the Senator from Virginia, I would first wish to consult with the Senator from Washington [Mr. MAGNUSON], who is the chairman of the Western Conference. If I could get his attention, I could clarify the situation. I have no personal objection to that procedure, but I believe that the Senator from Washington had some reservations. I would hope the Senator from Virginia would put that same inquiry to him, to get his viewpoint on it. I have no personal objection.

Mr. MAGNUSON. I did not hear the Senator's suggestion.

Mr. PASTORE. If the Senator from Virginia will yield, it has been suggested that I call up my amendment and make my statement, that Senators in favor of it will speak on it tonight, that those opposed to it will also speak on it tonight, and that those who would like to have silver in the other coins will speak on it tonight. Then, tomorrow, we would have a unanimous consent agreement, for windup purposes, and we would take votes rather than have any votes tonight. This procedure would give Senators an opportunity to read the RECORD and make up their minds as to how they felt on this issue. That is what the Senator from Virginia said, am I not correct?

Mr. ROBERTSON. The Senator from Rhode Island is absolutely correct.

Mr. PASTORE. I usually am.

Mr. SALTONSTALL. I sometimes doubt that, but the Senator from Rhode Island is a great Senator.

Mr. PASTORE. I did not expect a compliment from the other side. I was speaking to this side.

Mr. MAGNUSON. The time is now 3:45, and I do not know how long the Senate wishes to remain in session today; but I should like the Senator from Rhode Island to make his presentation. I am sure those who are opposed to his

amendment would also like to speak against it. I would think that there would be more time given to Senators who wish to speak against the Senator's amendment than there would be time available tonight, unless we stayed late.

As to the other amendments, I am hopeful that we could convince the Senate to keep a small amount of silver in the quarter and the dime, so that people would be willing to use them. On that point, I know that Senators will have a great deal to say tomorrow. There are approximately 15 to 20 Senators who wish to make speeches. I do not believe that we would have an opportunity to vote on the amendment this evening—perhaps tomorrow.

Mr. ROBERTSON. I have no engagements until noon on Friday.

Mr. MAGNUSON. The Senator might make that engagement at noon on Friday. Therefore, I believe that we should defer to the Senator from Rhode Island, who wishes to bring up his amendment first, and some of us may wish to answer it tonight, although I am sure we could not cover it all.

Mr. PASTORE. The point is, there will not be a vote tonight, in any event. Is not that the point? Tomorrow will speak for itself.

Mr. MAGNUSON. The Senator is correct.

Mr. ROBERTSON. That is the main thing.

Mr. MAGNUSON. We should adjourn at 5:30 or 6 and go home and think about the silver problem.

Mr. ROBERTSON. I am not the majority leader.

Mr. MAGNUSON. The more we think about it, the more Senators will agree with the amendments we shall be offering.

Mr. ROBERTSON. Mr. President, I conclude by a brief reference to what happened on June 3, 1965, when the President transmitted a message to the Congress proposing substantial changes in our coinage system. This proposal was based on a year's study of the whole situation by the Treasury, by the Bureau of the Mint, and by private industry in cooperation with those agencies. On that same day, I introduced the bill for Senator BENNETT and myself, by request. Hearings were held on Wednesday, June 9, at which testimony was received from six Senators, one Member of the House of Representatives, the Secretary of the Treasury, the Director of the Mint, and representatives of mining interests, silver users, and the vending machine industry. The Committee on Banking and Currency met in executive session on the same day and reported the bill unanimously to the Senate with minor amendments.

The purpose of the bill is to reduce the amount of silver used in the Nation's coinage, so that we will continue to have an adequate supply of coins to carry on the Nation's business and trade in spite of the growing needs for silver and the increasing shortage in its supply. The bill would carry out the President's program presented to the Congress after a thorough study of silver and the coinage.

The bill would eliminate silver from the dime and the quarter, substituting a sandwich coin consisting of a cupronickel surface with a copper core. The bill would reduce the silver in the 50-cent piece from 90 to 40 percent, with 80-percent silver surfaces and a core with a low proportion of silver. The new dime, quarter, and 50-cent piece could be used in all vending machines, even the most sensitive, completely interchangeably with the present coins and requiring no change or adjustment of the vending machines.

In order to protect the outstanding supply of silver coins, the bill would not change the silver content of the dollar or its monetary value, and the Treasury would be authorized to redeem outstanding silver certificates or to sell silver at its monetary value of \$1.29+ an ounce, continuing the present ceiling price resulting from the redemption of silver certificates. In order to further stabilize the silver market by minimizing any possible drop in the price of silver resulting from governmental action changing the coinage alloy, the Treasury would be required during the next 5 years to buy at \$1.25 newly mined domestic silver offered to it.

The bill would provide standby authority to the Secretary of the Treasury to issue regulations to restrict or prohibit exporting, melting, or treating silver coins.

In order to provide a continuing review of the problems which may arise during transition to the new coins or afterward, the bill would establish a Joint Commission consisting of six congressional members, four Government officials, and four public members to make recommendations to the President and the Congress for the future.

The committee hearings and the committee report have been available for some time and go into the subject in great detail.

The President's program to change our coinage is a carefully worked out, carefully designed package. It takes care completely of the problem of the vending machine. It provides substantial benefits and a substantial measure of protection to the silver producers and to the silver users. The President's program was reported out from the Senate Banking and Currency Committee intact. I urge the Senate to act on this measure expeditiously and responsibly. In my judgment, the Senate should reject all amendments to the committee bill and approve the President's program as set forth in the committee bill at the earliest possible moment.

Mr. President, I yield the floor.

AMENDMENT NO. 276

Mr. PASTORE. Mr. President, I call up my amendment No. 276 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

On page 8, beginning with line 23, strike out all through line 2 on page 9, and insert in lieu thereof the following:

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 11.34 grams.

#### LICENSING OF MAIL ORDER MEDICAL LABS

Mr. JAVITS. Mr. President, I introduce, for myself and the Senator from California [Mr. MURPHY], for appropriate reference, a bill designed to eliminate substandard and dangerous practices by clinical laboratories engaged in interstate commerce by providing for inspection and licensing under the authority of the Surgeon General of the United States. I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2184) to require clinical laboratories which transact business in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes, introduced by Mr. JAVITS (for himself and Mr. MURPHY), 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:

S. 2184

*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 "Clinical Laboratory Licensing Act of 1965".*

SEC. 2. The Congress finds that clinical laboratories perform essential services necessary to the diagnosis and treatment of human diseases and that such laboratories can, by the improper performance of laboratory procedures, cause unnecessary or improper medical treatment, prolonged illness, injury, or death. The Congress further finds that clinical laboratories which transact business in interstate commerce should be licensed by the Surgeon General and required to comply with minimum standards in the performance of laboratory procedures.

SEC. 3. As used in this Act—

(1) The term "Surgeon General" means the Surgeon General or the Public Health Service.

(2) The term "laboratory" or "clinical laboratory" means a facility for the microbiological, serological, chemical, hematological, biophysical, cytological or pathological examination of materials derived from the human body, for the purpose of obtaining information for the diagnosis, prevention, or treatment of disease or the assessment of medical condition.

(3) The term "laboratory director" means the individual responsible for the administration of the technical and scientific operation of the clinical laboratory, including the supervision of procedures and reporting of findings.

(4) The term "interstate commerce" means commerce between any State, Commonwealth, or possession of the United States, or the District of Columbia and any place outside thereof; or between points within the same State or Commonwealth, possession, or the District of Columbia but through any place outside thereof.

SEC. 4. No clinical laboratory may solicit, or receive in interstate commerce any specimen for laboratory examination, nor transport or deliver for transport in interstate commerce any specimen with respect to which such laboratory has performed, or alleges to have performed, one or more laboratory pro-

cedures, unless such laboratory has been issued a license as provided in this Act and such license has not been suspended or revoked. A license issued under this Act shall authorize the performance of one or more laboratory procedures or one or more categories of such procedures.

SEC. 5. (a) Application for a laboratory license under this Act shall be made by the owner of the laboratory and shall contain the name of the owner, the name of the laboratory director, the laboratory procedures or categories of procedures for which the laboratory license is sought, the location and physical description of the facility at which tests are to be performed, and such other information as the Surgeon General may require.

(b) A license shall not be issued in the case of any clinical laboratory unless (1) the laboratory director of such laboratory holds a valid certificate of qualification, issued under section 7 of this Act, in the procedures for which the license is sought, (2) the Surgeon General finds that such laboratory is competently staffed and properly equipped to perform the laboratory procedures for which the license is sought, and (3) the owner agrees and the Surgeon General determines that such laboratory will be operated in the manner required by this Act.

(c) A license issued under this Act shall be valid for a period of one year and may be renewed annually in such manner as the Surgeon General may prescribe. The Surgeon General may require the payment of a reasonable fee each year for the issuance of a license under this Act but the amount of such fee shall not exceed \$25.

(d) A license issued under this Act shall indicate, on the face thereof, the name of the owner of the laboratory, the laboratory procedures or categories of procedures authorized to be performed in such laboratory, and the location at which such procedures may be performed. Such license and the certificate of qualification issued under section 7 of this Act shall be displayed at all times in a prominent place in the laboratory.

(e) A license issued under this Act shall automatically become void by a change in the laboratory director. A license issued under this Act shall automatically become void thirty days following a change in the ownership or location of the laboratory. A new application for a license may be filed with the Surgeon General prior to any such change in the laboratory director, ownership or location of the laboratory, or prior to the expiration of such thirty-day period, in order to permit the uninterrupted operation of the laboratory.

SEC. 6. (a) In order to administer effectively the provisions of this Act, the Surgeon General, or his designee, may at all reasonable times inspect the facilities, methods, procedures, materials, staff, and equipment of any clinical laboratory subject to the provisions of this Act.

(b) The Surgeon General may require clinical laboratories subject to the provisions of this Act to submit periodic reports of tests performed in such laboratory and such other information as the Surgeon General determines necessary or appropriate to facilitate the administration of this Act. The Surgeon General may require such laboratories to submit lists of personnel employed to perform laboratory procedures, and the technical qualifications of such personnel, and to notify the Surgeon General promptly of any changes in such personnel.

(c) The Surgeon General shall prescribe standards for the examination of specimens submitted to any clinical laboratory subject to the provisions of this Act. In carrying out the provisions of this Act, the Surgeon General may require any such laboratory to analyze test samples submitted by him and to report to him on the results of

such analyses. Such analyses and reports may be considered by the Surgeon General in making any finding under section 8 of this Act.

(d) The Surgeon General may appoint one or more advisory committees of persons expert in the major categories of laboratory procedures to advise him in connection with the qualifications of technical personnel employed in clinical laboratories, the use of appropriate laboratory procedures and the performance of his responsibilities under this Act.

SEC. 7. (a) No person shall act as the laboratory director of any clinical laboratory subject to the provisions of this Act unless a certificate of qualification has been issued to him as provided in this section. A certificate of qualification shall be issued authorizing the holder to direct one or more laboratory procedures or one or more categories of such procedures.

(b) The Surgeon General shall prescribe minimum qualifications for laboratory directors in microbiology, serology, chemistry, hematology, biophysics, cytology, or pathology.

(c) A certificate of qualification shall be issued to any person who meets the minimum qualifications prescribed by the Surgeon General and who otherwise demonstrates that he possesses the character, training, and ability to administer properly the technical and scientific operation of a clinical laboratory, including supervision of procedures and reporting of findings of tests.

(d) Application for a certificate of qualification shall specify the procedures or categories of procedures for which the certificate is sought and such other information as the Surgeon General may require.

(e) A certificate of qualification issued under this Act shall be valid for a period of five years from the date of its issuance and may be renewed for successive five-year periods thereafter. The Surgeon General may impose a fee for the issuance of a certificate of qualification and for each renewal thereof but such fee shall not exceed \$25.

(f) The Surgeon General may issue a temporary certificate of qualification to any person pending the issuance of a regular certificate under this section, but a temporary certificate shall be valid for a period of only thirty days and may be renewed for not to exceed four successive periods of thirty days.

SEC. 8. (a) A laboratory license or certificate of qualification may be revoked, suspended, or limited if the Surgeon General finds, after notice and hearing, that the owner or operator of the laboratory, the holder of the certificate of qualification, or any employee of the laboratory—

(1) has been guilty of misrepresentation in obtaining the license or certificate or in the operation of the laboratory;

(2) has knowingly accepted or permitted to be accepted a specimen or assignment for laboratory examination from, or rendered a report for laboratory examination from or rendered a report thereon to, a person or persons not authorized under the law of the State from which the specimen was sent to submit such assignment or specimen or receive such report;

(3) has engaged or attempted to engage or represented himself as entitled to perform any laboratory procedure or category of procedures not authorized in the license or certificate;

(4) has failed to comply with the standards prescribed by the Surgeon General under section 6(c) of this Act for the examination of specimens;

(5) has rendered a report on laboratory work actually performed in another laboratory without designating the fact that the examination or procedure was performed in another laboratory;

(6) has demonstrated incompetence or has shown consistent errors in the performance of laboratory examinations or procedures;

(7) has failed to file any report required by the provisions of this Act or by any rule or regulation promulgated thereunder; or

(8) has violated or aided and abetted in the violation of any provisions of this Act or of any rule or regulation promulgated thereunder.

(b) A laboratory license or a certificate of qualification may be temporarily suspended without a hearing for a period of not to exceed 30 days if the Surgeon General determines that the public safety or welfare is in imminent danger.

SEC. 9. (a) Any party aggrieved by any action taken under this Act may at any time within 60 days after the date of final approval of such action by the Surgeon General file a petition with the United States court of appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review of such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Surgeon General or other officer designated by him for that purpose. The Surgeon General thereupon shall file in the court the record on which the action of the Surgeon General is based, as provided in section 2112 of title 28, United States Code.

(b) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Surgeon General, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Surgeon General, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper. The Surgeon General may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings, and his recommendations, if any, for the modification or setting aside of his original action, with the return of such additional evidence.

(c) Upon the filing of the petition referred to in subsection (a) of this section, the court shall have jurisdiction to affirm the action, or to set it aside in whole or in part, temporarily or permanently. The findings of the Surgeon General as to the facts, if supported by substantial evidence, shall be conclusive.

(d) The judgment of the court affirming or setting aside, in whole or in part, any such action of the Surgeon General shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

SEC. 10. Any person who violates any provision of this Act or any rule or regulation promulgated thereunder shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year, or a fine of not more than \$1,000, or both such imprisonment and fine.

SEC. 11. The provisions of this Act shall not apply to any clinical laboratory operated by a State or subdivision thereof or by a licensed physician, osteopath, dentist, or podiatrist who performs laboratory tests or procedures, personally or through his employees, solely as an adjunct to the treatment of his own patients.

SEC. 12. Nothing in this Act shall be construed as affecting the power of any State to enact and enforce laws relating to the matters covered by this Act to the extent that such laws are not inconsistent with the provisions of this Act or with the rules and

regulations issued under this Act. Whenever the Surgeon General determines that such laws are adequate to protect the health and welfare of the people of such State and that such laws are being effectively enforced in such State, he may refrain from the enforcement of any or all of the provisions of this Act within such State.

Mr. JAVITS. Mr. President, my bill would require the licensing of clinical laboratories operating in interstate commerce under minimum standards to be set by the Surgeon General. The measure is patterned after the New York State and New York City laws which are considered by most authorities to be model statutes in the field. Clinical laboratories operated by State or local governments or by physicians, osteopaths, dentists, or podiatrists for their own patients are not affected by the bill.

In addition to licensing, the bill would:

First. Provide for inspection and evaluation by the Surgeon General of the effectiveness of these laboratories, including submission of test samples for analysis.

Second. Establish standards and certification of laboratory directors in microbiology, chemistry, hematology, biophysics, cytology, and pathology.

Three. Provide for the revocation, suspension, or limitation of laboratory licenses for failure to meet standards, incompetence of employees, misrepresentation, or similar causes. Hearings and judicial review procedures are provided by the bill.

Today, adequate medical care is impossible without adequate and efficient laboratories providing information for the diagnosis and treatment of disease and the assessment of the patient's medical condition. Repeated investigations and studies show that an important proportion of clinical laboratories are substandard and have uncovered instances after instance of incorrect diagnosis which have resulted in unnecessary hospitalization, unneeded operations, inappropriate treatment, injury, or even death. This legislation is necessary because a substantial amount of the business of supplying diagnoses and analyses is conducted through the mails. One west coast laboratory, for instance, runs more than 500,000 tests monthly for more than 4,000 doctors throughout the United States and Canada.

It has been New York's experience that after effective legislation was enacted for both the State and the city, a number of laboratories left the area but continued to operate with the use of the mails in jurisdictions having no laboratory control laws. Today, only 10 States require laboratory licensing. Thus, inefficient laboratories which conduct their business operations through the mails experience very little in the way of local controls.

Dr. Morris Schaeffer, the distinguished director of New York City's Bureau of Laboratories, has stated that clinical laboratory and blood bank practices in the United States are "generally extremely poor and require considerable upgrading. One of the important prob-

lems is lack of regulation." My bill seeks to correct this situation.

While the laboratory branch of the Public Health Service's Communicable Disease Center does assist commercial laboratories as well as State and local public authorities with evaluation services, this is on a voluntary basis. My bill would make such evaluation checks mandatory if the clinical laboratory operates across State lines.

Recently published examples of inefficient practices by clinical laboratories include:

First. A New York City survey, conducted before the city's present law went into effect, which reportedly showed that of 50 private laboratories given bacterial samples, 26 failed to make a proper diagnosis.

Second. A report of an Illinois test which alleged that 4 out of every 10 laboratories failed to determine the correct blood group and Rh type on a testing sample.

Third. A test in Pennsylvania reportedly showed that 9 out of 10 laboratories were unable to test accurately for the presence of parasites in a stool specimen.

Fourth. A New York State Legislature report noted that one laboratory uniformly reported "positive" on all samples submitted to determine pregnancy regardless of the actual facts.

Recent investigative articles published by leading popular and scientific trade magazines have disclosed such instances as—a doctor, suspicious of laboratory reports, submitted a sample of his own blood in three different containers and received three different conflicting reports; and laboratories in at least one State were reported to be managed and operated by individuals with little or no college training.

It is this sort of thing which my bill seeks to correct.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the May 1965 issue of McCall's magazine entitled "Medical Lab Tests: The Dangerous Mistakes," and written by Alice Lake.

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

**MEDICAL LAB TESTS: THE DANGEROUS MISTAKES**  
(By Alice Lake)

This was her third pregnancy, the dangerous one, for she was Rh negative. Yet up to the moment the baby was born, there seemed little cause for alarm. The mother had an able obstetrician, on the staff of a leading Connecticut hospital. Blood tests, repeated in the past months, gave no hint of rising antibody count.

One midnight, the skillful obstetrician delivered a desperately sick baby. The infant was limp, his skin boggy with fluid. A skeleton hospital staff fought a heroic battle to save him from death or brain damage. Although they won, it was a needless flirtation with tragedy. The cause was a single weak link in a strong chain of medical proficiency—the neighborhood medical laboratory that performed the blood tests. Its reassuring reports were just plain wrong.

"We're in a field where one mistake in a thousand is too many," says a leading Boston

hospital pathologist. Yet whopping errors are being made every day in the medical laboratories that test blood, urine, tissue, sputum, for disease.

