

the Congressman declared. "The little, apparently insignificant, withholding or refusal of information today—the little bit of bureaucratic arrogance—frequently becomes the precedent upon which reliance rests for a far more outrageous act of withholding. We can't permit this to go by the board. None of this is unimportant.

"The press has to be alert.

"Access to information is a public right, the press having no greater right than the individual. But the press is, peculiarly, the custodian of this right—trustee of it. It is a trust that should be taken very seriously."

Washington Report

EXTENSION OF REMARKS OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD, I include my report to my constituents for May 6, 1965.

WASHINGTON REPORT

(From Congressman JIM MARTIN)

CLEAN WATER BILL

By a unanimous vote of 396 the House passed S. 4, the Water Quality Act of 1965. This is now a bill I supported. It was improved in the Public Works Committee, of which I am a member, largely through Republican efforts. As stated in the Republican views in the report on the bill, "The critical and growing problem of pollution of the waters of our Nation has been of steadily increasing concern to us, and it has become obvious that a solution can be found only through the concerted action of all levels of government." The amendments we were able to add in committee removed Federal standards, gave more incentive to the States to bear their full share of responsibility for cleaning up our rivers and streams, and en-

couraged continued effort on the part of private industries to solve the pollution problem.

THE INEQUITY OF FINANCING SOCIAL SECURITY

In remarks to the House of Representatives last week I again pointed out the danger of increasing the inequity of financing the social security system by adding medicare and ever-increasing benefits and depending on future generations to pay the bill. I objected to the medicare bill when it was before the House because it is needlessly compulsory and because it is financed by a regressive payroll tax that will reduce the take-home pay of many people who cannot afford to pay additional taxes. We are proposing to take almost \$5 billion more in taxes next year just for social security purposes. The present \$17 billion we now collect in social security taxes will almost double by 1972, and the total will continue to mount after that.

Under medicare proposals we are adding many billions of dollars to the more than \$300 billion of existing unfunded obligations of the social security system. This huge deficit in financing social security means that younger and future members of our working population will be subjected to the inequity of having to pay not only the cost of their own benefits, but also the cost of beneficiaries who had preceded them in the program.

As our young citizens become aware of the fact that social security is not the bargain it now appears, we will find a growing resentment developing with respect to the irresponsible way we have approached our responsibilities. In order to protect the social security program of the future, we must stop weakening it by adding new programs and new benefits without providing adequate financing.

OBSERVATIONS AT THE END OF THE FIRST 100 DAYS

Much is being made of the quantity of legislation passed by this Congress in the first 100 days under pressure from Lyndon Johnson. But it has been pointed out by the Washington Evening Star that "quantity is not the same as quality." Much of the legislation that has been passed will return to haunt us. The big push of the Johnson administration has been to fortify its politi-

cal position by increasing spending, increasing handouts, increasing Federal control. Congress is given no opportunity to deliberate or to consider legislation reasonably and thoroughly.

The prevailing attitude among the liberal majority in Congress is to be one of "take this legislation as it is—or else. Do not question the President. Do not waste time pointing out flaws in the bill—just pass it." Usually, a controversial bill is discussed in detail. Its immediate effect is considered. Its long-range results are analyzed and debated. This is good government, the proper way to legislate. It means progress, sometimes slow, but sure and steady and keeps mistakes at a minimum. But during this 100 days, the deliberative process in Congress has gone by the board. Legislation affecting all our lives and the lives of generations to come, is being pushed through Congress, some even without debate.

As bad as legislating under pressure from the White House, and maybe worse as far as danger to our Republic is concerned, is the increasing secrecy surrounding congressional actions. No less an authority than Congressional Quarterly magazine reported that, during the first 3 months of this session, Senate and House Committees held 35 percent of their meetings behind closed doors, compared to 31 percent last year. Even the pro-Johnson Washington Post said this "is a serious reflection on the state of our representative Government."

Such a far-reaching bill as medicare was pushed through the Ways and Means Committee without public hearings. Bill after bill is being reported without giving the people a chance to be heard. With Congress in the control of the President's party by a 2-to-1 majority, the voice of the minority is being stifled and representative government is threatened with extinction.

There is still hope. Hope because the minority in Congress is alert. We are doing our best to get the truth out to the people. When they know the facts, I am confident in the ability of the American people to demand an end to legislation by pressure, coercion and bribery. We should take heart, too, in remembering that the original 100 days began at Elba and ended at Waterloo.

SENATE

WEDNESDAY, SEPTEMBER 15, 1965

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

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

Almighty God, in whose keeping, in spite of the willful folly of Thy wayward children, are the destinies of men and of nations, Thou hast called us whose time here is passing swiftly as a watch in the night to labor with Thee in the unfolding of Thy purpose for the ages.

In the midst of decisions that concern fearful forces of nature which if not harnessed by mutual good will or even by self-interest, may destroy us utterly, making a mockery of the flimsy pretension of our frontiers and spiteful walls, may there be given to those who speak for the nations in these dread times greatness of outlook that the keys of the new power in man's hands may be used to open doors not of peril but of plenty for the whole earth.

In all our deliberations strengthen us with the realization that in the supreme tests only the soul is decisive and that only the spirit can save the flesh.

We ask it in the name of Him who in human flesh revealed the soaring splendor of the spirit. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 14, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations; the

Committee on Interior and Insular Affairs; and the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT 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.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Vernol R. Jansen, Jr., of Alabama, to be U.S. attorney for the southern district of Alabama;

Macon L. Weaver, of Alabama, to be U.S. attorney for the northern district of Alabama; and

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia.

By Mr. BAYH, from the Committee on the Judiciary:

Casimir J. Pajakowski, of Indiana, to be U.S. marshal for the northern district of Indiana.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the executive calendar.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations on the Executive Calendar for the United Nations only.

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

UNITED NATIONS

The legislative clerk proceeded to read sundry nominations to the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and agreed to 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.

LIMITATION OF 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.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

Petitions signed by Valdis Bervalds and Ingeborg Bervalds, both of Manchester, Conn., relating to the liberation of the Baltic

States; to the Committee on Foreign Relations.

A resolution adopted by the House of Delegates of the American Bar Association, approving in principle the provisions of title II, of House bill 8207, insofar as they provide procedures relating to judicial and congressional salaries; to the Committee on the Judiciary.

A resolution adopted by the Schenectady Typographical Union No. 167, favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; ordered to lie on the table.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts (Rept. No. 712).

By Mr. TYDINGS, from the Committee on the Judiciary, with an amendment:

S. 1804. A bill to provide for the appointment of two additional judges for the U.S. Court of Claims, and for other purposes (Rept. No. 711).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

S. 1407. A bill for the relief of Frank E. Lipp (Rept. No. 713); and

H.R. 4596. An act for the relief of Myra Knowles Snelling (Rept. No. 714).