If you are a patient in a nonprofit hospital of middling size or better, you need have little concern about the quality of the laboratory work. These hospital labs are usually run by pathologists, who have 5 years of training following medical school, who check constantly on the accuracy of their instruments, their techniques, and their staff. Small hospitals, particularly in rural areas, are a different story. They may be staffed by an undertrained technician, fleetingly supervised by a doctor. "I shudder to think of being hurt in an auto accident out in the country," Dr. Omer E. Hagebusch, a St. Louis pathologist, told me. Hospitals run for profit may try to save money on their laboratories, with disastrous results. Dr. Ray Trussell, New York City's commissioner of hospitals, recently threatened to close down four of these proprietary hospitals. "Their laboratories can't crossmatch blood for transfusions properly, and that's a fatal error," he said.

Another questionable area is the doctor's office. Over 30,000 doctors employ their own technicians or teach their nurses to perform routine laboratory work in the office. A Florida pathologist commented: "These girls don't know how to standardize or calibrate their equipment. Our hospital has had terrible experiences with their work."

The worst offenders are the private medical laboratories, run for profit, to which a doctor sends the diagnostic tests on his office patients. There are about 3,000 of these clustered in the large cities and their suburbs. A few are excellent, many acceptable. Some are run by pathologists, by other doctors, by Ph. D. chemists or microbiologists. These professionals are able, and usually they are ethical. But the majority of the laboratories are in the hands of laymen of varying qualifications, some of whom put business profit above medical service.

How does this concern you? Tests on your blood, urine, or tissue may give evidence of disease before a single symptom appears. Whether to operate and where, whether to prescribe dangerous drugs and which ones—these depend on the information the laboratory gives your doctor.

When you marry, when you become pregnant, when you have a checkup, when your symptoms suggest some organic disease, your doctor draws a blood sample, asks for a urine specimen, takes a smear, or snips away a bit of tissue for laboratory analysis.

If the laboratory diagnosis is faulty you may be treated for a disease you don't have, or not treated for one you do. You may be rushed to surgery when an operation is unnecessary. You may be treated for too long a time or not long enough.

A few years ago, in an eastern city, a laboratory reported that the Pap smear of a 20-year-old girl was positive, meaning cancer. Her doctor operated, removing part of the cervix, the neck of the uterus. Perhaps she will be able to bear children; but this operation makes pregnancy much more difficult to achieve. The laboratory had made a mistake. There was no cancer present.

"This specimen contains no excess sugar," a laboratory reported to a doctor about a blood test. The patient in question, her diabetes untreated, went into coma 2 weeks later and almost died.

Following a paternity suit, a young man was ordered to provide financial support for a child, although he was not its father. The court based its decision on blood tests performed in a laboratory that lacked the technical skill to do them accurately. It should have known better than to make the attempt, but the price was right—\$100.

These are not isolated examples. Health officials, checking on the accuracy of tests that private laboratories grind out every day, have uncovered error after error. In 1959, a New York City survey revealed that only one in every four private laboratories performed an Rh-factor study accurately. A year later, over half the laboratories failed to give correct answers on blood-sugar and other tests. Three hundred Illinois laboratories were asked, in 1962, to determine the blood group and Rh type on a testing sample. Four out of ten failed. Nine out of ten Pennsylvania laboratories were unable to test accurately for the presence of parasites in a stool specimen. (But after four State-sponsored workshops, most of them did well on a second test.)

Who bears the blame? Three groups: the laboratories themselves; the doctors who patronize the laboratories; and the lawmakers who fail to protect the public.

The laboratories' ignorance and greed are both factors when laboratories perform inferior work. "Some lab directors are just out to make a fast buck. They are flagrantly dishonest," says Dr. Joseph Bove, assistant professor of medicine at Yale University Medical School. "Others want to do a good job, but they just don't have the education or technical skill which this complex field requires." Many lab directors do not even have a college degree. Some picked up a smattering of knowledge while serving in the Armed Forces. An ex-convict whose nodding acquaintance with technique had been gained in the prison hospital directs a laboratory in Ohio. In New York, a pet shop owner performed pregnancy tests in the back of his store, until the city closed him down.

Private laboratories range from hole-in-the-wall operations, conducted in the kitchen of a small apartment, to huge concerns that invest hundreds of thousands of dollars in automated testing machines. The marginal labs flourishing in New York, Chicago, Miami often skimp on their equipment. One technician in New York was caught using a broken stopwatch to test the speed with which a heart patient's blood clotted. An error could mean death from hemorrhage. In other labs, faulty sterilizers gave merely a warm bath to test tubes, slides, and syringes. In Chicago, outdated testing solutions were found on a laboratory shelf, ready for use.

The larger laboratories combine volume operation with cutrate prices. A few of them in New York, Chicago, Dallas, Philadelphia, Portland, Ore., work by contract, offering to perform all of a doctor's work for a flat price of \$75 a month. Physicians who patronize these labs may ship blood specimens halfway across the country for analysis. "Some specimens can be mailed without damage, but others just don't lend themselves to this kind of treatment," says Dr. U. Pentti Kokko, chief of the laboratory branch of the U.S. Public Health Service's Communicable Disease Center.

In the more routine tests, the use of automated equipment is revolutionizing laboratory techniques. When automation is possible, large laboratories can turn out accurate results and afford to charge supermarket prices. But these commercial labs also perform complex hormone determinations and other tests that must be done painstakingly by expert hands. Dr. Coye Mason, a Chicago pathologist, says, "I charge \$7 for a protein bound iodine test, which takes all day. Some laboratories charge only \$3. I just don't believe they can do the job for this price."

How they do the job or sometimes even whether they do it, is an interesting question. In New York, one laboratory owner shifted to volume operations in order to keep up with the competition. After a few months, he quit in disgust. Because of the rush of

work, he explained, 80 percent of the specimens he received were not tested by standard methods, and in one procedure, half the specimens were not tested at all.

No one knows how prevalent the "sink test" is; but there is no question that it flourishes in some commercial laboratories. Anyone can perform a sink test. You merely pick up the test tube filled with blood or urine, pour it down the drain, and then write out a bland report—"Everything negative"—for the doctor who ordered it. Sink testing, or its equivalent, has occurred even in hospitals. When a doctor told one hospital patient about the results of her blood test, the woman looked surprised. "But nobody," she said, "has even drawn my blood yet."

A few years ago, one New York laboratory performed a sink test on a grand scale and came close to getting away with it. The victims were several hundred women patients and 80 doctors, scattered through 6 States.

The hoax came to light in California when a laboratory owner bought from a salvage dealer a supply of slides, test tubes, and other equipment, which he thought were brand new. One carton, however, provided a surprise. It contained 500 slides, each smeared with cells for a Pap examination, and each neatly labeled with the name of a doctor and his patient. There were no signs indicating that any of these slides had ever been examined. Curious, the California Health Department took the trouble to write to each doctor whose name appeared on a slide. The answers all told the same story. "I mailed in the slide months ago to a New York laboratory," one doctor wrote, "and I got back a report promptly. Are you suggesting that it was a fake?" Asked what happened to the patients involved, Dr. W. Max Chapman, California's chief of laboratory field services, replied, "We just don't know. But when reports on 500 slides are faked, the consequences in some cases may be lethal."

Proof that a sink test has occurred is hard to come by; but occasionally the circumstances are highly suspicious. In Illinois, a hospital pathologist recently decided to turn detective on the private laboratory he used for his protein bound iodine tests. These tests of thyroid function are important. If a baby's underactive thyroid is not recognized in time, he can suffer lifelong retardation. "One little thing bothered me about this laboratory," the pathologist recalls. "Instead of just performing the tests, the director had a habit of calling me up and asking me what my clinical impressions were of each case. So I decided to set a trap. I drew 30 cubic centimeters of my own blood and divided it into three separate test tubes, each labeled with a fictitious name. When the lab inquired, I told them it seemed likely that one patient was normal, the second had an overactive and the third an underactive thyroid. Just as I suspected, back came the test results on my blood—one third normal, one third with too much thyroid, and one third with too little, a real case for the medical books.

"Did the laboratory pour the blood down the sink? I can't prove it, but it was the last business they got from me."

The Doctors: "It is up to the doctors whether their patients get good laboratory work, and they don't concern themselves much," says Dr. Herber McDaniels, chief of the Bureau of Laboratory Evaluation in the Illinois Health Department. "Too often, they send patients where it is convenient. If they were particular, the marginal laboratories would fold up quickly."

Most busy doctors are merely careless. They choose a lab because it is across the street or because it supplies quick answers. They could visit it and inquire about the training of its staff. They could also split a specimen in half, smear it on two slides, and

then see if they received identical reports; but few bother.

A more serious charge must be leveled against some doctors. They patronize certain laboratories not from ignorance but from avarice. Honest doctors may choose a cutrate laboratory in order to keep down their patients' bills; but many never pass along the saving to the patient. Suppose a doctor has signed a \$75-a-month contract, which pays for all the specimens he mails to a laboratory. For each test, he may be out of pocket less than a dollar. Yet his bill to a patient may read: "Complete blood count and urinalysis—\$8." Such a practice can net a doctor \$6,000 or more a year.

The large contract laboratories gain customers by slyly encouraging such deception. The salesman for one told a doctor recently, "Confidentially, you'll get a sevenfold return when you deal with us."

How many unnecessary, laboratory tests are made, how many patients cheated is not known. Dr. Coye Mason estimates that 5 to 10 percent of his fellow physicians pocket rebates of one kind or another from cutrate laboratories. In California, where rebates and flat-rate contracts are forbidden by law, thousands of doctors send their work out of the State to a large contract laboratory in Oregon. It's a fair guess that their choice is dictated by money.

Doctors who patronize cutrate labs are often aware that they are paying for inferior work. Four hundred doctors on the staff of one New York hospital are allowed to send Pap smears and biopsies of their office patients to the hospital laboratory for analysis. Run by a leading pathologist, the lab charges \$5 per smear and bills each patient directly. "Yet surprisingly few doctors use our service," the pathologist says, "unless they get in a jam. Then a doctor will come in, a little embarrassed, carrying the slide a private laboratory has already checked. He doesn't want us to know which laboratory, so he breaks off the edge of the slide, and then apologizes, 'Oh, I must have dropped it.' Not infrequently, I find such a slide shows malignancy, although the first laboratory called it benign. This is serious stuff. This is cancer. But that doesn't stop a doctor from sending his next slide to the same cutrate place."

The lawmakers: When you go to the hairdresser's, you have the assurance in most States that your operator is qualified and licensed. Yet the hand behind the pin curl is hardly as important to your health as the hand that adjusts the microscope. Alone among the health professions, the laboratory technologist is unlicensed in the vast majority of States. Ten States require some form of licensure of medical laboratories. Many of these laws cover only the qualifications of the lab director. In five States, only doctors may direct laboratories. Thirty-five States have no laws at all. In these, any Tom, Dick, or Harry can open a laboratory and hire whatever staff he chooses.

Where there are no laws, health officials don't even know how many laboratories are operating in their State. When I asked about the number in one eastern State, a high health official replied, "Why don't you check the yellow pages of the telephone book?"

Twenty-six States do place one minor curb on private laboratories. They ask those that perform blood tests for syphilis, required by law before marriage and during pregnancy, to show that they can perform this test accurately. Unfortunately, it is remarkably simple for an unscrupulous lab to appear proficient even though it isn't.

In Illinois, for example, before a laboratory is allowed to perform blood-grouping, Rh-factor, syphilis, or tuberculosis tests, it must interpret correctly a test sample mailed to it. Recently, a lab director simply forwarded his TB slide to Chicago's municipal sanitarium. "I'd like your opinion on this

one," he asked innocently. "If the sanitarium people hadn't recognized the special label we put on these test slides," Dr. McDaniels says, "this lab would have passed with flying colors. Naturally, it didn't get permission to perform TB tests, but that's all we had the power to do. No one could stop it from operating in other areas."

Of 10 States with legislation, California has the oldest and strictest law. It prescribes educational standards both for directors of laboratories (when they are not doctors) and for the technologists working under them, and it requires each to pass a State exam. These are so tough that three out of four director-applicants flunk each year. "We feel the answer to the problem lies in keeping qualifications high," Dr. Chapman says.

New Jersey's law covers only laboratory directors, but many doctors feel it has been useful. "Any high school graduate who wanted to open a laboratory used to come to New Jersey," says Dr. William Bernhard, pathologist at St. Barnabas Hospital, in Livingston. "The law has cut this down tremendously."

Pennsylvania, which sets minimum qualifications for directors and for staff in private laboratories emphasizes education to upgrade quality.

Its voluntary workshops on laboratory techniques are scheduled at least four times a year and draw heavy attendance. "Our approach is mutual assistance, not policing," says Dr. Ralph Hogan, director of the Pennsylvania Division of Laboratories.

Only in New York City is policing of laboratories carried out on a large scale. In addition to licensing personnel, the city's code requires labs to show that they can perform their jobs with some proficiency.

New York employs 10 inspectors, who drop in on a laboratory without any notice and watch while a test is made. Although Dr. Morris Schaeffer, the city's tough director of the bureau of laboratories, called the results of performance tests in 1960 "absolutely appalling," steady improvement is now being noted. About 40 of the worst offenders have been put out of business. One of these, a large contract lab in the Bronx, turned out to be merely a mail drop for specimens, which were farmed out to another laboratory. Forced out of New York, its owner promptly moved his business to Chicago.

Aware of cases like this, the 1963 Illinois Legislature appointed a commission to investigate laboratories and blood banks and advise on whether legislation was needed. "We saw some laboratories which were very good," says Dr. James Hartney, commission secretary. "We visited others which would not be acceptable under the most liberal standard. Some were crowded, cluttered. In one, the recording thermometer in the refrigerator that stored blood wasn't working. A few had obvious sources of electrical interference with the measuring equipment used." As a result, the commission has recommended a bill to license and regulate laboratories.

Surprisingly, pathologists themselves have been the major opponents to the passage of State legislation designed to improve laboratory standards through a variety of regulatory measures. They believe that if the operation of medical laboratories were forbidden to laymen, further legislation would be unnecessary. When a layman directs a laboratory, pathologists hold, he is actually practicing medicine without a license. "The figures he reports on a test are often meaningless unless they can be interpreted to the doctor," says Dr. Arthur Rappoport, a Youngstown, Ohio, pathologist. "But once a layman attempts to interpret them, he is making a diagnosis, and that is the practice of medicine."

Other experts in the field disagree. They point out that Ph. D. chemists or micro-

biologists are frequently better trained in their own areas than most doctors, especially doctors who haven't specialized in pathology. Moreover, there simply are not enough pathologists to go around—fewer than 6,000, who are already busy directing 6,000 hospital laboratories. Six hundred pathologists also direct private laboratories; but most of the labs—some 1,800—are in the hands of laymen. Health officials believe it more practical to set standards for lay laboratories than to ask doctors, most of whom have no laboratory training, to take them over.

When laboratories are run by doctors, they are not always above criticism. In 1962, a College of American Pathologists survey revealed that at least 135 physicians acted as "fronts" for laboratories actually run by laymen. "I know of one case," a Chicago pathologist told me, "in which a doctor was offered a thousand dollars a year to lend his name to a laboratory, provided he never set foot in the place." Health officials in New York and California also complain about absenteeism by a doctor who directs several laboratories or also has a busy private practice. "Some drop in the laboratory for an hour a week, leaving an untrained technician in charge the rest of the time," says Dr. Schaeffer. To curb this practice, New York now forbids a doctor to run more than two laboratories.

Although they feud in some areas, pathologists and health officials agree in one—the desperate need for well-trained laboratory technologists. A joint program conducted by the American Medical Association and the American Society of Clinical Pathologists graduates some 3,000 technologists each year. These students gain B.S. degrees and AMA certification after 3 years of college and 1 year's internship in an approved hospital lab. Although 31,000 certified technologists are now working, more than twice their number is needed, and the demand is expected to soar in the next 10 years.

Unfortunately, the AMA program competes for students with more than 40 commercial schools, which offer a dubious shortcut to laboratory competence. Growing in number, these schools charge upwards of \$1,000 for a 1-year course. Thirty to forty students share one teacher (who is sometimes not even a college graduate), compared with a ratio in the AMA schools of two students per instructor. Laboratory equipment and testing materials may be meager, and libraries sometimes merely empty bookshelves.

Commercial schools send fast-talking salesmen on the road, particularly in rural areas, to sign up girls about to graduate from high school. They flood the school-guidance counselors with flashy brochures. "Often the high school staff does not know what a technologist is and cannot advise the students," wrote Dr. K. R. Cross, an Iowa pathologist, in a recent warning to fellow doctors. "The students find out only after they are well along in the course that they aren't learning much. Many of you hire them without knowing how much they haven't learned."

Because of the shortage of trained technologists, these girls get jobs in rural hospitals, where they are scantily supervised, in private laboratories, and in doctors' offices. Some of them even open their own laboratories. Large hospitals are likely to shun them. We never hire them, not even as dishwashers," says Dr. Frederick Lott, pathologist at Northwestern Hospital, in Minneapolis.

Confusing the hiring picture still further is the emergency of three self-constituted accrediting agencies, which "certify" as a medical technologist the graduate of a commercial school, or sometimes even anyone who can afford the application fee. One such applicant to two of these agencies is a dog—a certain Straybourn Betts, of uncertain ancestry. Several weeks of fictitious corre-

spondence and two \$15 money orders were all it took to get "Stray" embossed certificates and membership cards certifying him as a "qualified medical technologist."

What can you, as a laboratory consumer, do to protect yourself and your family? The following steps should help:

Tell your doctor that you want the laboratory to bill you directly for any work performed. If the doctor draws your blood, he is entitled to an additional modest fee (perhaps \$2) for the service. Direct billing by laboratory to patient is supported by the Judicial Council of the AMA. It not only eliminates rebates, but protects a doctor from the temptation to use a substandard lab.

Question your doctor closely about the laboratory that performs his work; inquire about the training of its staff and whether they routinely check instruments and techniques. A self-evaluating system known as quality control is used by all leading laboratories.

Do not patronize a laboratory on your own, especially if you think you are pregnant. Because the presence of certain tumors may give a false positive result, a pregnancy test should always be supplemented by a doctor's examination. Some States forbid laboratories to accept patients unless they are referred by a doctor; but many have no such limitation. A few years ago, a suburban laboratory director told a friend of mine that she was pregnant (she wasn't) and then offered to steer her to an abortionist.

I have asked dozens of pathologists and health officials what can be done to upgrade the quality of medical laboratories. These are some of their suggestions.

More high school seniors with a flair for science should be encouraged to choose a career in medical technology and steered to reliable schools. The average annual salary is now over \$5,000. This is a field of service to the sick, offering many of the rewards young women find in nursing.

The public must be protected by stronger and more widespread legislation regulating medical laboratories. Although some laws are weak, experience in many States has shown that they are considerably better than no laws at all. In New York City and California, the two areas where the largest number of private laboratories flourish, good laws—strictly enforced—have brought definite improvement (although New York's Dr. Schaeffer says, "We still have a long way to go"). Dr. Hartney, secretary to the Illinois Laboratory Commission, adds, "Those who administer the law should have a constructive, helpful attitude. There should be a program for the continuing education of laboratory personnel."

The medical profession has the power to eliminate many substandard laboratories. Refusing to patronize them is an obvious step. Self-policing to stop rebates is another obvious step.

Automation is hastening centralization of laboratories and will eventually force marginal operators out of business. The process would be accelerated if hospital laboratories accepted more work from doctors' offices and if pathologists banded together to set up centralized laboratories in the community. In St. Louis, commercial labs have never gained a real foothold, because laboratory business there is dominated by a group of 10 pathologists, whose large private lab ably serves hospitals and office patients alike.

Centralization can also upgrade laboratory work in rural hospitals. In De Kalb County, Ill., a group of pathologists has organized a lab that offers a package deal to small hospitals in Illinois and neighboring States. These doctors hire and supervise technicians, who perform the simpler tests in the hospital. All other work is picked up by truck or airplane, and reports

are dispatched swiftly by teletype. If hospitals are willing to pay, they can obtain adequate laboratory service.