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

S. 1049. A bill to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees (Rept. No. 715);

H.R. 1395. An act for the relief of Irene McCafferty (Rept. No. 716);

H.R. 2694. An act for the relief of John Allen (Rept. No. 717);

H.R. 4603. An act for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy (Rept. No. 718);

H.R. 5839. An act for the relief of Sgt. Donald R. Huddle, U.S. Marine Corps (Rept. No. 719);

H.R. 5902. An act for the relief of Cecil Graham (Rept. No. 720);

H.R. 6726. An act for the relief of William S. Perrigo (Rept. No. 721); and

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss (Rept. No. 722).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 27. Joint resolution providing for the establishment of an annual National Farmers Week (Rept. No. 723);

S.J. Res. 86. Joint resolution to authorize the President to proclaim a "Day of Recognition" for firefighters (Rept. No. 724);

S.J. Res. 90. Joint resolution to designate the 7th day of November in 1965 as "National Teachers' Day" (Rept. No. 725); and

S.J. Res. 101. Joint resolution to authorize the President to issue a proclamation designating the calendar year 1966 as "The Year of the Bible" (Rept. No. 726).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris (Rept. No. 727).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 331. A bill for the relief of Warren F. Coleman, Jr. (Rept. No. 729);

S. 337. A bill for the relief of F. F. Hintze (Rept. No. 730);

S. 577. A bill for the relief of Mary F. Morse (Rept. No. 731);

H.R. 1221. An act for the relief of Betty H. Going (Rept. No. 732);

S. 2273. A bill to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes (Rept. No. 747);

H.R. 2926. An act for the relief of Efstahia Giannos (Rept. No. 733);

H.R. 2933. An act for the relief of Kim Jai Sung (Rept. No. 734);

H.R. 3062. An act for the relief of Son Chung Ja (Rept. No. 735);

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal (Rept. No. 736);

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis (Rept. No. 737);

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force (Rept. No. 738);

H.R. 5903. An act for the relief of William C. Page (Rept. No. 739);

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes (Rept. No. 740);

H.R. 7090. An act for the relief of certain individuals (Rept. No. 741);

H.R. 8212. An act for the relief of Kent A. Herath (Rept. No. 742); and

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States (Rept. No. 743).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1898. A bill for the relief of certain aliens (Rept. No. 728); and

S. 1924. A bill to amend section 39b of the Bankruptcy Act so as to prohibit a part-time referee from acting as trustee or receiver in any proceeding under the Bankruptcy Act (Rept. No. 744).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 405. A bill for the relief of Gabriel A. Nahas, Vera Nahas, Albert Gabriel Nahas, and Frederika-Maria Nahas (Rept. No. 745); and

S. 2039. A bill for the relief of Yasuo Tsukikawa (Rept. No. 746).

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—REPORT OF A COMMITTEE—MINORITY, ADDITIONAL, AND SEPARATE VIEWS (S. REPT. NO. 748)

Mr. KENNEDY of Massachusetts. Mr. President, from the Committee on the Judiciary, I report favorably, with an amendment, the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes, together with the minority views of the Senator from Mississippi [Mr. EASTLAND], and the Senator from Arkansas [Mr. McCLELLAN]; the additional views of the Senator from North Carolina [Mr. ERVIN]; and the separate views of the Senator from Michigan [Mr. HART], the Senator from New York [Mr. JAVITS], and the Senator from Massachusetts [Mr. KENNEDY], and I submit a report thereon.

I ask unanimous consent that the report, together with the minority views, additional views, and separate views be printed.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Massachusetts.

BILLS INTRODUCED

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

By Mr. MAGNUSON (by request):

S. 2534. A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Commerce.

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

By Mr. MOSS:

S. 2535. A bill to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. INOUE:

S. 2536. A bill for the relief of Shiad Tan Ming; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2537. A bill for the relief of Rina Centofanti; to the Committee on the Judiciary.

By Mr. BARTLETT (by request):

S. 2538. A bill to amend section 607(d) of the Merchant Marine Act of 1936, as amended; to the Committee on Commerce.

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

REGULATION OF DEPRECIATION ACCOUNTING OF AIR CARRIERS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers. I ask unanimous consent to have printed in the RECORD a letter from the Vice Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of purpose and need for the legislation, and a comparison with existing law.

The PRESIDING OFFICER (Mr. BASS in the chair). The bill will be received and appropriately referred; and, without objection, the letter, statement, and comparison will be printed in the RECORD.

The bill (S. 2534) to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, statement, and comparison, presented by Mr. MAGNUSON, are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., August 24, 1965.

HON. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "To amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers."

The Board has been advised by the Bureau of the Budget that there is no objection to the transmission of the draft bill to the Con-

gress from the standpoint of the administration's program.

Sincerely yours,

ROBERT T. MURPHY,
Vice Chairman.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION; A BILL "TO AMEND THE FEDERAL AVIATION ACT OF 1958 SO AS TO AUTHORIZE THE CIVIL AERONAUTICS BOARD TO REGULATE THE DEPRECIATION ACCOUNTING OF AIR CARRIERS"

In common with other regulatory acts, and carrying forward the provision of section 407 (d) of the Civil Aeronautics Act, the Federal Aviation Act of 1958 directs that the Board shall prescribe a system of accounts to be kept by air carriers.

Under the authority of section 407(d) to "prescribe the forms of any and all accounts," the Board has proceeded, since its establishment, to prescribe the uniform system of accounts required to be kept by all certificated air carriers. The controlling purpose of such a uniform system of accounts is to provide the Board with financial statements which fairly reflect the financial condition of the air carrier, on the one hand, and the operating results of the carrier for a given period of time, on the other hand. The purpose of the system of accounts is to prescribe uniform practices which will provide, in general substance, comparable information in respect to each of the various carriers subject to the accounting regulations. Financial statements would, of course, be useless to the Board unless they fairly reflected the actual condition of the carriers and the actual operating results of the services performed for the period reported.

Since the enactment in 1938 of the Civil Aeronautics Act, the Board has, in general, prescribed rates of depreciation as a part of its ratemaking process. The depreciation rates so prescribed through the ratemaking proceedings of the Board were generally used by air carriers for accounting purposes, and so long as the depreciation rates fairly reflected the depreciation costs as determined in the rate proceedings, further prescription of these rates through accounting regulation would have served no useful purpose. Moreover, while the industry was largely dependent upon Federal subsidies, the frequent review by the Board of the operating results of the carriers, including appraisal of the reasonableness of charges to expense for depreciation on property and equipment, tended to insure uniformity in depreciation practices. However, with the emergence of a large part of the industry from dependence upon subsidy, the opportunity for such frequent review of the reasonableness of depreciation charges to expense by the Board no longer existed. Nevertheless, the need for reliable financial data from which to appraise the true financial condition and operating results of the various air carriers continued.