The volume of laboratory work has more than doubled in the past decade, and it is still increasing. The current trend is to keep patients who need laboratory tests from tying up hospital beds. Many insurance plans now pay for lab workups performed outside the hospital. As a result, the role of the private laboratory will increase rather than diminish in the near future. With growing automation, anyone who can pay for a machine can open a laboratory and reap himself a neat profit.

This is indeed the Achilles' heel of modern medicine. It will cease to be only when the first order of business of the medical laboratory becomes not business but service.

Mr. JAVITS. Mr. President, I ask unanimous consent that the bill which I have introduced may lie on the desk for a week for additional cosponsors.

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

Mr. MURPHY. Mr. President, most Americans when they submit to a medical test have complete confidence in the doctor and in the team of health professionals that help and assist him. And well they might, for Americans enjoy a quality of medical care unparalleled anywhere on the globe. Therefore, I know all Americans are shocked to hear and read of the deplorable condition of some of our medical laboratories across the country. The laboratories may examine blood, tissues, and make other tests to determine evidence of disease. The results of these tests are then forwarded to the physician who prescribes the patient's treatment.

The following examples illustrate that there may very well be a weak link in an otherwise strong medical team.

In New York, 50 private laboratories were given bacterial samples to identify and 26 of these laboratories failed.

McCall's magazine reported that in a paternal suit, a young man was ordered to provide financial support for a child, although he was not the father. The court's decision resulted from erroneous blood tests performed in a laboratory that lacked the technical skill to do them accurately.

A New York survey taken in 1959 disclosed that only 1 in 4 private laboratories perform an Rh factor study accurately. A year later over half the laboratories failed to give correct answers to blood sugar and other tests.

In 1962, 300 laboratories in the State of Illinois were asked to determine the blood group and the Rh type on a group of people. Over one-third failed to perform the test accurately.

Several years ago in my own State various types of urine samples were sent to out-of-State laboratories, some of which had a few drops of blood deliberately added. The results were grossly in error. When the results were received, the report was "no blood."

Dr. W. Max Chapman, chief of the laboratory field services of the California Department of Public Health, recalls a case when an owner of a laboratory purchased from a salvage dealer a supply of supposedly new slides. One carton contained 500 slides, each smeared with cells for a Pap examination and

bearing the name of the doctor and the patient. When it was discovered that none of these slides had been examined, the California Health Department investigated. The doctors replying to the investigation all indicated that they had sent the samples to a New York laboratory. Who can say what happened to these patients? As Dr. Chapman stated:

We just don't know. But when reports on 500 slides are faked, the consequences in some cases may be lethal.

Mr. President, I am naturally very proud of the fact that the State of California is a pioneer in the regulation of these clinical laboratories. The first law in my State was passed in 1937 following 15 years of voluntary certification of clinical personnel and laboratories. The law as it exists today became effective in 1952. Enactment of the California law resulted from the efforts and cooperation of many groups, including the California Medical Laboratory Technologists, the California Society of Pathologists, California Medical Association, California Osteopathic Association, the hospital association, the State department of public health, and the California Association of Clinical Laboratories. It is my understanding that opposition to this legislation was very limited.

Despite this pioneering effort, California citizens are not completely protected because there is no present way that they can be protected from substandard out-of-State laboratories. As Dr. Chapman has stated:

We have been faced with a problem relative to out-of-State clinical laboratories for about 5 years. Some of these mail-order laboratories tried to establish themselves in California, but because of a law which forbids unearned rebates, refunds and discounts, unearned considerations and that sort of thing, they were not able to set up in California. Our attorney general backed us up because they did not choose to operate except on a flat rate basis (so much a month for all the tests you want). However, one of these laboratories set up in another State and started work.

Mr. President, legislation which I am introducing today with Senator JAVITS would regulate clinical laboratories and personnel that are engaged in interstate commerce. This legislation will enable States to protect themselves from falling prey to some of the out-of-State mail-order laboratories.

I wish to make it clear, Mr. President, that the honest laboratories have nothing to fear. This legislation aims only to protect the health and welfare of the general public and not to interfere in any way with the legitimate laboratory. It should be noted that provision is made for judicial review of any determination of the Surgeon General. In addition, the legislation allows the Surgeon General to permit States which are properly regulating these laboratories to continue to do so.

Mr. President, I cannot emphasize too strongly the depth of my feelings on this matter. This is a field wherein careless work and inadequately trained personnel cannot be tolerated. The stakes are far too high when a human life is involved and where mistakes are frequently fatal.

I am certain my colleagues are aware that there is a precedent for Federal action in this field. The National Institutes of Health, Public Health Service, for many years has licensed blood banks—a procedure which incidentally has worked very well. Any blood bank shipping blood across State lines has to be federally licensed. Once a license is granted, the blood bank is thoroughly inspected, its techniques and personnel are checked out and it is reinspected from time to time.

Mr. President, I think recent magazine articles and the series that Walter Cronkite is doing on CBS News will focus the attention of the American people to this serious problem. I am hopeful that it will spur all the States to make certain that their laboratories continue to reflect what has always been the watchword of the medical profession—quality service for all Americans.

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

As in executive session,  
The PRESIDING OFFICER (Mr. MONDALE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I had hoped that it would be possible, on the basis of conversations that took place while I was out of the Chamber, to arrive at a unanimous-consent agreement, beginning tomorrow, to limit debate on the pending bill and amendments.

I have since been told that a Senator would object to any unanimous-consent agreement for tomorrow.

Therefore, I believe it is only fair to state that, in the interest of expediting the consideration of the pending legislation, amendments should be offered this afternoon. I hope that votes will be had on some of the amendments. It is the intention of the leadership to have the Senate remain in session until about 7 o'clock tonight. We have a great deal of business to attend to if we are to clear the calendar before the 4th of July recess and hope to be ready to call up the medicare bill when we return after the recess.

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

Mr. MANSFIELD. I yield.

Mr. PASTORE. I understand that the Senator from Idaho [Mr. CHURCH] wishes to make a 2-hour speech tomorrow. Why could we not have the Senate meet at 10 o'clock tomorrow morning and let the Committee on Finance meet at the same time? We would enter into a unanimous-consent agreement with re-

spect to voting on amendments and the bill. I believe the proponents of our amendment would not require more than an hour and a half. We all understand the bill. Many of us have a parochial interest. I believe we ought to be reasonable enough to enter into a unanimous-consent agreement to have a vote tomorrow. The Committee on Finance could meet while the Senate was in session. That should not be too hard to arrange. Perhaps the majority leader would ask the Senate to meet at 10 o'clock tomorrow, with the understanding that the Committee on Finance be permitted to meet at the same time, allowing the Senator from Idaho [Mr. CHURCH] to have the floor for 2 hours before 12 o'clock. The unanimous-consent agreement could begin to run at 12 o'clock.

Mr. JAVITS. Mr. President, I shall wish to say something on Vietnam, and for that I shall require about 20 minutes.

Mr. CHURCH. The subject of my speech will also relate to Vietnam.

Mr. JAVITS. That is very interesting. I would like to have 30 minutes for my speech.

Mr. CHURCH. My speech will not require 2 hours, but perhaps some colloquy will develop.

Mr. JAVITS. Perhaps we could share the time.

Mr. PASTORE. If the majority leader wishes to have the Finance Committee meet tomorrow, I believe some arrangement could be made. If that falls through, the whole arrangement falls through.

Mr. MANSFIELD. I am just as interested in silver legislation, which is the pending business before the Senate, as any other Senator, and more than most Members of the Senate. I also believe in expediting the regular business of the Senate.

Tomorrow the Committee on Finance will meet on a matter with respect to which there is a deadline. It is quite possible that the Finance Committee will report a medicare bill. That is of great importance. I would like to lay the medicare bill before the Senate before the July 4 recess, if it can be called a recess, because it is really only a week-end. We should be ready to take it up when we return.

All that the leaders can do is to try to expedite legislation, and schedule matters so that we can get away from here at a reasonable time this summer or early fall.

Mr. PASTORE. I understand that. Why does not the Senator ask for a unanimous-consent agreement to have the Finance Committee meet while the Senate is in session, and have the Senate meet at 10 o'clock?

Mr. MANSFIELD. That is very difficult to do.

Mr. PASTORE. Let us try it.

Mr. MAGNUSON. Everyone is trying to expedite legislation. We took up the pending bill only about 2 hours ago.

Mr. MANSFIELD. It was taken up at 5 minutes after 12.

Mr. MAGNUSON. But we did not reach a discussion of it for 2 hours. Two important amendments will be presented.

One of them will be presented by the Senator from Rhode Island [Mr. PASTORE]. Several other Senators will speak against the amendment. They ought to have time to speak. That discussion can proceed for a little while. The Pastore amendment will require some discussion.

Mr. MANSFIELD. It is a simple amendment. Either the Senator has made up his mind on it or he has not.

Mr. MAGNUSON. It may be a simple amendment in the Chamber, but it is not a simple amendment to the people in my State, and I wish to take a little time to talk about it and explain what it is and why it should be defeated.

Mr. MANSFIELD. It is a simple amendment to me. All I will do is vote "No."

Mr. MAGNUSON. No Senator speaks less in this Chamber than the Senator from Washington. Once in a while there are things we must do. I want to talk about the Pastore amendment. Then there is another amendment. I think we should have sufficient time to discuss the amendments. I believe 10 other amendments will be offered by various Senators. They believe it is important to stay with a discussion of this bill. We can move along very expeditiously.

Mr. PASTORE. I believe we can conclude the discussion on my amendment in 2 hours. I believe we can conclude the discussion on the Senator's amendment expeditiously. It does not make any difference how many times one says "No"; one can say it once or a hundred times. People will understand our position whether we say it once or a thousand times.

Mr. MAGNUSON. If every Senator will do that, we shall be able to expedite the work of the Senate. Once in a while we must discuss these things. I intend to talk a little about silver.

Mr. PASTORE. I shall say a great deal about it.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the Senator from Rhode Island losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Rhode Island is recognized.

#### COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. PASTORE. Mr. President, the Coinage Act calls for the elimination of silver from our dimes and quarters. These coins, henceforth, are to be made of a new material composed of cupro nickel clad on copper but the half dollar piece will be made of coin containing 40-percent silver.

The President proposed this legislation to meet the very serious coinage crisis. But the provisions of S. 2080 are inconsistent with the dual purpose of the legislation—to conserve the short supply of silver while increasing the supply of coins. Retention of silver in the half dollar or any subsidiary coin will only aggravate the silver shortage. It will, I am sure, frustrate the President's solution to the crisis.

The effect of my amendment would be to eliminate silver entirely from our subsidiary coinage.

In other words, the President of the United States has recommended that we have new coins, insofar as dimes and quarters are concerned, without silver. He has suggested that the content of silver in the half dollar piece be reduced from 90 to 40 percent, and that the silver dollar go untouched. Nothing in the legislation proposed by the President would disturb the silver dollar. Therefore, when the argument is made about the prestige of some coin containing silver, the answer to that argument is that there is no provision in the proposed legislation that would disturb the silver dollar. The Senator from Rhode Island takes the position that that should not be disturbed, because the law requires that our silver certificates be redeemed.

The point I am making is essentially as follows: We recognize the fact that in 1 year we consume more silver than is produced worldwide. For that reason, we must look at the facts of life as they are. The argument of the Senator from Rhode Island is essentially that if we have reached the position in our coinage where we must remove all silver from the dime and all silver from the quarter, why do we need to have a 40-percent silver content in the half dollar?

I suppose if I came from a silver-producing State—and I make this statement sincerely—I would look upon the problem pretty much as my distinguished colleagues are looking at it. I suppose I would be excused for being parochial as I am excusing them. I want them to understand that I would not for 1 minute stand on the floor of the Senate and take a position that I thought would hurt the silver producers. We have reached a point in our economic evolution and in our development where silver today is a very precious metal, whether we put it in coins or not. Hollywood could not operate without silver. The Eastman Kodak Co. could not exist without silver. Much of the electronics business today would not operate without silver. We would not today have our silverware business unless we had silver.

No matter what we in the Senate do, the time will inevitably arrive when the price of silver will go above \$1.29 an ounce. All we are trying to do is to put silver on the free market so that the law of supply and demand, under our free enterprise system, will be allowed to work.

The argument is made that if the price of silver goes up far enough, there will be an inducement to mine more silver. Silver is so precious today and in such short supply that if any silver were to be found, it would be found. I have not

lost my confidence in American ingenuity to find it. But we must realize that there is always a point of no return. We might finally arrive at the point at which silver will be worth \$2 an ounce. How big would the half dollar then be? The half dollar would be as big as a nickel.

The administration has recognized it, there is not enough silver to go around. For that reason the administration has found it necessary to take silver out of our coinage. If there were enough silver, there would be no question at all. We would not be discussing the subject today. But because there is not enough, we have reached the point at which we must begin to do something about it.

The Senator from Rhode Island is saying only this: Why stop where we have stopped, when the answer is inevitable?

I recognize that there is a problem. I recognize that the population has increased, that more people are handling money, and that more people are handling coins. I realize that there are all the brandnew vending machines from which, when one puts in a dime, he gets a "cup," either with or without. When one puts in a dime or a quarter, he can have a sandwich made right under his eyes. With all the machines that have come into play—and it is a good thing, because it provides work for many people—many more coins are needed.

The argument is made that people are attracted to the silver dime, the silver quarter, the silver half dollar, or the silver dollar. I do not know about that. I am not carried off by that argument, because if the new dime piece can buy the same ice cream cone that a silver dime can buy, I do not think children will be worried much about how the dime looks or, if they drop it, what kind of clink it makes. What the children are interested in is the ice cream cone. If they can buy the same cone with either a new coin or the old coin, I do not think it will make any difference to them.

I realize that some Senators, like myself, are interested in the commercial use of silver. I come from a silver-using State. Rhode Island has one huge factory, the Gorham Manufacturing Co., which is world renowned and employs hundreds of people. My interest in the bill—I will be frank with the Senate—is the retention of American jobs. A point has been reached where we must make a decision as to how the silver that is in supply will be used. Shall it be put into coins, and thus denied to industry? Or shall it be used in a way that will mean more to the development and welfare of America? That is the question that confronts us.

If there were enough silver to go around, I would say let us not disturb even the 10-cent piece. But the fact that the 10-cent piece must be disturbed proves the point that there is not enough silver. The fact that the quarter must be disturbed proves that there is not enough silver. By what logic, then is there enough silver to permit its continuing use in a half dollar? That does not make sense to me. That is the reason why I am taking this position.

What is the role of subsidiary coinage? Should it be composed of a rare metal like silver however small the fraction? These are questions that should be answered in this debate in plain language that the average citizen can understand. The American consumer and the American laborer are the ones who will be ultimately affected by the proposed change in our coinage system.

I am not certain that the average citizen understands the part that subsidiary coins play in our monetary system. First of all, let me identify the coins that we are talking about. They are the 50-cent piece, the 25-cent piece, and the 10-cent piece.

All coins—including these three pieces—are token coins, or what is known as fractional money. They are individually worth less than a dollar. They individually represent a fraction of one dollar. They are worth their face value in the marketplace and they will be worth their face value whether they are made of lead or silver or any other alloy.

The intrinsic value of the content of a dime, of a quarter, or of a half dollar piece has nothing to do with how much these coins will buy in the marketplace. In fact, it is a fundamental rule of economics, that subsidiary coins should have no intrinsic value. This is to insure that they remain a medium of exchange and to prevent their disappearance from the channels of commerce.

Originally, our subsidiary coins contained an amount of silver proportionate to the amount of silver in a dollar. This industry made silver a rare metal and gave it a higher prestige value. Last year we consumed in the free world 70 million ounces more silver than we produced. And there is no reasonable likelihood whatsoever that we can increase our production of silver to satisfy the demand.

If prices are raised astronomically, there may be an inducement to mine more silver; but after all, no matter how much of an effort is made—and the Senator from Utah [Mr. BENNETT] brought it out—first of all, silver is merely a byproduct. It must be found; and if it is not there, it cannot be mined. The President recognizes this problem. In his message to Congress earlier this month he stated:

There is no dependable or likely prospect that new workable sources of silver may be found that could appreciably narrow the gap between the silver supply and demand.

Knowing President Johnson as well as I do, and in view of the statement that was made by the distinguished Senator from Nevada [Mr. BIBLE] this afternoon, that he has reports from the Department of the Interior that he will read to the Senate, I dislike to believe that President Johnson made the statement I have just read without consulting the Department of the Interior.

President Johnson obtained this information from the highest and most responsible source in the Government. When he said, "There is no dependable or likely prospect that new workable sources of silver may be found that could appreciably narrow the gap between the silver supply and demand," I am sure he

knew what he was talking about. If he did not know what he was talking about, he would not have made that statement. I read the remainder of his statement:

The optimistic outlook is for an increase in production of about 20 percent over the next 4 years.

Where do Senators think the President got that figure? He got it from the most responsible source in the Government.

This would be of little help.

If he did not think so, the bill we are considering would not be before us today.

In my view, the President is correct. Four years from now we expect that the annual silver deficit will have soared beyond 87 million ounces. And as the silver deficit soars, our silver-bearing subsidiary coinage will slip from commerce into the smelter's furnace.

That is already happening. Many of our silver coins are going abroad to be melted down, the silver to be sold back in this country, because a quarter, a dime, a half dollar, or a dollar in silver coinage today can be melted down and perhaps bring a higher price than the coin is worth in the marketplace.

As silver becomes more scarce, the more profitable it will become to melt down our coins to obtain silver for industrial uses. Then we will face a real scarcity of change, a deficiency which, I believe, will be fostered by the present terms of the Coinage Act of 1965.

But what does this silver deficit mean to business and the American public? This year it is estimated that the free world will produce about 225 million ounces of silver. Consumption will be around 300 million ounces. That is a 75 million-ounce deficit.

This is not a deficit for the United States of America; it is for the entire free world. It is estimated that 225 million ounces of silver will be produced in the free world.

However, we shall consume around 300 million ounces of silver. That is a 75-million-ounce deficit. Where would industry find that amount of silver?

Fortunately, our Treasury silver stocks amount now to about 1 billion ounces. I want to talk a little bit about that. Someone may ask the question: "If you have an annual deficit, how do you accumulate a billion ounces of reserves?"

There was one time when the price of silver was quite low. In order to help the producers of this country—this was before industry began to use it as extensively as it now does—we supported the price and the Government bought it. And because the Government was fortunate enough to be able to buy it at that time, as the Senator from Utah has pointed out, we have been able to accumulate a stockpile of silver. Industry has had the authority to call upon this surplus and to buy it at, approximately \$1.29 an ounce. It has been used in American industry in order to keep our factories going, and to keep our American workers at their benches.

But the Treasury has to set aside from this stockpile 300 million ounces for the continued minting of our present coins and the Office of Emergency Planning

recently set up a defense stockpile requirement of 165 million ounces more.

Until this bill becomes law, we must continue making dimes, quarters, and half dollars as we are doing now. It is estimated that, in this process, up until the time that the bill becomes law and the new coins are put into the marketplace, we would have to use 300 million ounces of this 1 billion ounces in order to make such coins.

To protect our outstanding coinage from the smelter's fire, the Treasury must also be prepared to redeem on demand every silver certificate presented. Last year alone demand was made on the Treasury for 141 million ounces of silver.

That billion ounces will not last long—not more than a few years. Every ounce of silver that goes into the needless minting of coins, is an ounce of life blood from those industries which can find no substitute for this precious metal.

If my good friend the Senator from Nevada said, "Why is that any of your business?" he would be justified in asking that question. However, my answer would be, "Why do you worry? What difference does it make to your people? What difference does it make whether the silver goes into a coin or a set of spoons for some June bride, as has been pointed out, or the making of film, or the electronic industry, if it brings a good price? What difference does it make?"