In recognition of this need, and in connection with the establishment of an adequate uniform system of accounts, the Board undertook to prescribe the depreciation accounting practices of air carriers by the issuance of appropriate regulations (E.R. 224, adopted November 18, 1957). The courts held that the Board lacked authority to prescribe depreciation accounting practices. *Alaska Airlines et al. v. C.A.B.*, 257 F. 2d 229 (C.A.D.C., 1958), cert. den. 358 U.S. 881. Consequently, in order that the Board may effectively carry out its functions with respect to the depreciation accounting practices of air carriers, legislation is essential. Reliable and comparable financial data from which to appraise the true financial condition and operating results of the various air carriers is necessary to effective regulation. This cannot be readily obtained under the

Court's interpretation of the act which permits the carriers full liberty to account for depreciation in accordance with any method they elect.

Furthermore, the proposed legislation would not involve any departure from well-established concepts pertaining to the regulated industries generally. On the contrary, it would bring the powers of the Civil Aeronautics Board in this field in line with similar powers already expressly given to other agencies such as the Interstate Commerce Commission, the Federal Power Commission and the Federal Communications Commission. (See 49 U.S.C. sec. 20(4), sec. 220(c), and sec. 913(d), 15 U.S.C. 717h(a), 16 U.S.C. 825a(a), and 47 U.S.C. 220(b)).

COMPARISON WITH EXISTING LAW

TITLE IV—AIR CARRIER ECONOMIC REGULATION

* * * * *
Accounts, records, and reports
* * * * *

Depreciation Accounting

Section 407(e): The Board may prescribe for air carriers the classes of property for which depreciation charges may properly be included under operating expenses, the method of depreciation accounting, the rate or rates of depreciation which shall be charged, the depreciation period and the residual value, with respect to each of such classes of property, classifying the air carriers as it may deem proper for this purpose. The Board may, when it deems necessary, modify the classes and rates so prescribed. To the extent that the Board shall have exercised its authority under the foregoing provisions of this subsection, air carriers shall not charge to, or in any form include under, operations expenses any depreciation charges other than those prescribed by the Board, or employ a method of depreciation, depreciation period, or residual value other than those prescribed by the Board.

Inspection of Accounts and Property

Section 407(f): The Board shall at all times have access to all lands, buildings, and equipment of any carrier and to all accounts, records, and memorandums, including all documents, papers, and correspondence, now or hereafter existing, and kept or required to be kept by air carriers; and it may employ special agents or auditors, who shall have authority under the orders of the Board to inspect and examine any and all such lands, buildings, equipment, accounts, records, and memorandums. The provisions of this section shall apply, to the extent found by the Board to be reasonably necessary for the administration of this act, to persons having control over any air carrier, or affiliated with any air carrier within the meaning of section 5(8) of the Interstate Commerce Act, as amended.

INVESTMENT OF CAPITAL RESERVE FUND

Mr. BARTLETT. Mr. President, I introduce by request, for appropriate reference, a bill to amend section 607(d) of the Merchant Marine Act of 1936, as amended. This legislative proposal is similar to S. 1918 which was introduced earlier this year. The bill is a refined and amended form of the bill introduced before taking into consideration a number of suggestions made by executive departments and agencies when commenting upon S. 1918. It is my hope that these amendments will answer the problems raised in the previous agency reports so that this legislation can receive attention early next session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2538) to amend section 607(d) of the Merchant Marine Act of 1936, as amended, introduced by Mr. BARTLETT, by request, was received, read twice by its title, and referred to the Committee on Commerce.

TO PRINT AS A SENATE DOCUMENT
A REPORT ENTITLED "A BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION" (S. DOC. NO. 58)

Mr. SALTONSTALL. Mr. President, on behalf of the Senator from New Mexico [Mr. ANDERSON], pursuant to the requirements of section 4 of Public Law 106, 84th Congress (69 Stat. 189), I submit to the Senate, from the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution, a report entitled "A Building for a Museum of History and Technology for the Smithsonian Institution," and request unanimous consent to have it printed as a Senate document.

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

REPEAL OF SECTION 14(b) of NATIONAL LABOR RELATIONS ACT—AMENDMENTS

COMPULSORY UNIONISM
AMENDMENT NO. 453

Mr. ERVIN. Mr. President, no amount of sophistry can erase the truth that those who work for their daily bread must have the right to join or to refrain from joining a union if they are to be really free. The recognition of this basic liberty of the individual does not impair in any way any privilege rightly belonging to any union. Each union is left free to number among its dues-paying members all those it can induce by voluntary persuasion to join it. Surely it is no injustice to require a labor union to obtain its members in the same way in which the churches secure theirs.

From February 1957, until March 1960, I participated in the investigation of improper activities in the labor and management field as a member of the McClellan committee. The investigation made it obvious that the imposition of union membership upon unwilling employees by violence, coercive picketing, secondary boycotts, and compulsory unionism agreements was a primary cause of the vast corruption and maladministration, which was shown to exist in numerous unions acting as collective bargaining agents for several millions of Americans.

When all is said, it is not strange that this was so. Union leaders possess great power in fact and in law. As Lord Acton noted almost 100 years ago, power tends to corrupt, and absolute power corrupts absolutely.

Compulsory unionism requires union membership as a condition of either

securing or retaining the privilege of earning one's daily bread in a unionized industry, and thus has an almost irresistible tendency to subject those who labor in such industry to the domination of those who control the union. By so doing, compulsory unionism takes from union members any real power to protect themselves against union leaders when such leaders happen to succumb to the temptations which the possession of power presents to all men.

For this reason, all forms of compulsory-unionism agreements should be prohibited in a country which professes the belief that freedom is the most precious value of civilization. To accomplish this end, I have prepared an amendment in the nature of a substitute, which I intend to offer when the Senate considers H.R. 77.

I ask unanimous consent that my proposed amendment in the nature of a substitute for H.R. 77 be printed and lie on the table until called up, and that a copy of the same be set out at this point in the body of the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 453) is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) subsection (b) of section 14 of the National Labor Relations Act, as amended, is amended by striking out the words 'in any State or Territory in which such execution or application is prohibited by State or Territorial law', and inserting in lieu thereof the words 'anywhere in the United States'.

"(b) Section 7 of such Act is amended by striking out the words 'except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employments as authorized in section 8(a)(3)'.

"(c) Paragraph (3) of subsection (a) of section 8 of such Act is amended by striking out the first and second provisos.

"(d) Subsection (f) of section 8 of such Act is repealed.

"(e) Subsection (e) of section 9 of such Act is repealed.

"Amend the title so as to read: 'An Act to amend the National Labor Relations Act so as to prohibit all forms of compulsory unionism in the United States.'"

AMENDMENTS TO H.R. 77 TO INSURE UNIFORMITY OF NATIONAL LABOR LAW AND PROPER ELECTION PROCEDURES

(AMENDMENTS NOS. 454 AND 455)

Mr. JAVITS. Mr. President, I feel that there is great concern that the Senate may fail to consider much-needed labor reform measures simultaneously with the debate over H.R. 77, the bill to repeal section 14(b) of the Taft-Hartley Act. This concern is heightened when the "reform" amendments offered are closely related to the enhanced authority to be given, by repeal of section 14(b), to unions that are recognized as collective-bargaining agents. The two amendments I am about to submit have been widely discussed as expressly falling within this category; that is, directly re-

lated to the enhanced authority unions will receive if section 14(b) is repealed.

In my judgment, the possibility of a successful filibuster against repeal of the so-called right-to-work section 14(b) is greatly enhanced by the failure of the administration to allow reform amendments to the repeal bill. In short, we ought to be dealing with section 14(b) as a part of our labor laws, not as a law unto itself.

I point out that the administration is directly opposed to amendments to section 14(b) and that, by a solid party vote, such amendments were voted down in the Committee on Labor and Public Welfare, of which I am the ranking minority member. I say this is not in the interest of the United States. I yield to no one as a friend of labor. I am for repeal of section 14(b). But I point out that there is nothing sacrosanct about 14(b). I believe that at the same time 14(b) is repealed, there should be other amendments which would be consistent with the repealer.

If there is a sound, sensible, and responsible way to cut through the controversy surrounding this measure, it is to broaden the base of the bill to include solutions to defects in the Taft-Hartley law so closely related to repeal of section 14(b) as to demand simultaneous consideration so that we may all feel confident that we have passed a bill which is truly in the public interest.

I say these things as one who feels that section 14(b) should be repealed to give us a truly national labor policy, to equalize the opportunity and competition among the States in industrial development, and to lift the restrictions on labor and management to bargain collectively regarding matters of importance to them—including the union shop.

Coupled with repeal should be measures to provide added responsibility to complement the added authority granted to unions and employers under this measure.

Accordingly, I am submitting two amendments today which are designed to insure that only majority unions exercise majority power, and that such power will be exercised responsibly.

ENFORCEMENT OF NO-STRIKE, NO-LOCKOUT CLAUSES—AMENDMENT NO. 454

Mr. President, I send to the desk, on behalf of myself and Senator PROUTY, an amendment to H.R. 77 which would give the Federal courts jurisdiction to enforce no-strike, no-lockout clauses in labor agreements containing the customary arbitration clause.

The two basic arguments made by the administration in support of repealing 14(b) are: First, that national law should be uniform; and, second, that the parties should be free to bargain about matters of importance to them. Both of these arguments support not only H.R. 77 but this amendment as well, for the amendment also involves an area where the parties now are not free to bargain for a meaningful agreement, and where the law now varies from State to State.

Under existing law, the parties may sign a labor agreement including a clause prohibiting strikes and lockouts during

the term of the agreement. Ordinarily, such a contract also contains a clause whereby the parties agree to arbitrate contract disputes, in lieu of striking or locking out. The arbitration clause is enforceable in Federal courts; but the no-strike, no-lockout clause is not enforceable because the Federal courts, under the Norris-LaGuardia Act, have no jurisdiction to enjoin a strike—even a strike in breach of contract.

This amendment would give such jurisdiction to the Federal courts, provided the parties agree to arbitrate contract grievances rather than striking over them.

In short, this proposal would merely leave the parties free to bargain about the matter, as H.R. 77 would merely leave the parties free to bargain about the union shop. Likewise, this amendment, like H.R. 77, would eliminate one of the few remaining instances in which labor relations law is left to variation from State to State. The arguments for the amendment are as strong as the arguments for the bill—and there is no difference in rationale between the two.

The purpose of the National Labor Relations Act as a whole is the fostering of industrial peace by development of orderly procedures for the resolution of labor disputes. Repeal of 14(b) enhances that purpose, but I can think of nothing which would foster that purpose as much as a congressional mandate that when the parties agree not to strike, they should be held to that bargain.

EXPEDITED ELECTION IN LIEU OF RECOGNITION
BY "CARD CHECK"—AMENDMENT NO. 455

Mr. President, I send to the desk an amendment to H.R. 77 which would provide for the holding of an expedited election in lieu of recognition of the basis of authorization cards or similar evidence purporting to show that a majority of an employer's employees wish to be represented by a union.

If we are to permit the majority to compel the minority unwillingly to pay dues to a union, then surely we at least ought to be certain that the union has majority support in the first place. The very basis of union security is the existence of such a majority. This amendment is designed solely to insure that such a majority exists.

The recent hearings on repeal of section 14(b) have amply demonstrated that the NLRB has increasingly allowed "card checks" as a basis for requiring union recognition. Under existing law, if a union presents an employer with cards signed by 51 percent or more of the employees, the employer is legally obligated to recognize and bargain with the union, unless the employer has a good faith doubt as to the authenticity of the union's showing of a majority. Under this rule, an employer can be effectively deprived of his right to present his arguments about unionization and then have the employees decide after having heard both sides. The employees can likewise be deprived of the right to a secret ballot, even though section 9 of the act provides machinery for conducting such a secret ballot election. And a racket

posing as a union, therefore, has a much better chance to get in.

On the other hand, it has been argued that the ordinary election procedures of the act, except in organizational picketing cases, may in some cases unnecessarily delay the process of determining the wishes of the employees. This amendment, however, would extend the right to a secret ballot without being a vehicle for delay.

The amendment makes two changes in existing law. First, it would create a new section 9(c) (6) of the act, and thereby provide that an employer faced with a "card check" of more than 50 percent may file a petition and get an election. If he files such a petition, no unfair labor practice proceeding based solely upon refusal to recognize the card check will be processed unless the employer dissipates the majority by other unfair labor practices or so "poisons the air" by unfair labor practices that it would be futile or unfair to hold an election at all. Any petition filed under this amendment would be followed by an expedited election under procedures comparable to those now in use under section 8(b) (7)—the high speed election in cases of organizational or recognition picketing. Under this procedure, the time lapse between filing of the petition and issuance of a certification would rarely exceed 30 days and often be much shorter.

Second, the amendment would create a new section 8(g) of the act, under which, if a card check is presented, the employer is given a reasonable time to verify whether the signatures on the cards are genuine and have been signed voluntarily by the employees and have not been revoked. Thereafter, if the employer has no good faith doubt as to the authenticity of the union's majority showing on the basis of cards, the employer is obligated either to recognize the union or request an expedited election.

These two amendments should, in my judgment, be considered along with the repeal of section 14(b), and I urge my colleagues to give them close attention and support.

Mr. President, I ask unanimous consent that the text of these two amendments be printed in the RECORD.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments (Nos. 454 and 455) are as follows:

AMENDMENT NO. 454

At the end of the bill add the following: "Sec. 2. (a) Section 301 of the Labor-Management Relations Act, 1947, is amended by adding the following new subsection:

"(f) The provisions of the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes', approved March 23, 1932 (29 U.S.C. 101-115), shall be inapplicable in any proceeding to enjoin the violation of, or to enforce an arbitration award arising out of an alleged violation of, a contract between an employer and a labor organization representing employees

in an industry affecting commerce as defined in this Act, if the contract includes a provision for submission to binding arbitration of any claim asserted by such labor organization alleging a violation of such contract by such employer."