Silver was not put into our coinage to make it a prestige coin. The vicissitudes of our time brought this about. Silver has been made a precious metal because man needs silver, industry needs silver.

As the balance of Treasury silver declines, inevitably unemployment will climb in the electronic industry, the photographic industry, the silverware industry, and the jewelry industry. Countless Americans will be out of work. Why? Maybe there is some practical reason for the continued minting of the silver half dollar. I do not know why. But I do know this—it is senseless to sacrifice American jobs for the sake of minting prestige coins. Silver will bring the same price but it will provide jobs for American workers. When we give jobs to American workers, we help the American economy. When we help the American economy, we help the State of Nevada and the Nation as a whole.

I say that it is inevitable—silver will soon be removed entirely from our subsidiary coinage. I do not urge a provincial argument on behalf of the electronic and photographic industries, or the silversmiths of the East as against the mining interests of the West.

I believe that I have made my position clear on that score. The coinage crisis, this scarcity of silver, these are matters affecting the national interest, a national interest which the President seeks to protect by the provisions of S. 2080. By and large, I think this will be an effective piece of legislation. Let me briefly describe what this bill is designed to do.

The silver dollar which is the keystone of our monetary system would remain

unchanged, so would our nickels and pennies. Secretary Fowler assured us of this. He testified before the House Banking and Currency Committee that:

The silver dollar will remain as an authorized coin of the United States, at 90 percent fineness. This is the central element in our program for holding the price of silver to its present level for the protection of our existing subsidiary silver coins.

The overall silver content of the 50-cent piece would be reduced from 90 to 40 percent. Silver would be eliminated entirely from the 25-cent piece and the 10-cent piece. The new dimes and quarters would be distinctive in design, difficult to counterfeit and usable in coin-operated machines without any mechanical changes necessary to the vending machines themselves.

The bill would direct the Secretary of the Treasury to purchase U.S.-mined silver at \$1.25 an ounce if tendered within 1 year of mining. This directive is limited to a period of 5 years. The silver miners are fortunate to have this firm floor under the market price of silver. They won a very important concession. This is a guarantee for them.

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

Mr. PASTORE. I yield.

Mr. METCALF. That is only phraseology.

Mr. PASTORE. Why so?

Mr. METCALF. That is only phraseology, as the Senator brought out.

Mr. PASTORE. That is a floor now.

Mr. METCALF. I understand. As the Senator brought out, the new market for silver is such that we would never get \$1.25 for silver, after we have used the private silver supply and exhausted our supply of silver in the Treasury Department.

Mr. PASTORE. I agree with my friend. That is the argument that I make this afternoon. No matter what happens, the price of silver will go up. I do not believe that it would go down to \$1.25 an ounce. I said that before. I pointed out that economic developments have made silver a precious metal. It is in short supply. There is no question about that.

The only argument we can use is that if we were to allow silver to go as high as \$1.50, \$1.75, or perhaps \$2, there might be a great deal of work for miners, but even then there would be limitations.

If I thought that permitting the price of silver to go up would saturate the warehouses with an abundance of silver, I would be foolish to advocate what I advocate this afternoon.

Mr. METCALF. We are both in accord on that.

Mr. PASTORE. The moment we arrive at the point at which we produce more silver worldwide than we use, the price is bound to come down.

So as long as less silver is being produced than the demand for it, the price will go up. We have had the artificial influence of the intervention of the Government. The Government is in this situation. On this point Senators may argue among themselves. I do not happen to have a half dollar in my

pocket at this time. I rarely do. I have a penny—that is how properous I am.

I have just been handed a half dollar. The reason the half dollar is the size it is, is due to the price of silver.

Mr. METCALF. The half dollar has been that size for many years, and the intrinsic value has varied less than 10 cents—

Mr. PASTORE. Let me finish, because I think I am giving the Senator a logical argument. The minute the price of silver doubles, can I get as much silver for a half dollar as is represented in the one in my hand? Of course I cannot. That is the point. If the price of silver is doubled, the size of the half dollar must be cut in two. Otherwise it would be worth a dollar. Let us face it. If the price of silver is up, Senators can bet their bottom dollar that the half dollar will become a collector's item. They will be sent abroad if they cannot be melted in this country. They will be sent to France, or some other country, and melted down there.

Mr. METCALF. That is exactly why we want to reduce the silver content.

Mr. PASTORE. I do not believe the Senator wants to do that. All he wants to do is keep things the way they are.

Mr. METCALF. No. Last year, I introduced a bill which would have reduced the silver content of coins. The Treasury Department stated it would result in demonetization and there would be international repercussions. I am delighted that the Treasury Department is now facing up to the shortage of silver. But many of us would like to have silver in coins.

Mr. PASTORE. The Senator is going to have it in the dollar.

Mr. MANSFIELD. No, we are not going to have it in the dollar.

Mr. PASTORE. There is nothing in the bill that disturbs the dollar.

Mr. METCALF. Where can we get them?

Mr. PASTORE. Go to Las Vegas or anywhere else in Nevada. One can get all he can pick up. They weigh one down.

Mr. BIBLE. I shall be glad to take the Senator with me on my next trip there.

Mr. PASTORE. I would like to go.

Mr. METCALF. Will the Senator yield to my colleague, the majority leader?

Mr. PASTORE. I yield to the majority leader.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

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

Mr. MANSFIELD. I am about to make a unanimous consent request.

Mr. PASTORE. I yield for that purpose.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time between 10 and 12 o'clock tomorrow be set aside for speeches which have already been announced and for which arrangements have been made, and that begin-

ning at 12 o'clock there be a time limitation of 1 hour on each amendment, 30 minutes to a side, the time to be under the control of the mover of the amendment and the chairman of the committee [Mr. ROBERTSON], or whomever he may designate, but that on the Moss amendment the time be 2 hours, 1 hour on a side.

The PRESIDING OFFICER. How about the time on the bill itself?

Mr. PASTORE. Mr. President, before I yield further, may I keep this coin?

Mr. MOSS. No; they are hard to get. [Laughter.]

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

Mr. PASTORE. I yield.

Mr. MAGNUSON. Did the agreement provide for 2 hours on the bill?

Mr. MANSFIELD. No time on the bill; only on the amendments.

Mr. PASTORE. Will the Senator get 2 hours on the bill?

Mr. MANSFIELD. No hours on the bill.

Mr. PASTORE. I suggest that the Senator get 2 hours on the bill.

Mr. MANSFIELD. Two hours on the bill.

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

The unanimous-consent agreement subsequently reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective at 12 o'clock noon on Thursday, June 24, 1965, during the further consideration of the bill (S. 2080) to provide for the coinage of the United States, debate on any amendment (except the amendment to be proposed by the Senator from Utah [Mr. Moss] numbered 286, on which debate is to be limited to 2 hours), motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment and the Senator from Virginia [Mr. ROBERTSON] or some Senator designated by him.

Ordered, That on the question of the final passage of the said bill, debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Ordered further, That the time from 10 o'clock a.m. until 12 o'clock noon shall be allotted to certain Senators to make speeches on nongermane subjects.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on the Pastore amendment.

The yeas and nays were ordered.

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

Mr. PASTORE. I yield to the Senator from Vermont.

Mr. AIKEN. I believe in giving credit where credit is due.

Mr. PASTORE. So do I. I said that at the recent convention.

Mr. AIKEN. I commend the oratorical powers of the Senator from Rhode Island. I have never known anyone who held the rapt attention of anyone as the Senator from Rhode Island has been doing in the past hour.

Mr. METCALF. Mr. President, I concur.

Mr. PASTORE. Unfortunately, for the industrial users of silver there is no comparable ceiling placed on the price of silver—no guarantee that it will not rise above a price 4 cents higher than the present market of \$1.29.

Furthermore, the Secretary is vested with standby authority to prohibit the exportation or melting down of U.S. coins. I would hope that this authority would be exercised only in the last extreme. I am certain that it will not prevent the hoarding of coins which under the circumstances is inevitable.

I have heard it said that the administration is trying to please all the interests involved in this national problem. The New York Times criticized this effort editorially as "a consensus coinage." Be that as it may. The vending machine industry is satisfied. These new coins are designed to operate in the old machines. The domestic silver producers are happy, or at least they should be. They have a guaranteed market for their product at a guaranteed price of \$1.25 per ounce.

I do not think it is necessary, therefore, to provide an additional bonus in the form of a 50-cent piece composed of 40 percent silver, which according to the President's computations will consume about 15 million ounces of silver a year until the new coins are in adequate production.

I wish to make that clear. Some say 15 million ounces. Others estimate anywhere from 16 to 35 million ounces.

The Secretary of the Treasury speculates that 15 million ounces a year will be needed to produce the new coins.

Let me point out what 15 million ounces mean to industry. This amount in the new halves would keep our photographic industry operating almost 5 months. This industry contributes over \$2½ billion annually to the gross national product.

Fifteen million ounces will keep our silverware industry operating for 1 year. This industry adds \$200 million to the gross national product.

These two industries are entirely dependent upon access to silver. There is no substitute for silver in the photographic process, and sterling silverware by law must be 92.5/100 percent pure.

There are about half a million people employed in the photographic industry and about 30,000 people in silverware. Countless thousands are employed in the electronic and allied industries. All these jobs will be affected by the shortage of silver that will result from minting this new half dollar. And the retention of silver in the half dollar will not create one single additional job—not one—but it will put thousands and thousands of jobs in jeopardy needlessly.

Now, I know that my good friend and colleague, the senior Senator from the State of Washington, intends to rise to the battle, and he is a formidable foe. He put me on notice the minute I introduced this amendment, and I do not blame him. But I am at a loss to understand why he is so quick to defend silver in subsidiary coinage and to promote higher silver prices.

My colleague knows that last year the State of Washington produced 350,000 ounces of silver. By my estimates, silver products sold to constituents of the senior Senator from the State of Washington contained more than twice as much silver—over 700,000 ounces.

The same holds true for the State of Oregon. Oregon produced 14,000 ounces of silver last year. Yet, products sold in Oregon in 1964 contained approximately half a million ounces of silver.

California produces 175,000 ounces of silver annually while silver products sold there contain 7 to 8 million ounces. In fact, motion picture film alone contains far more silver than is produced in California. And finally the State of Nevada, the Silver State, produces only 125,000 ounces of silver, less than one-third of 1 percent of our annual production.

Yet now these silver producers are frantically predicting increased silver production. This is production on paper. We will never see it come out of the mines. I hope that it would, but I doubt very much that it can.

For the past 5 years, free world silver mistic increase in production, 57 million ounces. Even assuming the most optimistic increase in production, 57 million ounces for 1965, we will fall far short of the 75 million ounce deficit we expect this year.

Mr. MAGNUSON. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Washington.

Mr. MAGNUSON. I point out that the Senator's figures are correct about the State of Washington. When I talk about the State of Washington I am not talking about State lines in this connection.

Mr. PASTORE. I realize that.

Mr. MAGNUSON. Just over the line and mainly in Spokane is probably the greatest silver exchange in the United States.

Mr. PASTORE. The Senator is correct.

Mr. MAGNUSON. The companies are there, the engineers, and most of the workers live there. The greatest silver-producing area in the United States is in northern Idaho.

Mr. PASTORE. The Senator is correct.

Mr. MAGNUSON. I do not know how much that panhandle area produces, but I believe it produces the vast majority of the silver produced in the United States.

Mr. PASTORE. That is true. From the history of silver and its use, I can predict with complete certainty that those people will still be in Spokane and northern Idaho. There is no question about that. Let us face it. I have been repeating time and again that silver is in short supply.

Even now, we cannot pick up a Kennedy half dollar anywhere. The situation has developed to the point that we do not have the silver. We know how popular photography has become. The photographic industry must have silver and it uses a great deal of it. I am not pleading so much for some of the other uses as I am for uses which would mean jobs for Americans. I would dislike to think what is going to happen to us.

When I speak of figures, I am talking in worldwide terms. That means that we must import a great deal of silver. The reason we have not been doing so up to now is that we get it from the Treasury Department. The Treasury Department has accumulated a surplus of silver over many years, and that surplus is going fast. It is predicted that if we do not change the law now, it will all disappear in less than 3 years.

Mr. MAGNUSON. There has been no incentive to mine silver in the past few years, with the exception of the last two, when the price has gone up to \$1.29. Many of the mines, even today, at \$1.29, block out a certain amount of silver which will be projected over a 30-year period.

Mr. PASTORE. Does the Senator know why?

Mr. MAGNUSON. No one has looked at silver, or even reopened the mines.

Mr. PASTORE. Does the Senator know why? That is what I have been trying to explain. The reason is simple. The Government must keep silver at \$1.29 an ounce; otherwise, it must change the character of the coins, and make them smaller. The minute anything happens to the price of silver, people will start melting down their coins. That is the problem. All I am saying is that the minute we get the Government out of this business, the price will go up. Sometimes, I have to argue with people who are urging me to do what I am doing now, and I have told them bluntly, "You talk about the free enterprise system, but the minute you get the Government out of this business, the price of silver will go up on the free market."

I cannot convince my people, and the Senator from Washington cannot convince his people, but it is inevitable.

Mr. MAGNUSON. The price cannot go up too much. The incentive will be to double the amount of silver. There are many silver mines today that are not being mined. I know of some personally. The owners cannot afford to mine them, or have not had any incentive during the past few years. Silver was down to approximately 8 cents at one time.

Mr. PASTORE. If the Senator continues to make a statement like that, I shall sympathize with him.

Mr. MAGNUSON. There is much more silver than the Senator would suggest, or the Treasury would suggest.

Mr. PASTORE. I know; but if there is so much silver there, and if we make it attractive enough so that they can get more than they need, why do we have to raise the price?

Mr. MAGNUSON. We do not raise the price; it is the old law of supply and demand.

Mr. PASTORE. That is what I am talking about. The supply is less than the demand.

Mr. MAGNUSON. Only for the past 2 or 3 years.

Mr. PASTORE. That is when things got pretty tough.

Mr. MAGNUSON. The mines have not started to reopen yet.

Mr. MOSS. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Utah.

Mr. MOSS. The Senator talks about supply and demand. That will govern the price of silver. But it was only 4 years ago that silver was 91 cents. It has just got to \$1.29. It has more than doubled the activity in my State in silver mining. We are just now coming to the point where production is beginning to increase.

The latest announcement by the Geological Survey is that black calcite, which we have in vast amounts in Utah, can be used to recover silver up to as much as 200 ounces a ton. If such a process can be perfected, and black calcite can now be mined, additional silver will be coming onto the market in great amounts.

Mr. PASTORE. The day that happens, I shall be the first one to have this law repealed.

We talk about what the situation was 6 years ago. Thirty years ago we had a depression. But times are different. Our gross national product has gone up almost 36 percent in the past 4 years. Times have changed. Everything is more expensive, especially in the areas where the supply is less than the demand.

Prices have skyrocketed, but silver has been pegged at \$1.29 an ounce because the Government is in it. Let us face it.

Mr. MAGNUSON. Let me make one more observation and I shall not bother the Senator any more, I hope, for a little while.

But all the argument of the Treasury, and all the testimony of the Treasury are based upon the premise that no more silver was mined in the last 5, 10, 15, or 20 years than is now coming out of the ground.

I cannot accept that argument. No one out West that knows anything about the mining of silver can accept that argument, either. It is based upon the fact that we are never going to have any more silver, will never discover any more, or mine any more. It is always going to be based upon the amount of supply. I cannot accept that argument.

Mr. PASTORE. If anyone has any silver stock or owns any part of a silver mine, all I have to say to him is "May God bless you."

Mr. MAGNUSON. What did the Senator say about me?

Mr. PASTORE. I did not say anything about the Senator. I said that I say to anyone who owns any part of a silver mine or owns any silver stock, "May God bless you; you have nothing to worry about." I wish I had.

That is the problem. Whose responsibility is it to protect the coinage and safeguard commerce? It is ours. We must provide a permanent solution to the coinage problem. We cannot chance half measures to meet this crisis. That is why I have introduced my amendment.

It would provide for a half-dollar piece composed of a core of copper, clad with a copper-nickel alloy. This is the inevitable solution. Why should we wait: If we do not adopt this amendment now, as I have said before, I am certain that we will be called upon within a matter of

a few years to legislate silver from the half dollar. The absolute abandonment of silver from our coinage is inevitable. The only question is when shall we do it.

If we are to meet the problem, let us go all the way. For the sake of American industry, for the sake of American jobs, for the stability of American coinage, I urge my colleagues to support this amendment, to eliminate all silver from our subsidiary coinage now, including the elimination of silver from the half dollar.

Mr. President, if I thought for a minute that what I am advocating would hurt the silver producers of this country, I would have a second thought on it. I am not ready to do so.

Mr. PELL. Mr. President, I congratulate my senior colleague on his most articulate, and excellent way of presenting the viewpoint of the consumer. In our State where more than 7 percent of the people use silver as a raw material, this whole question is of more than academic importance.

Once a great man in our party spoke about not crucifying mankind upon a cross of gold. We are now talking about a cross of silver. We are concerned with a material with which our people work, and want it to remain at a reasonable price. We recognize the needs of those who produce the metal, and therefore we hope the amendment that the senior Senator from Rhode Island has offered will be successful.

Actually, Rhode Island has a direct and essential interest in this matter. It stems from the fact that our State's economy is heavily dependent on silver for a raw material for its silverware and jewelry manufacturing industries. The 1963 Census of Manufacturers, just issued by the Department of Commerce, shows that some 289 firms, employing some 8,234 persons are engaged in the manufacture of these items.

In brief, Mr. President, my State welcomes and applauds the administration's proposal for elimination of silver from our dimes and quarters, assuring as it does, a saving of some 90 percent of the silver now annually used for coinage. This is good news indeed for the industries who have been competing with the Treasury for the purchase of this metal.

We wish, however, that the administration bill went even further to eliminate silver content also from the manufacture of 50-cent pieces. For this reason, I have cosponsored and strongly support the amendment proposed by my distinguished senior colleague, Senator PASTORE, providing for manufacture of cupronickel and copper 50-cent pieces and I urge other Senators to support this sensible reform. I note with interest that the Treasury itself is apparently not seriously opposed to the elimination of silver in the 50-cent pieces and that Secretary Fowler himself said in testimony in the House:

The shift to another alloy in the half dollar would probably not present serious difficulties.

Mr. KENNEDY of Massachusetts. Mr. President, I commend the senior Senator from Rhode Island on his very reasonable, responsible, and rational

approach to this whole question. He has made some very important observations. I was struck by the thoughtfulness he has demonstrated this afternoon, in giving us assurance—certainly assurance to those of us who live in the New England area—that those who are producing silver in the Western States of our country will be adequately protected.

I believe in this way he has demonstrated responsibility. He speaks for many of us. Indeed, we do not wish procedures taken which would in any way disadvantage the economies of the great silver producing States of our country.

Nonetheless, the Senator from Rhode Island has demonstrated in a very convincing way that there is a real and critical need for silver. This is apparent not only in his State of Rhode Island, but it is increasingly apparent also in my own State of Massachusetts, among all those who work with silver in the photography, silverware, jewelry, electronic, and other industries. There is a critical need for a solution to this problem.

Mr. President, I would like, if I may, to make a more definitive statement as to why I fully support the amendment offered by the senior Senator from Rhode Island, and why I feel that it is very important that the Senate pass legislation removing silver entirely from our coinage, while at the same time making sure that our silver-producing interests are protected.