"(b) The amendment made by this section shall apply only with respect to (1) proceedings arising out of violations of contracts entered into on or after the effective date of this Act, and (2) proceedings arising out of violations occurring at least three years after the effective date of this Act of contracts entered into prior to such date."

AMENDMENT NO. 455

At the end of the bill add the following: "Sec. 2. (a) Section 9(c) of the National Labor Relations Act is amended by adding the following new paragraph:

"(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1) (B), that a labor organization seeking recognition as the representative of the employees of such employer has presented evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization, it shall be the duty of the Board, if it determines that in all other respects a question of representation affecting commerce exists, to forthwith, without regard to the provisions of paragraph (1), direct the holding of such an election in such unit as the Board finds to be appropriate and to certify the results thereof. The consideration of the petition and the holding of the election, in any such case, shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of unfair labor practices committed by the employer (other than unfair labor practices under section 8(a) (5)), (a) such labor organization is no longer authorized to represent such majority or (b) the conditions required for the holding of a fair election no longer exist."

(b) Section 8 of such Act is amended by adding the following new subsection:

"(g) It shall be an unfair labor practice under subsection (a) (5) of this section for any employer to refuse to recognize a labor organization as the representative of his employees if such employer—

"(1) has been presented with evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization;

"(2) has no bona fide doubt that such majority desires to be so represented; and

"(3) has failed within a reasonable time to file a petition pursuant to paragraph (1) (B) of section 9(c) containing the allegations referred to in paragraph (6) of such section."

SCENIC DEVELOPMENT AND ROAD
BEAUTIFICATION OF FEDERAL-
AID HIGHWAY SYSTEMS—AMEND-
MENT

AMENDMENT NO. 456

Mr. WILLIAMS of Delaware proposed an amendment to the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, which is pending.

NOTICE OF HEARING ON BILLS RELATING TO APPOINTMENT OF WOMEN

Mr. RANDOLPH. Mr. President, as chairman of the Civil Service Subcommittee of the Post Office and Civil Service Committee, I wish to announce that a hearing will be held on S. 1769 and H.R. 6165 at 10 a.m., Tuesday, September 21, in room 6202 of the New Senate Office Building.

These are identical bills which provide for the repeal of section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments.

Anyone wishing to testify may arrange to do so by calling 225-5451.

NOTICE OF HEARING ON NOMINATION OF WILLIAM T. PECORA TO BE DIRECTOR OF THE GEOLOGICAL SURVEY

Mr. JACKSON. Mr. President, I announce for the information of the Senate and others who may be interested, that the Committee on Interior and Insular Affairs has scheduled a hearing on the nomination of Mr. William T. Pecora, of New Jersey, to be Director of the Geological Survey.

Mr. Pecora has been a career Federal servant in the Geological Survey since 1939. He has had extensive experience and a solid background in geology. This is an instance where a career public servant has been rewarded by the recognition of his service and talents which have been devoted to the public over the years.

The hearing will begin at 10 a.m. on Monday, September 20, in room 3110 of the New Senate Office Building. The public is invited to attend, and the committee would be delighted to have the views of any Member of the Senate. I ask unanimous consent at this point in the Record that a biographical sketch of Mr. Pecora be printed in full.

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

WILLIAM THOMAS PECORA, NOMINATION FOR DIRECTOR, GEOLOGICAL SURVEY, INTERIOR

Born: Belleville, N.J., February 1, 1913, age 52.

Education: Primary and secondary schools, Newark, N.J. Bachelor of science, geology, 1933, Princeton University (scholarship). doctor of philosophy, geology, 1940, Harvard University (Woodworth Fellow).

Family: Parents deceased. Married, April 7, 1947, Ethelwyn Elizabeth Carter, of Frankfort County, Ky. Two children: son, William C., age 16, student at Lawrenceville (N.J.) Preparatory School; daughter, Ann S., age 12, student at National Cathedral School for Girls. Residence, 4572 Indian Rock Terrace NW., Washington, D.C.

Positions: 1937-39, instructor in geology, Harvard University; 1939, entered as research geologist, U.S. Geological Survey; 1957, appointed branch chief; 1964, appointed chief geologist; 1965, nominated for Director.

Experience: Field and laboratory investigations in Western Hemisphere including: nickel deposits in United States, Alaska, Brazil, and Venezuela (1939-42); mica and related pegmatite mineral deposits of Brazil and Colombia (1943-46); rare mineral deposits in alkalic igneous rocks and car-

bonatite complexes; phosphate mineralogy; geologic field mapping and mineral evaluations; published more than 40 scientific and technical papers.

Advisory committees: National Science Foundation; educational testing service; Princeton and Harvard University; National Research Council; U.S. Civil Service Commission Board of Examiners; President's Office of Science and Technology; scientific societies.

Honors: Elected member National Academy of Sciences (1964); fellow, American Academy of Arts and Sciences; fellow and councilor, Geological Society of America; fellow and councilor, Mineralogical Society of America; president, 1964, Geological Society of Washington; frequent guest speaker at universities, civic clubs, professional and public gatherings.

Extra curricular: Member and board of management, Cosmos Club; U.S. intercollegiate fencing champion, 1933; U.S. Olympic team, 1936; early hobbies in gemology, minerals and coins. Recent hobby in horticulture of azaleas and camellias.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 15, 1965, he presented to the President of the United States the following enrolled bills:

S. 76. An act for the relief of Anna Maria Heiland;

S. 135. An act for the relief of Elizabeth Kam Oi Hu;

S. 136. An act for the relief of Angel Lagmay;

S. 192. An act for the relief of Maria Liberty Burnett;

S. 440. An act for the relief of Jose L. Rodiguez;

S. 454. An act for the relief of Lee Hyang Na;

S. 517. An act for the relief of John William Daugherty, Jr.;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 573. An act for the relief of Dr. Sedat H. Ayata;

S. 584. An act for the relief of Ming Chup Chau;

S. 586. An act for the relief of Maria Tsillis;

S. 614. An act for the relief of Evangelia Moshou Kantas;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 828. An act for the relief of Cha Mi Hi;

S. 853. An act for the relief of Charles N. Legarde and his wife, Beatrice E. Legarde;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 879. An act for the relief of Kim Sa Suk;

S. 971. An act for the relief of Mrs. Elena Guira;

S. 1084. An act for the relief of Shu Hsien Chang;

S. 1170. An act for the relief of Chung J. Clark;

S. 1186. An act for the relief of Kris Ann Larsen;

S. 1209. An act for the relief of Specialist Manuel D. Racelis;

S. 1736. An act for the relief of Jennifer Ellen Johnson; and

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon.

IS YOUR DOLLAR IN TROUBLE AGAIN?

Mr. SYMINGTON. Mr. President, there is a growing, and it would appear logical, apprehension about the future of the dollar.