The problem before the Senate today is a very real, and serious one for the Nation, and in particular, for a number of important industries located in my section and other parts of the country. Stated very simply: There is a chronic worldwide shortage of silver which has resulted in hoarding, speculation, unfair prices, and could be a serious detriment to the manufacturing of products where silver is a basic component.

The problem is worsening as our economy grows, and as the insatiable demand for silver increases. It is particularly acute in the electronics and defense industries, and in photography, brazing alloys, silverware, jewelry, electrical contacts, and many other lines. As our space industries expand, silver is expected to play a critical role as a basic metal. It is an absolute necessity that we take action now to relieve this situation.

One solution is for us to produce more silver, but there are serious limitations here. Two-thirds of our silver production comes as a byproduct of mines devoted to copper, lead, and zinc ore. The few primary silver mines which exist can produce only about one-fourth of the silver required by U.S. industry. While the price of silver has increased almost 100 percent in the past 20 years, the annual U.S. production has remained pretty much at the same level. Our increasing demand has not been able to generate an expansion in silver production.

Another solution is to buy from foreign countries. We are doing this, but it is

still not enough, and it is adding substantially to our balance-of-payments deficit. It is estimated that U.S. domestic mines are producing about one-fourth of our industry's requirements, and that we may have to pay foreign producers \$100 million for the remainder. It is also estimated that each increase of 10 cents per ounce of silver would increase our foreign payments by \$7.5 million.

The best solution—for the immediate period is to remove the silver content from all of our subsidiary coinage, and make this substantial supply of silver available to industry. It is no longer necessary that this coinage have any intrinsic value. Our Nation's economy stands behind the face value of our coins. We have already accepted this policy with respect to nickels and pennies. There is no reason why it should not be applied to 10-cent, 25-cent, and 50-cent pieces. However, there is a particular danger when the metal used in this coinage begins to achieve a worth greater than the face value. It is in the threat of this which can only lead to hoarding, speculation and the melting down of coins. We are beginning to reach this situation today.

What are the facts? Total silver consumption in 1965 is expected to exceed production by over 400 million ounces. Our U.S. stockpile of silver is the only major supply of silver in the world which can make up this deficit. At the present rates of demand, both governmental and industrial, this stockpile will be depleted in 3 years.

It is particularly significant that the silver required by the United States for its subsidiary coinage this year, alone, will exceed the entire world production of silver. On the other hand, with the elimination of these silver coinage demands, silver consumption will be brought close to world production, and our Treasury stockpile can be used to make up any deficits. This will bring a more reasonable and competitive market to silver, and permit a stabilization of price and supply. Of major importance will be the impact of this stability on the prices of silver products, and on the economic growth of the silver users. This growth will be measured in the protection and expansion of jobs which is of critical importance in New England, and in many other regions of our country.

Mr. President, I feel that S. 2080 will do a great deal to remedy the serious problems presented. I support the legislation, but I feel strongly that the committee should have gone all the way in removing the silver content from the half dollar.

I am in favor of the provision directing the Treasury to buy U.S.-mined silver at \$1.25 per ounce in order to protect producers from a precipitous drop which conceivably could result from the enactment of this legislation. This must not be a one-way piece of legislation.

Our manufacturers in New England have their problems in obtaining silver at reasonable prices, but the mining interests and the producers must be assured of protection for the future. There

must be provided the incentives to develop more silver here in the United States. I am happy to note that the producers will have, for some time to come, a sellers market because of the worldwide silver deficit, and that the bill has taken care of them by providing the \$1.25 floor.

I believe that it is important for the Treasury to have authority to sell excess silver in order to protect our outstanding silver coins, at least during the transition period while new coins are being issued. The authority for the Treasury to prohibit exportation, melting or treating of U.S. coins I presume to be necessary. I am hopeful that the Treasury will exercise this authority only when absolutely necessary and that such prohibition will be removed when necessity no longer demands or requires it. The establishment of a Joint Commission on Coinage appears to be desirable. I am informed that the House increased the number to 16 in order to permit the President of the Senate and the Speaker of the House to appoint 2 Members from each body. I endorse this effort to make the committee bipartisan, insofar as possible.

My objection to the use of any silver in the new 50-cent piece is based on the silver supply situation. It is estimated that in 1965, industrial requirements will amount to 300 million ounces whereas new production will be 225 million ounces. The administration has made it quite clear that there is little likelihood of this gap being bridged through appreciable increases in production. Consequently it will be necessary for the owners of silver certificates to redeem them for silver bullion at the Treasury. The obligation to continue this redemption has been clearly set forth by the administration.

The entire silver content in 50-cent pieces should be eliminated for the following reasons:

First. The extra 40-percent silver left in the half dollars will result in a waste of 20 million ounces of silver, which could go to reducing the deficit.

Second. With this left in, the U.S. silver reserves could be depleted between 3 and 5 years.

Third. The half dollar is subsidiary coinage, not any "prestige" coin—most foreign countries have no rare metals in subsidiary coinage.

Fourth. We will have to eliminate this 40 percent in the future because silver stocks will be exhausted, so we should do it now.

Fifth. Leaving silver out of half dollars will save the Government \$18 million for every 100 million coins minted.

Sixth. Placing all subsidiary coins under the new metal production will reduce costs and simplify manufacturing techniques.

The Treasury Department and administration statements all recognize the need to increase the supply of silver. S. 2080 reduces the content from 90 to 40 percent in half dollars. Why not all the way? This continued 40-percent content will involve between 15 and 33 million ounces of silver a year. This is half the yearly needs of the photog-

raphy industry, and the entire needs of the silver industry. Jobs are involved in the retention of silver in half dollars. I cannot too strongly urge that the Senate amend the present bill to eliminate silver in the 50-cent piece.

To those who contend that silver should be continued not only in the 50-cent piece, but in the other subsidiary coins as well, I should like to again point out the deficit between production and consumption. We are now using silver at the rate of 27 million ounces a month, or 325 million ounces a year. This amount exceeds by 100 million ounces the estimated annual production for the entire free world. Attention is invited to the statements by Secretary Fowler supplied for the record in reply to questions from Representative Compton WHITE of Idaho:

Whether or not even such a limited scale of coinage could be continued indefinitely is not certain \* \* \*. The retention of any silver in the dime or the quarter is not a practical possibility (p. 41).

However, a transition to reduced content silver coinage certainly could not be recommended unless study of the problem indicated that there was every indication that the transition could be negotiated successfully. The Treasury study concluded that this was not the case on any reasonable set of assumptions under present circumstances (p. 40).

However, the estimated 15 million ounces annual use of silver that might eventually be devoted to this purpose would be a fraction of the requirements if an attempt were made to retain silver throughout the subsidiary coinage (p. 40).

We firmly believe that the coins proposed will be acceptable to the public. In the unlikely event that they are not, the solution will not be, indeed cannot be, to switch to coins containing silver. In that event we would have to propose to the Congress some other nonsilver alloy (p. 41).

Essentially, it is our conclusion that we cannot count on enough silver during the period of implementation of a coinage program to keep silver in more than one coin.

With reference to a proposed amendment which will call for a reduction of the present silver dollar from a silver content of 90 to 40 percent, I should like to point out that last year I opposed a bill to reduce the silver content from 90 to 80 percent. The reasons for my objection remain the same. Such proposals are basically designed to permit a rise in the market price for silver. The Treasury cannot permit the market price to rise above its present level during the transition period to another subsidiary coinage. It is estimated that they may take 3 years. Secretary Fowler made the following statements concerning the silver dollar to the Senate and House Banking and Currency Committees in connection with the proposed legislation:

Authority to make a silver dollar of the same weight and fineness (412.5 grains 90 percent silver) made at various times since the act of 1837, would thereby be continued. That standard silver dollar, whose pure silver content has actually remained the same since 1792, defines the monetary value of silver at which we are legally and morally obligated to continue the redemption of silver certificates. No change should be made in the legal definition of the standard silver dollar.

The silver dollar will remain as an authorized coin of the United States, at 90 percent fineness. This is the central element in our

program for holding the price of silver to its present level for the protection of our existing subsidiary silver coins.

The monetary value of the new proposed dollar with a 40-percent silver content would be approximately \$2.90.

This amendment would confuse not only the situation with relation to the silver dollar, but also our entire coinage system. Secretary Fowler replied in answer to a question submitted by Mr. White for the record:

To help in maintaining the present market price for silver and prevent speculative hoarding of the existing silver coinage, we think it is important psychologically not to make any change in the monetary value of silver which coincides with the \$1.29 plus price. Since 1792, the monetary value of silver has been set by the silver content of the silver dollar.

A devaluation of the silver dollar at this time would have an adverse psychological reaction. It would be interpreted as a step toward the devaluation of our gold dollar.

In conclusion, Mr. President, I want to compliment most sincerely the able leadership of the Senators from Virginia and Utah, Mr. ROBERTSON and Mr. BENNETT, in their efforts to work out this important legislation. I know there were many problems, and many interests affected. They and the committee did a fine job. I wish, also, to express my appreciation to the senior Senator from Rhode Island [Mr. PASTORE] for his splendid effort in making the case for the elimination of all silver in the 50-cent piece. As always, his presentation of the issues and the facts have been superb.

I, therefore, strongly recommend that the Senate consider favorably this silver legislation with particular attention to removing the 40-percent silver requirement in the half dollar.

As the Senator from Rhode Island has pointed out, there is no adequate substitute for silver in industrial usage.

The Senator has made a very worthwhile statement. I wish to identify myself with the efforts which he has put forward this afternoon and I commend him and express my appreciation to him for his leadership in this undertaking.

Mr. PASTORE. I thank the Senator from Massachusetts.

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

Mr. PASTORE. I yield.

Mr. DOMINICK. I was interested in the last statement that the Senator from Massachusetts made. If I understood him correctly, there is no substitute for silver in industrial usage. Is that his feeling? Do I accurately state what the Senator has said?

Mr. PASTORE. There is no substitute for silver as such. If the Senator is talking about a silver spoon as against a stainless steel spoon, of course, that does not hold.

Mr. DOMINICK. No.

Mr. PASTORE. There is no substitute for silver as such. That is why it is so precious.

Mr. DOMINICK. I am happy to hear my friend say that, because apparently we shall very soon be running out of silver.

Mr. PASTORE. If we continue industrially the way we have been going and we do not find more silver—and it has been the prognostication of the President himself that the increase will be minimal—and if we follow that statement with the fact that we are a growing society, with a possible population in the year 2000 of 250 million, instead of the present 192 million, with the result that more people will be using silver—and, after all, there is only so much silver in the ground, as there is only so much oil in the ground—and all we can do is to try to discover more, to see if we can find more—perhaps through ingenuity we may be able to find a substitute.

Mr. DOMINICK. The problem is that it does not do any good to discover it if one cannot afford to mine it.

Mr. PASTORE. That will follow if we do not let the Government continue to peg the price at \$1.29 an ounce. After all, the half dollar is of a certain size. If the price of silver goes up from \$1.29 to \$2, the half dollar will become smaller, or it will be necessary to put more silver in it.

Mr. DOMINICK. The President is proposing to put less silver into it.

Mr. PASTORE. Yes. Why do we not go all the way? I told the Senator from Utah that his is a reasonable compromise. I have complimented the Senator from Utah. He has a parochial interest. I told him he made a fine presentation. We recognize the problem. However, we are now meeting it only half way. I say let us go all the way. That is the only way to solve the problem.

Mr. DOMINICK. We do not recognize it at all as long as we keep the price on silver, because the industrial users will be hurt just as much as the producers. Unless we can take the limit off, we shall not get any more production. We must have some method to take the price off.

Mr. PASTORE. Insofar as the industry is concerned, in my conversations with the people in the industry, I am informed that they would rather see silver on the free market. I believe that on the day that that happens it will make all of this more fluid. There is no question that the price is bound to go up. They believe in the free enterprise system, and they believe it ought to be on the free market.

Mr. DOMINICK. Then perhaps we can put it on the free market if we reserve the whole stockpile for coinage.

Mr. PASTORE. In other words, the devil with the electronics industry, the devil with the silver industry, the devil with the jewelry industry—let us make coins so they can go into machines. I believe I had better take my seat.

Mr. SALTONSTALL. Mr. President, I wish to make an observation. This same fight was fought in 1946. I heard all the pros and cons in the argument at that time. Then the price was 90.5 cents an ounce. Today it is \$1.29 an ounce.

I recall the difference of opinion, particularly between Senator Millikin of Colorado, and Senator McCarran, of Nevada.

S. 2080 has much to commend it. The elimination of silver from the dime and the quarter and its reduction in the half dollar is a necessary action, although silver should be eliminated in the half dollar also. Insuring that the coins which will replace the present ones can be used in vending machines is highly desirable. Provision for the establishment of a Joint Committee on Coinage is especially important in view of the current situation in which we find ourselves. All of us probably would modify certain provisions of the bill if it were in our power to do so. We recognize, however, that various points of view must be considered. In legislation of this kind there must be some give and take, some accommodation to the needs of various segments of the economy. That is why I accept the major portion of this bill without argument.

I do believe, however, that the measure contains one important deficiency, and that is why I am a cosponsor of the amendment of the Senator from Rhode Island. It is a desirable amendment, one proposed in the national interest, and I urge its adoption.

There is general agreement that a serious shortage of silver exists in the world and that something must be done to see to it that the silver which is available is put to the best possible use. Not only does a shortage exist; there is no expectation that production can catch up with need.

We all share the concern of the President and his advisers that both world and domestic needs for silver substantially exceed capacity to produce it. Last year, for example, domestic industrial requirements alone exceeded production by 70 million ounces. And there is every indication that the gap will continue to increase. In his message to the Congress on this subject President Johnson stated that "there is no dependable or likely prospect that new, economically workable sources of silver may be found that could appreciably narrow the gap between silver supply and demand."

Those are the words of the President. Those words respond to much of the discussion that we have heard on the floor of the Senate in the last half hour.

We know that silver is essential in the manufacture of photographic film, dental supplies, silverware, jewelry, certain electronic devices, and other industrial products, some of which are very important to our national defense and space efforts. In many instances there is no known substitute for silver. On the other hand, we know there are acceptable and less expensive substitutes for silver in subsidiary coins. As the President himself has said, the one part of the demand for silver that can be reduced is governmental demand for use in coinage. If we fail to provide for a cupronickel clad coin for the half dollar, as virtually everyone agrees circumstances force us to do for the dime and quarter, we will but postpone the day when we will have no alternative but to take such action. Meanwhile more silver will have been diverted from industry which needs it. Now is the time to finish the job, not just begin it. The

committee bill merely postpones the inevitable day when silver will have to be eliminated from the half dollar.

A 40-percent silver half dollar would not, I am afraid, achieve the result intended for it. Like the present 90-percent Kennedy half dollar, it would become a collector's item, and its circulation would be sluggish. If these coins were hoarded, and past experience and logic lead to the conclusion that they would be, they would not contribute to the alleviation of our coin shortage. Yet they would result in the depletion of our silver stock, leaving less available for industrial uses. Quite apart from the fact that it would be a new Kennedy coin, the prospect that it would be a temporary transition one, with a non-silver 50-cent piece ultimately replacing it, will encourage people to hoard it.

That is one of the very serious problems that bothers us at the present moment as we debate the bill.

It is difficult to estimate how many of these new 40-percent silver half dollars would be minted annually. Secretary Fowler has suggested an eventual annual coinage of 100 million of them, which would use about 15 million ounces of silver. I suspect the figure would be considerably greater. We must remember that last year 206 million Kennedy half dollars were minted, yet few of them are in circulation. A similar number of the proposed 40-percent silver half dollars would require more than 30 million ounces of silver, a figure which closely approximates the total annual U.S. production of silver.

Even if we accept the 15-million-ounce figure, which is on the conservative side, that amount would be sufficient to meet the needs of the silverware industry for a year, to meet those of the jewelry industry for 2 years, or those of the photographic industry for half a year. That should be kept in mind when we decide whether to retain any silver in our half dollar.

It is said that the American people will react adversely if all silver is removed from our coins. The American people are reasonable and practical. They will not insist that we maintain token deference to silver in our coins when national needs dictate this would be counter to our interests. The bill before us proposes to eliminate silver in the dime and the quarter, and to reduce the silver content of the half dollar from 90 percent to 40 percent. Retention of this link with the past in the form of a 40-percent silver 50-cent piece seems to me shortsighted in view of the situation in which we find ourselves. The purchasing power of our coins will not change if they are minted without silver, and everyone knows that. We must be realistic and face the situation squarely.

In addition to releasing much needed silver for use where it is essential, elimination of all silver from subsidiary coins would be efficient and would result in savings to the Government. It has been estimated that the Government would save in costs of the coin about \$18 million for every 100 million coins minted. Further, mint operating costs would be reduced and mint production would be

simplified, since the same material could then be used for the dime, quarter, and half dollar.

The figures on the supply of and demand for silver are disturbing and show an unmistakable trend. Although the Treasury has about a billion ounces of silver on hand today, its stock is becoming depleted rapidly, and it is widely agreed that at the present rate of usage, would not last 3 years. Our consumption of silver in 1964 is estimated at 123 million ounces with demand outpacing production by 90 million ounces.

We are told that in the 5 postwar years of 1949 through 1953 there was an average deficit of more than 60 million ounces of silver per year in the free world. In the most recent 5-year period, 1960 through 1964, the average annual free world deficit rose to about 200 million ounces, more than three times that of the early period. For 1964 the deficit was 300 million ounces, half again the 1963 figure—200 million ounces. For 1965 it is expected to be 400 million ounces.

So the situation is serious. We can best help to meet it by eliminating now the silver in all subsidiary coins—the dime, quarter, and half dollar. I therefore hope that the Pastore amendment will be adopted.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the amendment of the Senator from Rhode Island [Mr. PASTORE] be set aside, and that I may be permitted to call up my amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

Mr. SALTONSTALL. Mr. President, reserving the right to object—and I shall not object—I understand that the request was cleared with the Senator from Rhode Island, and that when he finishes his speech on his amendment, the Senate will resume consideration of the amendment of the Senator from Rhode Island [Mr. PASTORE]. Am I correct?

Mr. SIMPSON. The Senator is correct.

The PRESIDING OFFICER. The amendment of the Senator from Wyoming will be stated.

The legislative clerk read the amendment, as follows:

On page 8, line 14, insert after the word "section," a metallic dollar or cartwheel.

After line 20, insert the following:

- "(1) The metallic dollar shall have—
- (A) a diameter of 1.500 inches;
  - (B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and
  - (C) a core of an alloy of silver and copper such that the whole coin weighs 24.60 grams and contains 9.84 grams of copper."

Mr. SIMPSON. Mr. President, I have called up for consideration an amendment to the President's silver coinage legislation, S. 2080, which will insure the future of the silver dollar while at the same time providing a solution compatible with the aims of our newly proposed coinage system.

The reasons which motivate our action in substantially altering our coinage system for the first time since 1792 have been elaborated in this body at length today. Suffice it to say that I concur in the need for immediate action

in this field. It is my hope today that by an exhausting consideration of this bill and an adoption of my amendment that the future of the silver dollar may not be lost in our rush to legislate an end to our coinage crisis.

As provided in the terms of my amendment, section I of the proposed legislation would be enlarged to include provision for a metallic dollar which shall be composed of an alloy of 800 parts of silver and 200 parts of copper per each 1,000 by weight, clad on a core of silver copper alloy of such fineness that the composition of each coin shall be 400 parts of silver and 600 parts of copper out of each 1,000 parts by weight. It will be noted, therefore, that the content of this metallic dollar would be identical to the content of the 50-cent piece as proposed by the President. Thus, the demand upon the Treasury to protect the integrity of this metallic dollar will in no way exceed that which is inherent in the administration's proposal. I make this proposal fully convinced that the realities of the silver shortage make it impossible for anyone to honestly predict that future events would permit the minting of a silver dollar with a 90-percent precious metal content. Such coinage would be at variance with the condition of the silver industry which is the motivating factor behind our entire debate.

Therefore, if there is to be a future for the silver dollar, this legislation must be amended to alter the statutory content requirement.

The need for additional coinage of the silver dollar was recognized in the last session of the Congress which passed a measure authorizing an appropriation and directing the Treasury to strike some 145 million silver dollars to be issued by the end of fiscal 1966. Acting pursuant to this legislation, the President as recently as the middle of last month issued an order directing production of the new silver dollars to begin. Based upon the 90-percent provision, such production would have required the Treasury to utilize in excess of 425 million troy ounces of silver to mint these new dollars. When we consider that the present balance or reserve of silver bullion maintained by the Treasury has now sunk below the perilous figure of 1 billion ounces, the squandering of nearly half of our reserve on an issue of these 90-percent dollars would be indefensible. An additional factor which must be considered is the widely publicized belief that such silver dollars would never reach general circulation, but rather would immediately find their way into the hands of private speculators and collectors, thus doing nothing to alleviate the coinage shortage while extravagantly draining our already depleted reserve.

Quick to recognize these facts, and acting in accordance with the statesmanship we have all come to expect of them, the distinguished Senators from Montana and Nevada, met with officials of the Treasury and agreed to suspend the President's order to mint new 90-percent silver dollars. The timely action of these Senators is to be commended, but I am certain that they will be the

first to concur that there remains an unsatisfied demand for metallic dollars as a medium of exchange.

Wholly aside from the coinage demand for silver under the terms of existing statutory provisions, industrial demand for silver outstrips free world production by an ever-increasing gap. Faced with this dilemma, it is obvious that unless the statutory requirements are amended there will be no coinage of silver dollars now or in the foreseeable future. Indeed it would seem reasonable to predict that the future of the silver dollar would then hinge upon the tenuous possibility that Congress could be motivated to pass special legislation which would do in the future that which we have an opportunity to do today; namely, to reduce the silver content of the metallic dollar to a 40-percent level thereby bringing it into harmony with the new coinage system. Failure to act now will necessitate action in the future. Failure to act in the future will seal the doom of the silver dollar.

Why is the silver dollar needed? Apart from its historical significance—a coin which traces its ancestry to the Austrian thaler and which has remained in its present metallic content since the early 18th century—the silver dollar plays a vital role in the economy of many Western States. This reality was recognized by Congress only last year in the passage of the appropriation to which I have made reference, and by the President within the last month. Thus, my amendment serves to carry forth the already expressed intent of the Congress that this valid economic requirement be satisfied.

The posture of our economy and the integrity of our monetary system on the world market has rightly concerned the Treasury, the President, and Congress throughout these deliberations. One need look no further than the official White House summary of the Treasury study to glean knowledge that the current proposal retains a silver content in the 50-cent piece for prestige value on the international market. It is my contention that any future minting of metallic dollars based upon a 40-percent content would serve to further enhance the prestige of our new coinage system. Therefore, considered from the standpoint of international economics, this amendment, which essentially insures that any new minting of metallic dollars would be on par with the overall change being worked in our coinage system, makes eminent good sense.

At this juncture, I should like to strongly comment on what my amendment would not do. Nowhere does the amendment order the Secretary of the Treasury to undertake the minting of new metallic dollars. The language of the amendment, being identical with the language of the existing bill, is permissive, not compulsory, thus enabling future minting operations to be based on the altered metallic content established by statute. Therefore, discretion as to that moment which would be most opportune for the minting of these metallic dollars would remain in the hands of Congress and those officials most sensitive to the coinage needs of our economy.

The new coinage legislation as amended would simply provide authority for this step when it is determined that it be in the public interest. To again stress the glaring realities, if the amendment is not adopted, Treasury officials will find their hands tied in the future for they will be unable to mint silver dollars unless they conform to the 90-percent content requirement—a situation wholly incompatible with reality.

In summary, therefore, I again note that the domestic need which motivated the Congress to provide for silver dollar coinage in 1964 remains with us, that if there is to be a future satisfaction of this economic need, then the statutory provisions determining the silver content of this coin must be altered to conform with the spirit of the new coinage system. Mr. President, I support the President's proposal and hope that Senators will recognize the validity of completing the logical extension of that proposal by adopting my amendment.

I express gratitude to the senior Senator from Rhode Island for his graciousness in according me this time, because time is valuable.

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

Mr. SIMPSON. I yield to the majority leader.

Mr. MANSFIELD. I commend the distinguished Senator from Wyoming for his unflinching and unyielding attitude so far as the retention of the silver dollar as a symbol of our currency is concerned. He had led the fight in trying to bring about a restoration of the symbol, even on a reduced silver content basis.

As one of the cosponsors of the amendment which the Senator from Wyoming has just discussed, along with my colleague from Montana [Mr. METCALF] and the two distinguished Senators from Nevada [Mr. BIBLE and Mr. CANNON], we were delighted to serve under the leadership of the Senator from Wyoming in this respect and assure him that we believe he is on the right track.

Mr. SIMPSON. I thank the Senator from Montana.

Mr. CANNON. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield to the Senator from Nevada.

Mr. CANNON. I, too, commend the Senator from Wyoming for his fine statement and analysis of what, to us, is a serious problem. I am happy to support him as a cosponsor of his amendment, which I hope the Senate will see fit to adopt.

It is extremely important that the authorization for a dollar coin be continued. As the Senator from Wyoming has well said, there will be no more coinage of the silver dollar with its present silver content, because the intrinsic value at this moment, practically exceeds the value of the coin itself. Therefore, if a dollar coin is to remain, we shall have to accept a reduced silver content, which we agree to and are happy to support. We believe that there should be such a coin as a token and as a valuable coin for use in our economy, and that it should have a substantial silver content.

Mr. SIMPSON. I thank the Senator from Nevada for his excellent observation and contribution to the debate. The State of the Senator from Nevada is vitally affected, as are the other States in the Rocky Mountain region.

Mr. JORDAN of Idaho. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. JORDAN of Idaho. Mr. President, I associate myself with the remarks of the distinguished Senator from Wyoming. As a cosponsor of his amendment, I wish to emphasize the necessity of keeping a strong representation of silver in the dollar. Out West, the silver dollar is the unit of measure. It has come to be recognized with great pride by westerners as a proper measure of value because of its intrinsic worth.

We recognize that the supply of silver is in a critical condition, even though many of us from the silver States have warned the administrations back through the years that this very situation was coming.

It is highly important that the same formula suggested by the President in his message with respect to the half dollar be followed with respect to the silver dollar; that the content of the silver dollar be reduced to 40 percent, the same as is recommended for the half dollar, in order that this valuable symbol of silver in our currency may be retained.

I congratulate the Senator from Wyoming on the presentation he has made, and I associate myself in full with his remarks.

Mr. SIMPSON. I am always grateful to the Senator from Idaho for his support. I feel that in this instance we are on good ground and that the amendment should be adopted.

Mr. BIBLE. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield to the Senator from Nevada.

Mr. BIBLE. Mr. President, I also congratulate the Senator from Wyoming. The Senator has been a very valuable ally on many subjects. He is a very valuable ally in the fight that we are waging today to preserve the silver in the coinage system of the United States.

I share his interest in the continued minting of the silver dollars. After all, this is an honorable symbol of the West. It is an honorable medium of exchange. The cartwheel is used as a medium of exchange, or it was until various kinds of practices arose to take it out of circulation. However, that does not stop us from waging a continuing fight to insure that it will always remain a proud symbol of the great West.

I compliment the Senator from Wyoming on the statement he has made. It is a statement which should be made. We should serve notice that we will continue to fight for the silver dollar.

I thank the Senator from Wyoming.

Mr. SIMPSON. Mr. President, I thank the Senator from Nevada.

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

Mr. SIMPSON. I yield.

Mr. DOMINICK. Mr. President, I regret that I was unable to hear all of

the very able presentation of the Senator. There is a question that I should like to ask.

Prior to this time, the Senator from Rhode Island has mentioned that, under the existing bill, we would still have a prestige coin in the silver dollar if we were to eliminate silver from the half dollar.

I ask the Senator from Wyoming for his experience with the current circulation of the existing half dollar.

Mr. SIMPSON. The Senator from Colorado well knows that there is no circulation at the present time. The statement made by the Senator from Rhode Island would merely distort Gresham's law.

Mr. DOMINICK. I very much appreciate that statement. I totally agree. If we are to have a prestige coin, we should have it where someone could see it.

Mr. SIMPSON. I agree. It is quite obvious, as I said in my talk on the floor of the Senate, that the silver dollar is no more unless this amendment is agreed to.

Mr. DOMINICK. Mr. President, I know of the amount of work which the Senator has put in on this amendment. I congratulate him for making a great talk. I, too, urge that we continue to make a fight to keep the silver dollar in circulation.

Mr. SIMPSON. This is a matter that we have been trying to solve. We have wrestled with it in the Committee on Banking and Currency, even in the 88th session.

Mr. MANSFIELD. Mr. President, in view of the fact that an amendment having to do with silver dollars is to be offered on tomorrow by the distinguished Senator from Washington [Mr. MAGNUSON], I ask unanimous consent, as one of the cosponsors of the Simpson amendment, that the Simpson amendment be withdrawn at this time.

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

Mr. CANNON. Mr. President, all throughout history the silver coin has enjoyed tremendous status and almost universal acceptability. From the Greek drachma and the Roman denarius to the silver dollar of modern times, the silver coin, admired for its natural beauty, has been a monetary symbol of national prestige. Of those metals which in the past have been used as money, gold has been far too dear for common use while copper and other such base metals have been far too abundant to act as a store of value. Silver alone in everyday life has come to represent intrinsic tangible wealth.

Since 1792 when Congress adopted silver coinage because of the great confidence which foreign silver coins enjoyed in this country up to the present day, the United States has maintained coins of 90 percent silver content. This system has served well. Today, even more than in 1792, our silver coins enjoy public trust—both at home and abroad. Public preference still favors silver above any other type coin. Although the value of coins in practice is not solely dependent upon their metallic content, the presence

of silver in coins is of real importance. The high silver content of our dimes, quarters, half dollars, and silver dollars not only gives them intrinsic value but also helps to support public confidence in paper money. In view of this stabilizing role as well as the prestige, widespread acceptance, and popularity of silver coins, any debasement of our coinage system is a matter of most grave consequence.

That there is a need for some form of action is practically an unavoidable conclusion. The facts concerning the supply and demand for silver in the free world speak loud and unmistakably clear. In brief terms, silver production has been considerably less than the amount required for consumption. A goodly portion of this imbalance between supply and demand has been satisfied by Treasury stocks. As things stand now, with an increased demand for coinage, this source of silver can be expected to last for only a few years. Therefore, our only alternative is to take immediate action to assure the American public that there will be sufficient coinage to meet their greatly expanded needs. However, to do so it is by no means necessary to completely eliminate silver from our dimes and quarters.

In the words of the Battelle Memorial Institute whose independent study was commissioned by the Treasury Department in connection with their own study of silver, the coin which we have been called upon to adopt is at best a "satisfactory compromise." It is a compromise which does not fully measure up to all those criteria for coinage deemed desirable by the Treasury Department. We in Congress who are charged with the responsibility of coining and regulating money owe more to our country than a coin which is a mere "satisfactory compromise." It is our constitutional duty to see to it that any new coin upon which the U.S. seal is imprinted is one that is in keeping with the status of this Nation and one that will at the same time fit readily into our economic structure, fulfilling the commercial and monetary needs of the American people.

Our dilemma is plain. The world uses 400 million ounces of silver annually of which consumption has reached 250 million ounces in the United States alone. On the other hand, we produce 40 million ounces and the world production is approximately 200 million ounces.

The artificiality of the price level of \$1.29 an ounce is all too evident, especially in the United States where we produce only 17 percent of our requirement. At artificially low prices, it is only natural that exploration is hindered. It is only inevitable that hoarding and speculation can result. It is evident that the coinage system must be changed so that the intrinsic value of the silver in any coin will not exceed the face value of the coin itself.

How have minting policies affected this situation? Last year, 201 million Kennedy half dollars were minted which alone accounted for 36 percent of the silver used by the Treasury in 1964. These coins were meant to circulate but their commemorative quality impeded

this intention and the silver content added to their value.

The statistical record of what has happened to our Treasury silver stocks makes it plain that the users and silver product manufacturers have been using Treasury as its own private silver mine. The silver used in coinage in 1958 was 38,200,000 ounces. But users and others withdrew more than 155 million ounces. In 1961, coinage demands accounted for 55.9 million ounces while the total loss in silver stocks at the Treasury was 129.5 million ounces.

Again in 1963, industrial users and others dipped into our silver reserves to the tune of 72 million ounces, and last year coinage demands because of the hoarding, speculation, and other factors amounted to 203 million ounces while the other users drained our silver stocks by 163.3 million ounces.

On page 4 of the committee report accompanying S. 2080, is found a chart which clearly shows that industry and the arts have consumed as much as five times the amount of silver required by our coinage system. It is no wonder these users have been so desperately fighting to keep their silver mine at the Treasury open for their own needs.

That there is no finer material than silver for coins is a fact on which there is almost universal agreement. In the words of our Secretary of the Treasury, "There is, of course, no substitute for the appearance of silver." Our present coinage has a handsome look, a healthy and authentic ring. In the purse it gives a solid, comfortable feel of wealth. U.S. silver coins carry with them a tradition of 173 years which has earned global trust and respect. When compared with the coins of other nations, they stand out for their good looks, continuity, and stability. To abruptly substitute for a coin of such excellent merits a coin which is an unsightly and unsatisfactory compromise is a choice to be endorsed only as a last desperate resort. The silver situation, while not as bright as we would like it, is not so dark as to merit such drastic action.

The statistics of supply and demand paint a grim picture, but, statistics have a way of not painting a full picture. If we examine the silver situation we find that conditions are not as hopeless as these statistics on their surface imply. For one thing, although production has lagged considerably behind consumption, there is good evidence that we can expect significant production increases in the near future. On the basis of surveys of projects definitely under way, for which capital has already been committed, silver producers estimate that by 1968 free world silver production will have been increased by 38 million ounces. For purposes of its report on silver to the Treasury Department, the Battelle Memorial Institute used an estimate of 48 million additional ounces of silver produced by 1968.

Although this increase will not eliminate the shortage, it will do much to relieve it. Moreover, these estimates are conservative when considered in the light of possible increases in production. In this country at present there is lacking

the type of incentives necessary effectively to stimulate a rapid surge in silver production. It is true that the Federal Government has taken a number of steps to encourage domestic production. Nonetheless, the need for more exploration has not received due emphasis, even though we are confronted with a silver shortage. The Department of Interior presently offers loans that cover nearly 75 percent of exploration costs. However, to qualify for the benefits of this program a company is required to pass a means test and to be able to demonstrate that it cannot raise money to carry out exploration. This requirement practically eliminates the leading mining companies with great experience and know-how.

Neither are silver prices at current levels a sufficient stimulus to increased production. It is frequently stated that, because most silver is mined as a by-product, silver production is inelastic in price. This statement contains more falsehood than truth. In the words of the Treasury report on coinage and silver:

Higher prices can be expected to encourage net substitution and economies in use on the consumption side and also to encourage some increase in silver production beyond that which would otherwise occur.

Thus the fact that silver is a byproduct does not in itself explain the fact that silver production has not increased as rapidly as consumption in spite of some rise in price. Rather low production rates are to be explained by the fact that although the price of silver has increased, it has risen less than prices for other major nonferrous metals and significantly less than operating costs.

It seems remarkable that in spite of recognition of the depressive effect that the current price level has on supply and in spite of the fact that there is a serious imbalance between supply and demand, this present legislation proposes a domestic price of silver not less than \$1.25. This is a serious inconsistency. Certainly at prices of from \$1.29 to \$1.25 it cannot be expected that silver production will be furthered to achieve its fullest potential.

It should be kept in mind, however, that new production is not the only source of silver. Salvaging from scraps and residue is an important source which cannot be overlooked in any estimate of silver supplies. In 1964, Handy and Harman, the leading experts on the world silver market, estimate that this source accounted for more than 11 million ounces of silver, or an amount equal to approximately 16 percent of the free world silver deficit excluding coinage demands. Inasmuch as such items as exposed film and spent batteries have relatively constant relationship to the amount of film and batteries produced, this source can be relied upon as a continuing source.

Another potential source of silver supply is the huge speculative holdings and hoards which have fostered and sustained the silver shortage. Handy and Harman indicate that in 1964 speculative holdings and inventory accumulations amounted to some 70 million ounces

of silver. I believe this estimate is far too low. It is interesting to note that in 1963, instead of contributing to the silver shortage, liquidations of speculative holdings and inventory helped to fill in some 105 percent of the silver deficit excluding coinage demand, or some 20 percent of the overall silver deficit when coinage demands are taken into consideration. No doubt, the increased speculation in 1964 was in good part due to the minting of the Kennedy half dollar, most of which went out of circulation, and to the increased pressure on Treasury silver, as well as hoarding of silver dollars. Thus it can then be expected that, once our coinage is placed on a stable basis and the atmosphere of crises abates, the huge silver hoards will be increasingly liquidated. Moreover, because less of the silver supply will be hoarded for speculative purposes, more will be left for constructive uses.

Thus the silver problem is not insurmountable. At the most, a reduction of the silver content of coins would be all that would be required to insure sufficient coinage for the orderly flow of financial transactions. It is obvious that with a reduction of the silver content of coins, present Treasury silver stocks can be expected to go further. Once the transition to the new coins was made, the price of silver could be allowed to rise to the point where it becomes profitable to melt down already outstanding subsidiary coins. It would be possible then to redeem silver certificates with less silver. Thus even more silver would be available for coinage. During the transition, action could be taken to recover quickly as much of the outstanding silver coins as possible. Coinage recovered would be melted down by the Treasury and reissued as new reduced content coins.

We have learned from the Treasury report on coinage that not only is it possible to produce a coin of reduced silver content that will meet their standards of metallurgical and technical acceptability. A high silver-copper alloy or low silver-copper alloy would have the ability to operate in current vending machine coin rejection setups. Moreover, it would have certain advantages which a nonsilver coin does not. It would have no unsightly copper rim, would be of more desirable weight, and would maintain the tradition of silver content in coins. Thus technology poses no problem. Nor is the silver supply problem unsolvable. Even the report by the Treasury on silver and coins admits that in terms of longrun supply and demand factors, silver coinage of 500 fineness is not definitely ruled out. And when we know that it is possible to have a coin at 400 fineness or perhaps less of a quality far superior to a coin with no silver, I should think there would be no question as to whether or not silver will be kept in our coins.

It is said that maintaining silver involves great risk. Let me say now that the coin we are considering adopting now also involves great risks. It is not a matter of choice between a sure thing against risk, but a matter of weighing uncertainty against uncertainty. I think that by maintaining silver, we stand a far

greater chance of once and for all ending our coinage problems. Any proposal to change the content of coins cannot afford to ignore the fate of the present outstanding coinage. It is a known fact that the only way for old coins and new coins to circulate side by side is if the public has equal confidence in both. No one seriously questions that this new coin, easily distinguishable by its light weight, sluglike appearance, and red copper rim, will not enjoy confidence that our present coinage does. I seriously question that Americans, as the Secretary of the Treasury asserts, "will come to value" red color rims of the proposed coin. Already those who have an intimate knowledge of the coin market are predicting that silver coins will have all but disappeared in a few short months. In spite of this real prospect, the legislation before us fails to present a plan to withdraw silver money from circulation.