An interesting article "Is Your Dollar in Trouble Again?" appears in the latest issue of U.S. News & World Report.

I ask unanimous consent that excerpts from this article be printed in the RECORD.

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

IS YOUR DOLLAR IN TROUBLE AGAIN?

You hear it on all sides now—

People are complaining about high and rising prices. Just about everything seems to cost more.

This is known as creeping inflation. This erosion of the dollar promises to go on and on.

Not only are prices higher, but also there are more things to buy, more demands on paychecks.

It's true that pay is up too—for most people. But higher pay doesn't stop the grumbling over prices. Question: Is the dollar in real trouble?

Grumbling about the high cost of living is beginning to be heard from one end of the country to the other.

This grumbling is a sign that the dollar is in trouble again—its purchasing power eroded at a rising rate by the pressures of inflation.

Housewives complain about the shrinking supply of groceries that a \$20 bill will buy. Families worry about the high and rising price of shoes for children going back to school.

Autumn is a time to buy winter clothing, and many items of clothing cost more.

Pay checks, it is true, are growing larger for most people. The rise in pay, over all, is greater than the rise in cost of living. And food costs, about which housewives complain most still take less of the weekly pay check, relatively, than in years past.

Yet the grumbling grows.

The public, it seems, wants more and more of the luxuries of life and is more and more irritated by the fact that each of the rising number of dollars in pay gradually will buy less in the way of goods and services.

Vacations, people find, cost more. Color TV is something new to own. Demand is for more and more extras on cars.

A flood of youths is entering the Nation's colleges, and inflation of the costs of such higher education goes on year after year.

Now there is to be an increase in taxes to support social security.

In addition, real estate taxes rise year by year. Sales taxes are in an upward creep in States and localities.

As dollars buy less, everybody wants—and often demands—more dollars.

Yet, as pay goes up, it follows that wage costs to business tend to rise.

Soon business is under pressure to raise more prices in order to maintain profit margins.

The pay raise now taking place in the basic steel industry under terms of a recent contract settlement is expected to be followed by selective increases in the price of steel and of steel products.

So the prospect is that wage costs will go on rising and prices will go on rising, and dollars gradually will buy less and less.

This is what is known as creeping inflation. More dollars are required to buy the same amount of goods and services.

BALANCE OF PAYMENTS

Mr. SYMINGTON. After the close of the morning hour tomorrow, Thursday, I plan to speak for a few minutes on the also growing problem of our continuing unfavorable balance of payments, to which problem the dollar's future is so closely bound.

In that as a result of agreements reached at Bretton Woods in 1944 the pound as well as the dollar is considered comparable to gold in its reserve capacity, the trade balance position of Great Britain is also a matter of primary interest to those interested in the dollar.

In this connection, I ask unanimous consent that an article in today's Wall Street Journal, "Britain's August Trade Gap Grew Sharply Wider," be printed in the RECORD.

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

[From the Wall Street Journal, Sept. 15, 1965]

BRITAIN'S AUGUST TRADE GAP GREW SHARPLY WIDER—REPORT CAUSES A BRIEF DROP IN POUND'S EXCHANGE RATE, DECLINE IN LONDON STOCKS—DEFICIT WAS \$263.2 MILLION

LONDON.—Britain's trade gap, the excess of imports over exports, took a sharp turn for the worse in August.

The deficit, on a seasonally adjusted basis, widened to the equivalent of \$263.2 million from July's \$140 million deficit, the Government's Board of Trade reported. The deficits were \$229.6 million in June and \$305.2 million in May.

The adverse trade news tempered the optimism about Britain's financial outlook created by Friday's announcement of new international central bank support for the pound. Financial quarters received the report with disappointment and some gloom.

Some deterioration in the trade position had been expected, as the July figures were considered exceptionally favorable. But the size of the August deficit came as a shock, particularly in view of recent optimistic official reports of trade prospects.

An immediate effect was a temporary halt in the upsurge in the foreign exchange rate for sterling, which had carried the pound Monday to its highest level since mid-May. That rise reflected the increased confidence in the stability of sterling inspired by the central bank arrangements.

The trade report also brought a downturn in the stock market, although declines rarely exceeded minor fractions.

OPTIMISTIC NOTE IS SOUNDED

As if to take the sting out of the worsened trade figures, the Bank of England expressed an optimistic view of the overall balance-of-payments situation in a bulletin prepared for issuance today. It said that the second quarter payments position "may well prove to have been roughly in balance," although full details aren't yet available, and that it would be "the best quarterly report in 2 years." First quarter figures showed a deficit equivalent to \$280 million on current and long-term capital accounts taken together.

The long-term capital account deficit, which amounted to \$252 million in the first quarter may have fallen to "practically nothing" in the second quarter, the bank said. It added that remittances abroad by British subsidiaries of foreign companies were "unusually large earlier in the year" but later "returned to a normal level."

Governmental restrictions on capital transactions imposed in July, the bank said, "should result in a considerable and continuing easing of the pressure on resources and a corresponding improvement in the balance of payments."

BREAKDOWN OF FIGURES

Seasonally adjusted totals for August that produced the \$263,200,000 trade gap were: Imports, \$1,400 million, up from \$1,355,200,000 in July and \$1,318,800,000 in June; exports, \$1,094 million, down from July's record \$1,167,600,000 but up from June's \$1,050

million; reexports of goods previously imported, \$42 million, compared with \$47,600,000 in July and \$39,200,000 in June.

The Board of Trade also gave August figures on a so-called balance-of-payments basis, crediting against the merchandise trade deficit British earnings from such sources as shipping, insurance and freight charges. It calculated the seasonally adjusted deficit on that basis at \$145.6 million, compared with a deficit rate of only \$14 million in July.

On this balance-of-payments basis, the board said, the deficit for the past 3 months has averaged \$84 million a month, compared with \$140 million a month in the like 1964 period; for the first 8 months it put this deficit figure at \$75.6 million a month down from an average \$128.8 million monthly deficit a year earlier.

Douglas Jay, Board of Trade president, said of the August figures: "They are pretty good. I wouldn't say I am completely satisfied. The import figures were swollen by an exceptional increase in food imports." He added that the favorable showing of July "couldn't be expected to be continued every month."

The Board of Trade report commented that food imports "tend to fluctuate erratically from month to month."

Some expressions of disappointment came from nonofficial sources. A London foreign exchange trader termed the trade figures "very bad," and said, "even if food is blamed for the import rise, it is still imports. We don't mind exports leveling a bit, but the high import figure, despite the surcharge, is just too bad."

The surcharge he mentioned is an extra 10 percent added to the customs duty on a variety of imports, exclusive of foods, as part of a series of austerity measures imposed by the Government to bring the balance-of-payments deficit under control. The extra duty was set at 15 percent last October but in April was cut to 10 percent.

So far there is little indication that the surcharge is doing much to limit imports; the average value of imports in this year's first 8 months topped the like 1964 period by nearly 1 percent. However, the board of trade president said, there is no chance of any change in this import surcharge.