Those who advocate a silverless coin have grossly and most seriously underestimated the significance of the hoarding problem which even at present inflates the gap between consumption and production. Their single solution to this pressing problem is to flood the market with a silverless coin. However, this action in itself will not reduce pressure on the price of silver nor will it assure a safe transition to the new coins. About all it will accomplish is to assure speculators of an undeserved profit at public expense.

I would not say that transition to a silver content coin involves no risks. However, the risks involved in the transition would seem to be significantly less than those involved in the adoption of a silverless coin. If proper safeguards against hoarding and speculation are made, the transition to a silver content coin promises to be more workable than that which seems possible under this present legislation.

In summary, let me repeat. Public consensus favors a silver coin. Certainly there is no doubt concerning the superior qualities of silver coins. Since even conservative estimates indicate conclusively that once the speculators are controlled, there will be sufficient silver with which to assure an adequate coin supply, eliminating silver from coins can in no way be justified. This is especially true when we know that present legislation not only fails to address itself to the most serious causes of the silver imbalance but also fails to provide for an orderly transition period without undue risk. Let it not be said that we who act as guardians of the Nation's coins were led with undue haste into an ill-conceived action prompted by an atmosphere of crisis created and fed by self-seeking speculators into needlessly abandoning as venerable a system of coinage as ours. To leave out the silver in American coins is to sacrifice an honorable and workable part of our Nation's monetary system.

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Rhode Island [Mr. PASTORE], No. 276.

#### LEAVE OF ABSENCE—PERSONAL STATEMENT BY SENATOR ERVIN

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be excused from attendance on the Senate tomorrow in order that I may attend a funeral.

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

Mr. ERVIN. Mr. President, I also wish to say that if I were present at the time of the vote, I would vote for the Pastore amendment.

#### COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. I ask unanimous consent that all committees may meet during the session of the Senate tomorrow.

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

#### DRUG ABUSE CONTROL AMENDMENTS OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent to lay aside the pending business temporarily, and that the Senate proceed to the consideration of Calendar No. 326, H.R. 2.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act, to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 3, line 18, after "(2)", to strike out "(A)"; on page 22, line 22, after "(26 U.S.C. 4731, 4761)", to strike out the comma and "or (B) peyote (mescaline) but only insofar as its use is in connection with the ceremonies of a bona fide religious organization"; on page 4, line 1, after the word "shall", to strike out the comma and "subject to the provisions of section 511(g), relating to advisory committees"; on page 7, line 8, after the word "household", to insert "In any criminal prosecution for possession of a depressant or stimulant drug in violation of this subsection (which is made a prohibited act by section 301(q)(3)), the United States shall have the burden of proof that the possession involved does not come within the exceptions contained in clauses (1) and (2) of the preceding sentence."; and, on page 11, after line 18, to strike out:

(g)(1) In any proceeding for the issuance, amendment, or repeal of a regulation under subparagraph (2)(C) or (3) of section 201(v), whether commenced by a pro-

posal of the Secretary on his own initiative or by a proposal contained in the petition of any interested person, the petitioner, or any other person who will be adversely affected by the proposal or by the Secretary's order issued in accordance with section 701(e)(1) if placed in effect, may request, within the time specified in this paragraph, that the petition or order thereon, or the Secretary's proposal, be referred to an advisory committee for a report with respect to one or more of the following matters: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervous system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The request for referral under this paragraph, or the Secretary's referral on his own initiative, may be made at any time before or within thirty days after publication of an order of the Secretary acting under the petition or proposal.

(2) The Secretary may by regulation condition referrals to an advisory committee pursuant to this subsection upon the payment, by the person requesting the referral, of fees to defray the per diem and travel costs arising by reason of such referrals. Such regulations may provide for waiver or refund of fees in whole or in part when in the judgment of the Secretary such waiver or refund is equitable and not contrary to the purposes of this subsection. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriation) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees, and for refunds pursuant to this paragraph.

(3) Upon request that any petition, order, or proposal be referred to an advisory committee as provided in paragraph (1), or if the Secretary within such time deems such a referral necessary, the Secretary shall forthwith appoint an advisory committee under paragraph (5) of this subsection and shall refer to such advisory committee the matter set forth in paragraph (1) of this subsection for study thereof and for a report on such matters. As soon as practicable after such referral, but not later than sixty days thereafter, unless the advisory committee extends this period for an additional thirty days, the advisory committee shall certify to the Secretary a report on such matters, together with all underlying data and a statement of the reasons or basis for its findings. Within thirty days after such certification, the Secretary shall, after giving due consideration to such report and to all data then before him, by order confirm or modify any order theretofore issued or, if no such order has been issued, shall by order act upon the petition or other proposal.

(4) The deliberations of such advisory committee shall be conducted in accordance with regulations promulgated by the Secretary in order to assure independent study and impartial consideration of the matters set forth in paragraph (1) of this subsection. The right to consult with the advisory committee shall be reasonably afforded to the person who has filed the petition or who has requested referral to the advisory committee, or to any other interested person, as well as to representatives of the Department of Health, Education, and Welfare. All data or other matter, in whatever form and from any source, considered or received by the advisory committee, and all written or oral contacts by any person with the committee

or any member thereof with respect to the subject matter before the committee (including the matters submitted or discussed in such contacts), shall be made a part of the record of its proceedings. Such record shall, upon publication of the Secretary's order issued after consideration of the committee's report, be open to inspection by any interested party.

(5) The advisory committee referred to in paragraph (1) shall be composed of impartial experts, qualified in the subject matter referred to the committee and of adequately diversified professional background, selected by the Secretary from a panel proposed by the National Academy of Sciences, except that in the event of the inability or refusal of the National Academy of Sciences to act, the Secretary shall select the members of the advisory committee. The size of the advisory committee, which shall not be less than three, shall be determined by the Secretary. Members of the advisory committee shall receive as compensation for their services a reasonable per diem, which the Secretary shall by rules and regulations prescribe, for time actually spent in the work of the advisory committee (including travel time), and shall in addition be reimbursed for their necessary travel and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding appointment and compensation of employees of the United States. The Secretary shall furnish the advisory committee with adequate clerical and other assistance.

(6) Any report, underlying data, and reasons certified to the Secretary by such advisory committee shall be made a part of the record of any public hearing held pursuant to section 701(e)(3), if relevant and material, subject to the provisions of section 7(c) of the Administrative Procedure Act (5 U.S.C. 1006(c)). The advisory committee shall designate a member to appear and testify at any such hearing with respect to the report of such committee upon the request of the Secretary, any interested party, or the officer conducting the hearing, but this shall not preclude any other member of the advisory committee from appearing and testifying at such hearing.

And, in lieu thereof, to insert:

(g)(1) The Secretary may, from time to time, appoint a committee of experts to advise him with regard to any of the following matters involved in determining whether a regulation under subparagraph (2)(C) or (3) of section 201(v) should be proposed, issued, amended, or repealed: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervous system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The Secretary may establish a time limit for submission of the committee's report. The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsections (b)(5)(D), and the admissibility of their reports, recommendations, and testimony at any hearing involving such matters shall be determined in accordance with subsection (d)(2), of section 706. The appointment of such a committee after publication of an order acting on a proposal pursuant to section 701(e)(1) shall not suspend the running of the time for filing objections to such order and requesting a hearing unless the Secretary so directs.

(2) Where such a matter is referred to an expert advisory committee upon request of

an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc.

Mr. MANSFIELD. Mr. President, this has been cleared on all sides, and, with the approval of the minority leader, and at the specific request of the distinguished Senator from Connecticut [Mr. DODD] H.R. 2, which was reported from the Labor and Public Welfare Committee several days ago, a bill to regulate the use of pep pills and other drugs that may affect the mind, is now before the Senate.

I commend the Senator from Connecticut for the unflinching interest he has shown during many years in legislation of this type, and assure him it is a pleasure to bring this bill up, at his specific request, because it is of great importance. I understand this measure has the wholehearted approval of every member of the committee concerned, and of the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 337), explaining the purposes of the bill.

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

#### PURPOSE

The bill provides increased controls over the distribution of barbiturates, amphetamines, and other drugs having a similar effect on the central nervous system. The controls are accomplished through increased record-keeping and inspection requirements, through providing for control over intrastate traffic in these drugs because of its effect on interstate traffic, and through making possession of these drugs (other than by the user) illegal outside of the legitimate channels of commerce. The bill also increases the authority of the Department of Health, Education, and Welfare over counterfeit drugs.

A bill with the same objectives in the control of stimulant and depressant drugs was sponsored by Senator DODD and unanimously approved by the Senate last year. That bill was S. 2628.

#### SCOPE OF COVERAGE

The legislation would immediately place barbiturates and amphetamines in the category of drugs subject to its added controls. Since other drugs now on the market and likely to be developed will require the same type of control because of their potential for abuse, the bill provides that the Secretary of Health, Education, and Welfare, after investigation, shall, by regulation issued after opportunity for hearing, designate these other drugs as depressant or stimulant drugs, thereby bringing them under the coverage of the bill. This means that such drugs will be subject to closer recordkeeping, inspection, and possession controls.

The committee expects that the Secretary, very soon after the enactment of the legislation, will proceed with the classification as depressant or stimulant of those drugs which are already causing serious problems, primarily certain tranquilizers.

The committee determined that it would not be desirable to specify drugs other than barbiturates and amphetamines as subject to the controls of the bill, but determined that the other classes of drugs are to be brought under control of the bill on a case-by-case basis by the Secretary of Health, Education, and Welfare under the standards prescribed in the legislation. In accordance with this determination, the committee omitted specific reference to peyote as a substance subject to the provisions of the legislation. It is expected that peyote will be subject to the same consideration as all other drugs in determining whether or not it should be included under the provisions of the legislation.

The committee amended H.R. 2 to permit the Secretary, at his discretion, to utilize an advisory committee of scientific experts to assist him in determining whether drugs should be included as subject to the provisions of this legislation. In the interests of flexibility in administration, the committee has not required that it be mandatory for the Secretary to seek the advice of non-Federal consultants in reaching decisions concerning the drugs subject to the provisions of the legislation. Nonetheless, the committee believes the use of outside consultants would be beneficial and encourages their use by the Secretary.

While the bill would apply to all depressant or stimulant drugs, it would not apply to basic chemicals intended and used for nondrug purposes. For example, firms that ship or receive unsubstituted barbituric acid or other potentially depressant or stimulant drugs for industrial nondrug purposes would not be subject to the recordkeeping and other requirements of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments en bloc.

The amendments were agreed to en bloc.

Mr. DODD. Mr. President, I want to thank the majority leader for his kind and generous comments and I urge my distinguished colleagues to consider favorably the pending business, a measure designed to curtail the irresponsible, criminal, and socially harmful diversion of dangerous drugs from legitimate channels.

This legislation has now been before Congress since 1961, and even while we were deliberating on its various provisions, the drug problem has continued to claim new victims from among the youth of our Nation.

These are not only young people who are the victims of slum life. These are young people who come from the high schools and college campuses across this land, from wealthy suburban neighborhoods, and from families unaccustomed to the kind of disorganization that often follows experimentation with stimulant and depressant drugs.

I point to these conditions because they represent a new dimension of the drug problem in this country. For many decades we have struggled with the so-called hard narcotics menace. The opium derivative heroin, the traditional agent of addiction, has always been prevalent in our city slum areas that for centuries have attracted all manner

of vice and crime. But the use of these narcotics rarely penetrated into the more stable neighborhoods.

Today, the dangerous drugs are popular among people in all walks of life, ranging from truck drivers to students to suburban housewives.

But they have made their greatest impact in the ranks of our teenage population.

These white-collar youths have taken to these drugs by the tens of thousands. And the number increases every year.

These new drugs also appear to possess certain properties that make them even more dangerous and harmful than the opiates. While the former tend to produce a calm and peaceful state of mind, the amphetamines often used in combination with barbiturates have been hidden accomplices in tragic crimes of violence, in accidents, and in suicides.

We have cases in our files of murderers admitting that they killed the victim while under influence of these stimulants.

We have evidence that the amphetamines induce violence and hostility in those who abuse them and that they contribute to bizarre sexual behavior among young people as well.

Recently, two teenagers died in a brush fire in their automobile after both had passed out from an overdose of barbiturates as a part of a suicide pact.

In Chicago, an 18-year-old boy suddenly shot and killed a friend at a "goof ball" party even while they were joking with one another.

Early this year, the city of Chicago was stunned when three teenage boys, while under the influence of barbiturates, killed and robbed a 66-year-old man, who, because of a hearing difficulty, did not immediately respond to their request to hand over his money.

This man had left his home to go to the store and buy a pack of cigarettes. He ended up beaten, kicked, with 11 shots fired into his body by a 16-year-old boy. The reason? To quote the young hoodlums, "The pills made us do it."

Further examination will reveal if, indeed, the pills made them do it. But I have pointed out time and time again in the CONGRESSIONAL RECORD that these pills have figured in some of the most vicious, coldblooded, and cruel crimes on record.

After hearings in Los Angeles, I told the Senate of how a 17-year-old boy with no previous criminal record had become addicted to Seconal. His personality changed with pill use. He ended up savagely slashing a cab driver to death on a Los Angeles street.

These boys in Chicago were on the same type of drug. They knew where to get it and did so. No doubt, it had a great part to play in the murder of this man. The mother of the boy who pulled the trigger told authorities:

I've known for about 3 weeks he was taking goofballs. \* \* \* He was ready to fight at the drop of a hat when he took them.

Yet another case in our files tells of a young girl who, while on drugs, ran down her own mother with an automobile, dragging her body for over a mile beneath the car.

Such accounts of violence and wanton brutality were rarely heard in the days when the hard narcotics, heroin, morphine, and the other opium derivatives, provided the major avenues of escape from reality for the weak, defeated, and emotionally disturbed members of our society.

The dope fiend was a myth in the past, but is becoming a real threat today in the person of the habitual abuser of dangerous drugs.

The addicted sex fiend was a myth as related to the sexually passive user of opiates, but this type of deviate is becoming a reality among the young people hooked on the amphetamine and barbiturate drugs.

Thus, we are faced today with a crop of crippled people in the most vital productive segment of our population and they are helping to mutilate and undermine our society and our most basic standards of behavior.

There are college professors who encourage or even advocate experimentation with mind-altering drugs allegedly for purposes of scientific inquiry.

There are pseudointellectuals who advocate the use of drugs in the search for some imaginary freedoms of the mind and in the search of higher psychic experiences.

There are students who use drugs as part of a social custom on the campus and as aids to stay awake while cramming for examinations.

There are young people who use drugs simply for their euphoric effect.

There are young athletes in colleges and even in high schools irresponsibly supplied by their coaches with drugs to stretch the limits of human endurance and capacity.

There are truckdrivers who use them to stay awake on long hauls across the country.

And there are housewives and mothers in suburban residential districts who use tranquilizers to escape what they appear to consider the drudgery of housework and of bringing up children.

Together, these people have made drug use almost as respectable as smoking and drinking coffee.

Together they have destroyed in a large measure any taboos against the abuse of these drugs by sweeping aside the usual standards of behavior which are established for the self-preservation of society.

Together they have evoked the forces of supply and demand to widen the market for these products and in doing so, they have helped to bring increasingly more persons into jeopardy and in danger of addiction or habituation.

As a result, there are bootleg manufacturers of amphetamine and barbiturate drugs who make several hundred dollars profit for every dollar spent on the production of these pills.

There are legitimate manufacturers, wholesalers and retailers of these drugs who do not care who buys them, who uses them, or for what purpose.

There are physicians and pharmacists who do not take adequate care in dispensing these drugs.

And there is the criminal underworld, always eager to get in on making a dis-

honest dollar which is increasingly muscling in on the illicit market in dangerous drugs.

The excessive abuse of these medicines is well reflected in police statistics across the Nation.

In August of 1964, the Baltimore police broke up a major "pill" ring when they arrested a woman who had sold 200,000 pills to undercover officers over a 7-month period. This was just one case out of a total that comprised a 60-percent increase in arrests for dangerous drug violations in 1964 over 1963.

The Illinois Division of Narcotic Control reported a 100-percent increase in dangerous drug cases from 1960 to 1964.

Chicago alone reported a 65-percent increase in dangerous drug cases in 1964 over 1963. And substantial increases in drug law violations were also reported by police in New York, in Pittsburgh, in Boston, and in other cities throughout the country.

It is estimated by Federal and State agencies dealing with these problems that while there are perhaps between 50,000 and 60,000 narcotic addicts in America, the number of the habitual users of these dangerous drugs surpasses the 100,000 mark.

But we must admit that because of inadequate regulation and recordkeeping with respect to these products no one really knows how many people there are who have developed the habit of chemically altering their nervous system.

I have pointed out before that 10 billion amphetamine and barbiturate pills are produced or compounded in the United States every year and that fully half of these pills ultimately find their way into the illicit market.

But, here again, because of the lack of controls, it is difficult to know how many of these drugs are produced illegally by bootleggers and how many of them are abused by our people and particularly by our younger generation.

I believe that all of these conditions I have pointed out prove beyond doubt the need for the legislation before us.

It has been carefully drafted and redrafted for several years and I am confident that it now provides a maximum of protection for the public with a minimum of inconvenience to those whose activities it proposes to regulate.

One provision of this measure requires the pharmacist to keep records of dangerous drug sales and to make them available for inspection by the Food and Drug Administration.

It establishes a similar requirement regarding recordkeeping and inspection for any group of individuals engaged in the handling of drugs for sale or distribution, and it requires that only properly licensed and registered persons be allowed to manufacture, compound, or process certain types of drugs that are capable of being abused to the detriment of the health and welfare of the public.

These provisions will serve both to eliminate illicit operators in the drug trade and to protect the legitimate concerns for which handling of drugs constitutes a major part of this business or professional activity.

The bill gives added authority, to drug inspectors, authority which must be provided so that they may properly investigate the illegal disposal of these drugs.

The bill makes possession of these drugs illegal, except if the drugs are for one's own use or for the use of a member of the family.

The bill will also put controls on a prime source of dangerous drugs, the counterfeiter. It is this type of bootleg operation that we have found to exist in all parts of the Nation that must be shut down if we are to completely solve the problem.

To emphasize the concern of Congress over teenage drug use, the legislation calls for more severe penalties for those found selling to persons under 21 years of age.

Mr. President, before concluding my remarks, I want to pay tribute to Congressman OREN HARRIS and to the other members of his committee who have advanced this bill through the House of Representatives. On this side of the Capitol, I should like to compliment Senator LISTER HILL, the distinguished chairman of the Labor and Public Welfare Committee, and Senator YARBOROUGH, both of whom have worked hard to report the bill out of committee. I want also to thank the other Senators and members of the staff, particularly Mr. Robert Barclay, who have given of their wisdom and their time to prepare this measure in its final form.

Mr. President, I believe there is the most urgent need for this legislation. I believe that this need has been documented in many volumes of hearings, and I feel justified in asking speedy approval of this measure by the Members of this body.

Mr. YARBOROUGH. Mr. President, the Committee on Labor and Public Welfare has unanimously approved H.R. 2, the Drug Abuse Control Amendments of 1965. The legislation was approved in the House of Representatives by a vote of 402 to 0.

Senators will recall that we approved last year S. 2628, that was introduced by the senior Senator from Connecticut. The provisions of that bill were similar to those of the legislation we are considering today.

I want to take this opportunity to pay tribute to Senator DONN for his work in calling to the attention of the Nation the need for legislation to combat the illegal traffic in barbiturates and amphetamines. It was his pioneering that led to public recognition of the dimensions of the drug abuse problem and the need for remedial action. We all owe Senator DONN a vote of thanks.

H.R. 2 would give added authority to the Food and Drug Administration to combat the illegal traffic in stimulant and depressant drugs. The bill provides increased controls over the distribution of barbiturates, amphetamines, and other drugs having a similar effect on the central nervous system. The controls are accomplished through increased recordkeeping and inspection requirements, through providing for control over intrastate traffic in these drugs because of its effect on interstate traffic,

and through making possession of these drugs—other than by the user—illegal outside of the legitimate channels of commerce.

H.R. 2 also gives protection to pharmaceutical manufacturers by increasing the authority of the Department of Health, Education, and Welfare in controlling counterfeit drugs.

The Department of Health, Education, and Welfare recommends the enactment of H.R. 2.

The Committee on Labor and Public Welfare has approved three amendments that have been endorsed by the administration.

The first amendment would delete specific reference to peyote, in accordance with the committee's decision to omit specific references to any drug other than barbiturates and amphetamines. The legislation provides for including peyote or any other drug with a potential for abuse under the provisions of the legislation on the basis of scientific review and the use of advisory groups. Many drugs other than the barbiturates and amphetamines—such as the tranquilizers—may be brought within the scope of the legislation following its enactment.

The second amendment would make the designation of an advisory committee in determining the drugs subject to the provisions of the legislation an option of the Secretary. Under the bill as passed by the House an advisory committee must be appointed if requested by any person who would be adversely affected by a proposed order of the Secretary. This amendment would provide further protection for the public health since it would shorten the period of time that might elapse prior to the inclusion of a dangerous drug under the provisions of the legislation. The committee believes the Secretary should have flexibility with respect to the use of advisory committees, but encourages their use in the administration of the legislation.

The third amendment would make it clear that the Government shall have the burden of proof to negate the fact that a person possesses drugs covered by the legislation for his personal use or that of a member of his household or for administration to an animal of the person. A valid prescription, for example, would serve as evidence that the drugs were legally possessed.

Mr. President, I urge that H.R. 2 as amended by the Committee on Labor and Public Welfare be approved.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DODD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### COINAGE OF THE UNITED STATES

The Senate resumed the consideration of the bill (S. 2080) to provide for the coinage of the United States.

Mr. BIBLE. Mr. President, just 2 years ago the Congress was called upon to repeal the Silver Purchase Act. We were told at that time that, since the price of silver had risen to \$1.27 per troy ounce, that we should take this action as it would be necessary to stabilizing the price of silver. We were further advised by Treasury officials and the administration that this was legislation which would conserve our silver stocks within the Treasury for coinage purposes.

They were wrong.

Today, we are told by some of these same officials that S. 2080, the proposed Coinage Act of 1965, is necessary in order that we may now have an adequate supply of coins to carry on the the Nation's business and trade. We are again told that this bill will stabilize the price of silver.

Some of the arguments used by the adherents of S. 2080 are much like a warmed up kettle of fish and just about as palatable.

The amazing thing about S. 2080 is that it actually provides for another silver purchase plan. This bill will permit the Treasury to purchase newly domestic mined silver during the next 5 years at a price not to exceed \$1.25 per troy ounce.

The market price of silver is \$1.29 per troy ounce. It has remained at this level for the past 2 years.

We are told we have a world shortage of silver.

If we admit this shortage exists and if we admit we must stabilize the price of silver—where do the Treasury officials hope to purchase silver at 4 cents an ounce less than the market price?

Earlier today, the distinguished Senator from Rhode Island [Mr. PASTORE] made considerable of the point that there was built into the bill a floor that would be attractive to the producers of silver because they would be guaranteed \$1.25 an ounce. This is of no value to the producer, because the world price is \$1.29 an ounce. I am sure it is going to remain in that area, and as the Treasury stocks dwindle, as they inevitably will, the price will go higher under the plain law of supply and demand.

For 173 years this Nation has used silver in its coinage system. Most nations of the world have cheapened their monetary system throughout the years by removing silver from their coins. Their paper money has become fiat money—it has fluctuated greatly to the detriment of their citizenry.

West Germany, Japan, France, and a few other nations have more recently recognized their folly and are now starting once again to use silver in some of their coins. Our Treasury officials have dubbed these silver coins prestige coins. This is an insult to all nations which recognize the need for intrinsic value in their coinage.

Today we are requested to enact legislation which will remove silver from the dimes and quarters. Some would go the

full circle and remove silver from all our coinage.

That is what the amendment pending before the Senate at this time, on which we will take a vote tomorrow, would do.

We are told we must do this to protect our present coinage—to keep it circulating.

We are told we must permit the Treasury to continue selling silver bullion at bargain store prices to the silver users in order that these manufacturing plants will not shut down and throw out of work thousands of employees.

Now, let us reason which should come first—protection of our monetary system by providing coins with intrinsic value to all our citizens or providing silver to the silver users.

This Nation will not permit its citizens to hold gold. All other nations in the world permit their citizenry the right to hedge against inflation by holding this precious metal. We do not. We go one step further. We furnish the gold to these nations through exchange for the dollar, and we have frozen the price unrealistically at \$35 an ounce.

Last year the United States exported 45 million ounces of silver more than it imported. This is the first time this Nation experienced a net loss in silver in many years.

This 45 million ounces of silver was more than our domestic producers mined—so we may assume Treasury silver was again being used to bolster the economies of our foreign friends.

We have for too many years permitted the dissipation of our gold stocks and now we are following the same course with silver.

Is it not about time the silver users, the manufacturing industry, faced up to their problem. How long do they expect Uncle Sam to furnish stocks of silver bullion at bargain prices to their industry? How many successful industries rely mainly upon one supplier of their most important product?

Mr. DOMINICK. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I am glad to yield to the Senator from Colorado.

Mr. DOMINICK. I thought it might be more fun if we could get a little colloquy going.

Mr. BIBLE. I am delighted to discuss this subject with my very warm friend from Colorado, who is an expert in the field. I am delighted to recognize him.

Mr. DOMINICK. I wish the Senator from Rhode Island were in the Chamber because he made some interesting statements earlier. One of them was that there is nothing the industrial users would like more than to obtain silver on the free market. He said it not once but twice. Then he went on to say that there is no substitute for silver for the industrial user. When I asked him why, if this were true, they were not willing to go out on the free market and obtain the silver. I said, "Why do you keep dipping into the Treasury supply? Why not go out on the free market?" Of course we cannot do that, so long as there is a price ceiling, at which point the Treasury would dump the silver on the regular market, so we cannot really

blame them. We have to blame the Treasury. Would this not be accurate on that point?

Mr. BIBLE. The Senator is correct. The stocks of silver in the Treasury constitute a bargain-day price for anyone who wishes to obtain them. I develop that a little later in my statement.

I noticed the statement of the Senator from Rhode Island when I was in the Chamber but I did not challenge it because I had been interrupting him so much. But I heard the observation of the Senator from Colorado, and we both agree there is nothing better than to see silver reaching its free world price, which it will do inevitably, as soon as the U.S. Treasury silver stocks are dissipated, as they will be. I do not know how long—a year and half or 2 years, I suppose, at the most.

Mr. DOMINICK. So in a year and a half or 2 years, in the Senator's opinion, we shall be out of Treasury silver under the present formula?

Mr. BIBLE. That is correct. If we take the Treasury estimate, and if they miss as badly now as they did 2 years ago, we shall be out of silver even earlier than that.

Mr. DOMINICK. I agree with that statement. This is one of the reasons why I suggested to the Senator from Rhode Island that we could solve his problem and recommend that his users go out—and we have users in our State too, as does the Senator from Nevada—

Mr. BIBLE. The Senator is correct.

Mr. DOMINICK. We could recommend that users go into the free market, but see that the silver we have is reserved for coinage, redemption of silver certificates, and national defense reserves. Then we have the silver all obligated. As is said in connection with the foreign aid program, the pipeline is then full. All they would be doing at that point is saying, "All right; we cannot get any more from here. We will go out on the open market and pay a higher price for it." The problem is that we may lose some of our coinage. That is the problem with which we are wrestling at the present time, is it not?

Mr. BIBLE. The Senator is correct.

Mr. DOMINICK. We find a system whereby we can retain some silver in the coinage and still permit the price eventually to rise for free-world production.

Mr. BIBLE. I cannot quarrel with that observation and conclusion of the Senator from Colorado. I add the point that it is significant to me. I know that the Senator from Colorado was here 2 years ago when we had the repeal of the Silver Purchase Act and at that time we had a stock of free silver, some 30 million ounces; and I believe that a close study of the record will show this free silver stock was to be preserved for coinage. Yet we find that in a short time after that there was a raid on the Treasury of the United States and silver stocks were taken out not only in the form of silver dollars, but also silver bullion and redeeming the silver certificates over and above the free stock which was not to be used for any purpose other than coinage.

This complicates the problem. I believe that anyone who follows the silver

situation must recognize that it is a matter of only a short time before we reach the point where silver will be acquired only under the law of supply and demand.

Mr. DOMINICK. I remember discussing this question on the floor of the Senate with the distinguished Senator from Nevada when the Silver Purchase Act debate was held 2 years ago and bringing it up before the Treasury when they testified before the Banking and Currency Committee, on which I was then serving. I said, "What are you going to do about the law of supply and demand? How in the world can you continue saying that we are going to get more silver out of the ground when you will not let the price go up and you cannot afford to mine it?"

This is the problem. I believe that the Senator from Nevada is doing a terrific job in setting the facts out clearly for the votes tomorrow.

Mr. BIBLE. I thank the Senator from Colorado. He has been a valuable ally. His amendment of 2 years ago creating a silver stockpile for national defense had great merit, in my opinion. I am sorry that the amendment did not prevail, because it was a deserving amendment. I intend to support the Senator's amendment wholeheartedly tomorrow. As I understand, it calls for the creation of a stockpile of 165 million ounces of silver.

Mr. DOMINICK. That is correct. At least that.

Mr. BIBLE. I shall support that amendment wholeheartedly.

Mr. DOMINICK. I thank the Senator from Nevada.

Mr. BIBLE. I thank the Senator from Colorado.

Mr. President, when the Congress repealed the Silver Purchase Act in May of 1963, we were given every assurance that this action would not only stabilize the price of silver but that it would insure a 10- or 12-year supply of silver bullion to protect our silver coinage.

I took exception to these predictions. I stated before the honorable chairman of the Banking and Currency Committee and on the Senate floor that, in my opinion, unless we permitted a free market on silver our Treasury stocks would soon disappear either through the redemption of the \$1.8 billion outstanding in silver certificates or by other means. I predicted the Treasury would sell silver to the silver users.

Assurances were given to all of us that this would not be the case unless the price of silver exceeded its monetary value of \$1.29 at which time it would be permissible for the Treasury to sell silver bullion.

My distinguished colleague, the senior Senator from Rhode Island engaged in a colloquy with the distinguished chairman of the Banking and Currency Committee, the Senator from Virginia. In this colloquy on the floor of the Senate, the Senator from Rhode Island said, and I quote:

Is it not true that for coinage purposes, silver is in short supply?

The Senator from Virginia replied:

That is correct.

Continuing, the Senator from Rhode Island stated:

And unless we pass this bill, and it becomes law, the Government will have to begin to purchase silver to produce coin.

To which the chairman of the Banking and Currency Committee replied:

Yes; and we will have to do it on the market, when we have it piled up today.

Pressing further the senior Senator from Rhode Island stated:

And if we have to buy it on the market, there is not enough domestic silver to supply the need.

Therefore, we would have to buy foreign silver.

The Senator from Virginia replied:

Yes; and we would have to pay for it with dollars.

The distinguished Senator from Rhode Island stated:

Our balance-of-payments problem would become so much worse.

To which the Senator from Virginia agreed.

Well, the Senate adopted the measure as recommended without amendment.

We are told today this pile of silver is fast disappearing.

We were given further assurances. We were told by the chairman of the Banking and Currency Committee, and I quote:

In short, H.R. 5389 would take the Government out of the silver market. It would permit a free silver market, not restricted by prohibitive transfer taxes, and neither supported by Government purchases nor depressed by Government sales. It would provide for an adequate supply of paper currency and subsidiary coinage to meet the Nation's needs, and at the same time it would maintain and honor the Government's pledge to exchange silver for outstanding silver certificates.

Now, I ask what has brought about the shortage of silver. Where are these ample stocks for our subsidiary coinage? Do we have a free market on silver?

The then Secretary of the Treasury, Mr. Dillon, stated to the committee that citizens could draw on their banks for silver certificates and present them to the Treasury for silver. He estimated that not over \$105 million of silver certificates a year would be needed and at that rate it would take slightly over 15 years to use up the present silver bullion reserves held by the Treasury, if the only use for silver were coinage.

Of course, this was unrealistic. Some of us feared exactly what has happened would happen, namely that means would be found where Treasury stocks of silver bullion would be consumed at an accelerated rate.

We know, of course, that we have redeemed more than \$105 million of silver certificates a year.

We had \$1.8 billion in silver certificates outstanding in May of 1963. The June 14, 1965, daily statement of the U.S. Treasury reports we now have \$916,896,452 in silver certificates outstanding. So, we have actually redeemed over \$450 million in silver certificates yearly. At this rate we will have redeemed all our

silver certificates in 4 years instead of 15 years.

Mr. President, I cannot under any circumstances support S. 2080 without amendments. I did not support the repeal of the Silver Purchase Act, because no amendments were accepted and if this body takes the present bill as reported by the committee, it will not have my support.

I will not be a party to debasing our coinage for the purpose of supplying any private industry with our valuable silver bullion.

I have several amendments which I will offer to the present bill. I am hopeful that this body will not again adopt standby legislation, which, in my mind, will do no more than satisfy the needs of our silver users for a very short time before the day of reckoning. The price of silver will have to move upward if we are to expect increases in production.

More important, as I stated, I will not be a party to taking the silver out of our coinage system. I will support an amendment calling for a reduction in the silver content of all of our silver coins and I hope others of this distinguished body will approve such an amendment.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. CLARK. Mr. President, in accordance with the previous order, I move that the Senate adjourn until 10 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. DOMINICK in the chair). The question is on agreeing to the motion of the Senator from Pennsylvania.

The motion was agreed to; and (at 6 o'clock and 12 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, June 24, 1965, at 10 o'clock a.m.

#### NOMINATIONS

Executive nominations received by the Senate June 23, 1965:

##### FEDERAL AVIATION AGENCY

Gen. William F. McKee, U.S. Air Force, retired, of Virginia, to be Administrator of the Federal Aviation Agency.

David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Agency.

##### NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring July 1, 1968. (Reappointment.)

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 23, 1965:

##### DEPARTMENT OF JUSTICE

Donald Frank Turner, of Massachusetts, to be an Assistant Attorney General.

John H. Reddy, of Tennessee, to be U.S. attorney for the eastern district of Tennessee for the term of 4 years.

Floyd M. Buford, of Georgia, to be U.S. attorney for the middle district of Georgia for the term of 4 years.

Carl W. Felckert, of Illinois, to be U.S. attorney for the eastern district of Illinois for the term of 4 years.

Milton J. Ferguson, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years.

Charles B. Bendlage, Jr., of Iowa, to be U.S. marshal for the southern district of Iowa for the term of 4 years.

Robert O. Doyle, of Georgia, to be U.S. marshal for the middle district of Georgia for the term of 4 years.

Ellis Maylett, of Utah, to be U.S. marshal for the district of Utah for the term of 4 years.

Cato Ellis, of Tennessee, to be U.S. marshal for the western district of Tennessee for the term of 4 years.

Fred F. Hoh, of Ohio, to be U.S. marshal for the southern district of Ohio for the term of 4 years.

R. Ben Hosler, of Ohio, to be U.S. marshal for the northern district of Ohio for the term of 4 years.

Anton T. Skoro, of Idaho, to be U.S. marshal for the district of Idaho for the term of 4 years.

Wesley H. Petrie, of Hawaii, to be U.S. marshal for the district of Hawaii for the term of 4 years.

Elmer W. Disspayne, of Tennessee, to be U.S. marshal for the middle district of Tennessee for the term of 4 years.

William J. Andrews, of Georgia, to be U.S. marshal for the northern district of Georgia for the term of 4 years.

##### U.S. COAST GUARD

The following-named persons to the rank indicated in the U.S. Coast Guard:

##### To be Lieutenants

Marcus J. Wallace, Jr.  
Clayton D. Morrison  
William H. Tydings

##### To be lieutenants (junior grade)

Alfred T. Wilcox	Donald P. Billings
John T. Keating	Charles W. Judge
Hugh A. Dayton	Robert D. Weddell
Edward L. Weilbacher	Donald J. Strathern
Roger R. Roznoski	Jack W. Wroton
Richard R. Bock	Dennis R. Kay
Alfred W. Harrell	Milford G. Gillam, Jr.
James L. Van Horn	David A. Meadows
John N. Malsom, Jr.	David C. Newton
William A. Swansburg	Richard G. Gobble
Thomas V. Fielding, Sr.	Robert C. Wright Harold D. Willis

## EXTENSIONS OF REMARKS

### Weston Instruments Wins Defense Contract

#### EXTENSION OF REMARKS OF

### HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 1965

Mr. CORBETT. Mr. Speaker, on June 9 the following editorial appeared in the Scranton Tribune:

#### KEEPING LOCAL PLANT BUSY

Congressman JOSEPH M. McDADE is to be commended for his part in paving the way for Weston Instruments, Inc., Archbald, to bid on a sizable defense order.

Through the intervention and convincing arguments advanced by the Congressman, Weston not only was permitted to offer a bid but was successful in obtaining the \$1.2 million contract for the production of some 1,498 practice bombs for the use of the U.S. Air Force trainees.

When the Air Force originally asked for bids in a U.S. Department of Commerce publication, McDADE found that it was limiting them to small businesses.

The Congressman was quick to explain that such a limitation would be contrary to

the objectives of the Defense Manpower Policy which was designed to channel as much defense work as possible into areas having labor surpluses. And while Weston is not a small business, it operates in an area in which there is a high rate of surplus labor.

It took several weeks but the Defense Department gave favorable consideration to the Congressman's plea and on April 28 reversed the limited bidding rule in this case. The new bids, including Weston's, were opened last week at Washington, followed by the contract award Monday to Weston.

By virtue of the new contract, the local plant will be able to continue for some time its present fine employment total of some 1,400 workers from the region.

That these workers are highly skilled for this type of work is seen in the fact that the practice bombs are intricate pieces of equipment. They are designed to simulate the action of real bombs when dropped from airplanes.

Two days later, on June 11, the following editorial appeared in the Scranton Times:

#### NEW CONTRACT FOR WESTON

The announcement that Weston Instruments, Inc.—popularly known here as Daystrom—has received a \$1.2 million contract from the Air Force was accompanied by the disclosure that the company has added nearly 400 employees to its payroll since the first of the year, to bring the total to about

1,400. General Manager Warnken says that the contract, for 1,500 practice bombs for the Air Force, will provide enough work to maintain this force.

Congressman McDADE, who announced the contract award, deserves credit for having fought the original Defense Department ruling that the Archbald plant was not eligible because it was not a small business. The Congressman argued that Pentagon policy calls for funneling defense contracts into areas with a labor surplus and that under this policy Weston should be allowed to bid. Congressman McDADE's argument produced a decision by the Department to advertise for new bids without any restrictions on the size of the companies bidding. The receipt of the contract by Weston is due largely to the Congressman's insistence.

Both of these newspapers, Mr. Speaker, reflect the continuing concern of our colleague, Congressman JOSEPH M. McDADE, with the problem of unemployment in northeastern Pennsylvania.

Two and a half years ago, when he came to Congress, my colleague from the 10th District of Pennsylvania was faced with an unemployment rate of approximately 14 percent in his district. Today, that rate of unemployment has been cut nearly in half; and no one has worked harder to fight unemployment and save jobs than JOE McDADE.