Immediately after the August trade report appeared, the spot rate for the pound for immediate delivery, in relation to the U.S. dollar fell to \$2.7963 from its overnight level of \$2.7970. Later it rallied to \$2.7969, helped by support the Bank of England is said to have given by buying pounds in the market.

In New York's foreign exchange market, the pound-dollar rate, after a brief hesitation, resumed its rise. The closing spot quotation of \$2.7975, several hours later than the London close, was up from Monday's final rate of \$2.7970.

The London stock market, which had opened strong, eased in reaction to the trade report. Fractional losses were widely distributed at the close. Gold shares advanced strongly on revived speculative buying; they had declined over the weekend.

Late selling brought declines of as much as \$1.50 in British government bonds, as nervous profit-taking followed Monday's sharp advance. Industrials sagged, with mostly small losses; prominent in this trend were oil, chemical, and auto stocks. Tin shares, with some overseas support, made gains, but copper and other nonferrous metal stocks showed few changes. Dollar stocks were narrowly mixed.

The Financial Times index closed at 328.9, off 2.3 points; Reuters industries, 414.0, off 4.5; government securities, 72.5, off 0.4. Kaf-firs, a measure of gold mining stocks, rose 0.6 points to 67.8.

Heavy market activity developed in the new \$140 million issue of Imperial Chemical Industries loan stock, traded yesterday for

the first time. The price held firm all day at more than the equivalent of \$11 premium on the issue price. Brokers noted substantial institutional demand.

WORLD MONEY REFORM

Mr. SYMINGTON. Our able Secretary of the Treasury, Henry Fowler, recently returned from a 2-week trip to the European countries, apparently did much to point up the need for some additional form of liquidity as well as dollars, so as to provide the working tool necessary for additional world trade.

Once again the French have expressed their disinterest in the problems of other countries of the free world by refusing to join the group of 10 nations—of which France is a member, incidentally—in concrete efforts to work out current problems incident to the British pound.

I was glad to note, however, that the Secretary has implied that an adequate and proper world money reform could probably proceed without the cooperation of the French.

In this connection, I ask unanimous consent that another article from the Wall Street Journal, "World Money Reform Possible in 2 Years, Fowler Says, Perhaps Without French Aid," be printed in the RECORD.

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

[From the Wall Street Journal, Sept. 15, 1965]

WORLD MONEY REFORM POSSIBLE IN 2 YEARS, FOWLER SAYS, PERHAPS WITHOUT FRENCH AID

WASHINGTON.—Reform of the world's monetary system could be achieved in less than 2 years, Treasury Secretary Fowler said, and he implied that it could be done even without French cooperation.

At a news conference reviewing his 2-week trip to Europe, Mr. Fowler said his most optimistic estimate is that a full-scale monetary conference could be called in the fall of 1966, and that plans could be ratified by legislators of the countries involved in another 7 to 9 months.

He didn't provide any outside timetable, but his optimistic one is a good deal shorter than officials generally have held possible. Typically, they have talked of reforms going into effect in 3 or 4 years and perhaps even much later.

UNANIMOUS POSITION HELPFUL

Privately, some officials have hinted that negotiations could continue and a new plan could be brought at least to the threshold of use without French participation. Although he didn't mention France specifically, Mr. Fowler said that it would be helpful for the major nations to be unanimous but that he didn't think it would be the U.S. position that those in agreement should stand silent if this wasn't the case.

France is regarded as the nation most likely to shun any creation of additional reserves. French officials have said the most pressing need is rather to reduce the current reserve level to dampen inflationary dangers.

French unwillingness to go along with 10 other nations last week in providing fresh financial help for Britain added to this appraisal among other countries.

But the fact that the others agreed on the British aid without France has encouraged those who have been worried that the French might be able to thwart monetary reform. In visiting other countries, Mr. Fowler said, he

found a general consensus that the reform move should be accelerated.

The reform in mind basically would create a new unit of exchange that governments and central banks could hold in their reserves in addition to gold, dollars, and pounds. The reserves are used to tide nations over balance of payments deficits, which occur when more of a country's money enters foreign hands than is returned by foreigners in all transactions.

Whatever the timetable, Mr. Fowler expressed confidence that the reform drive wouldn't come to naught. He said that even those countries that expect current reserves to prove adequate within the next few years agree with the inevitable logic that elimination of the U.S. payments deficit would prevent their reserves from being bolstered with fresh outpourings of U.S. dollars. Moreover, because reserve totals must be enlarged to support growing world trade, some new kind of reserve ultimately will be needed "as surely as night follows day," he declared.

Mr. Fowler laid out the following proposal of how reform could be pursued: The deputy finance ministers of the group of 10 nations that have done most of the preliminary analysis could receive a mandate later this month at the International Monetary Fund's annual meeting here to resume their deliberations. These deliberations were interrupted last year to await a technical study completed in the spring. The top financial officials would soon start active negotiations, too, so that the 10 countries could at least produce a progress report by next spring. The nations involved are the United States, Britain, Belgium, Canada, France, West Germany, Italy, Japan, the Netherlands, and Sweden.

PART FOR LESS DEVELOPED NATIONS

These 10 would then bring in a wider group, conceivably the 20-nation executive board of the IMF; the United States strongly believes, Mr. Fowler said, that the less-developed countries should be included in the discussions, presumably at this point. If others agree, a proposal would be polished by this wider group to present to a special meeting of the full 102-member IMF in the fall of next year. This would be the final conference needed to get the plan approved, but an additional 7 to 9 months probably would be required for legislative approval by each country.

The United States still doesn't have a plan of its own, Mr. Fowler stated, and in answer to a question, he said he has refrained from reading the chapter in Robert V. Roosa's recent book that proposes a detailed plan for the creation within the IMF of a new unit of exchange for use in reserves. The plan, widely believed to have strong support within the administration, is one he will thoroughly study shortly, Mr. Fowler said.

He hinted, however, that something along the lines Mr. Roosa, a former high Treasury aid, has proposed is in the works. Once nations ratify a plan for a new reserve unit, Mr. Fowler said, they will begin a "continuous process" of deciding "when you crank the machine" to generate it. One possibility, he continued, is that nations might agree that a minimum fixed amount of new reserves be pumped out each year, with the option of providing additional amounts from time to time as circumstances change.

PROPOSAL APPEARS COMPROMISE

Mr. Fowler didn't elaborate, but such a plan would appear to be a compromise between proposals of two administration consultants. One, Mr. Roosa, envisions nations rather frequently assessing needs and creating extra reserves, while the other, Edward M. Bernstein, has suggested that they agree perhaps 5 years in advance on fixed amounts to be added each year.

In addition to the reserves question, Mr. Fowler said nations are showing strong inter-

est in finding better ways to correct deficits in the payments balances. The coming IMF meeting might also give the group of 10 a mandate to pursue this topic, he noted. This was suggested during his trip by the Germans, he said, commenting that the United States "would generally favor" such a move. At present, countries typically try to narrow payments deficits by such belt-tightening measures as slowing their domestic economy to reduce the ability of their people to buy imported goods.

MADAM CHIANG KAI-SHEK

Mr. YOUNG of Ohio. Mr. President, Madam Chiang Kai-shek is in Washington. A great many people come and go in Washington. Madam Chiang, in her first interview following the date she favored our country with her presence, called for the destruction of Red China's atomic installations. She declared:

This should be done before they expand further.

She added:

Red China's possession of the atomic bomb jeopardizes the position of every nation in the world.

Of course, her demand is that the United States perpetrate another day of infamy by using our warplanes and atomic bombs and missiles to destroy Red China's atomic installations. She urges this knowing, if she has any sense whatever, that thousands of Chinese men, women, and children would be killed and that Communist China would certainly declare war upon this Nation immediately following our aggression in response to her advice.

Madam Chiang added:

You should always try to cut out the cancer before it permeates any further.

Of course, she uses the pronoun "you," as she must realize her husband, Chiang Kai-shek, is a tiger without any teeth. This corrupt old warlord has an army of 600,000 on Taiwan, maintained over the years at the expense of American taxpayers. I have been in Taiwan, and have had grave doubts personally whether Chiang's army is a topflight fighting force comparable to our soldiers.

Over the years Chiang has boasted of invading the Chinese mainland, provided he has all-out support from our Air Forces and the 7th Fleet. Except for that protection and American financial aid since 1947, Chiang would not be enjoying his repose in Taiwan, nor would Madam Chiang be in our country voicing demands that we change our foreign policy to suit her whims. A few years back, while a guest at the White House, she demanded silk sheets, apparently so she could repose in peace.

Ours is an open society, and we welcome anyone to our shores. Her visit, however, is reminiscent of Madam Nhu's.

Very likely Madam Chiang Kai-shek has or will announce an offer to send some soldiers of the Chinese Nationalist Army of Taiwan to Vietnam provided, of course, that our Government furnishes logistic support. In other words, this warlord Chiang Kai-shek, who has been maintained in power by the expenditure of billions of dollars of American tax-

payers' money, may offer to send some Chinese or Formosan soldiers under his control to South Vietnam provided we equip his soldiers, arm them, maintain them, convey them on our transports or by our airplanes, feed them, protect them with our Air Force and then clothe and train them. Such a proposal is so fantastic as to be insulting. Furthermore, at a time when we are announcing our hope that the Red Chinese will not intervene in the conflict in Vietnam, it would seem unthinkable and a stupid action for us to use Chinese troops to fight with us against the Vietcong.

So much for Madam Chiang Kai-shek.

THE 400TH ANNIVERSARY OF THE SETTLEMENT OF ST. AUGUSTINE, FLA.

Mr. HOLLAND. Mr. President, on September 8, last Wednesday, which was the 400th anniversary of the landing of the Spaniards for the settlement of St. Augustine, Fla., the oldest city in the continental United States, I was happy to call attention to the outstanding quadricentennial celebration at St. Augustine which I had been privileged to attend during the preceding weekend, and which was being attended on that date by my distinguished colleague [Mr. SMATHERS].

At that time, I placed in the RECORD the eloquent speech of Secretary General Dr. Jose A. Mora, of the Organization of American States, which had been one of the outstanding features of the quadricentennial celebration, and I also stated that I had requested translations of the inspiring addresses of the Spanish Minister of the Interior, Lt. Gen. Alonso Vega, dedicating the beautiful Spanish building, and of Ambassador Plate, of Paraguay, present Chairman of the OAS, dedicating the Pan American Building. I stated that upon receipt of the translations of both of the aforementioned speeches, I would ask to place them in the CONGRESSIONAL RECORD along with the delightful address of Secretary of the Interior Udall, which was delivered at the dedication of the Spanish building. I have now received copies of all three of these addresses which not only contributed so much to the dignity of the quadricentennial celebration, but also were truly outstanding features of the celebration, and I ask unanimous consent that they may be printed in the body of the RECORD as a part of my remarks.

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

ENGLISH VERSION OF THE SPEECH BY H. E. CAMILO ALONSO VEGA, SPANISH MINISTER OF THE INTERIOR, AT THE INAUGURATION OF THE CASA DEL HIDALGO, SEPTEMBER 1965, ST. AUGUSTINE, FLA.

Ladies, gentlemen, and distinguished guests, through your kindness in inviting us to these ceremonies, we have been given the opportunity to join in the commemoration of the 400th anniversary of the foundation of St. Augustine. On this occasion I would like to express not only my personal gratitude but also the appreciation of Spain, mother of so many American territories, who watches with great pride and deep emotion their current development and prosperity.

To all these territories I bring warm greetings from the Spanish head of state. Recently he had the pleasure of meeting with a delegation of this centennial and was presented with the Commemorative Medal of the Foundation of St. Augustine.

Now, as on my former visit to this gracious State of Florida, I cannot help recalling the famous words of Menéndez Pelayo: "Where one does not faithfully conserve the inheritance of the past, poor or rich, great or small, one must not ask for original thoughts or creative ideas."

Today, with the spirit and vitality of its founders, the city of St. Augustine, its Spanish name conserved for four centuries, honors the patron of the day on which it was founded.

We find clear example of these ideals, the significance of St. Augustine's inheritance, in the kind words expressed by President Johnson in his speech delivered on the 12th of March 1963; in the very beginnings of these commemorations; in the labors of the Historical Restoration Committee, established by your late and beloved President Kennedy; in the activity expended by the State of Florida and the local commissions; in the investigation of her architectural history in which so much of the sentiment as well as the technique has been preserved; and foremost, in the program of urban development, which has looked predominantly to the past, to what St. Augustine once was, to what it is unwilling to surrender—a valiant, traditional town, a contrast to the towns of urban Europe so often beset by urban struggles in which the victorious conquests of modern avenues, plazas, boulevards or gardens tend to supplant monuments, works of art, history and spirit.

Spaniards who have recently visited you have told us in Madrid that the present citizens of St. Augustine are justly proud of their city, the oldest in the United States, and are determined to maintain and honor their Spanish heritage. The Ministry of Information and Tourism and the Institute of Hispanic Culture want to join in this enterprise with the building of the house of an *hidalgo*, which we inaugurate today.

Spain hopes to render lasting tribute to St. Augustine by means of this house of an *hidalgo*. The atmosphere, that of the chivalrous olden times, will be felt throughout. I want to emphasize that the atmosphere overrules the material installations, for it is something spiritual. The "*hidalgos*" did not project their personalities or minds in furniture, pictures, costumes, or swords. (Although a sword can be either an heroic or homicidal arm, according to one's use of it.) The idea of the "*hidalgo*" transcends all material concepts, and resides solely in the spiritual realm. For this reason, it is difficult to identify this idea with a certain historical period. The spirit that endures is so intermingled with history that I would say, rather, that it is that spirit which made history.

If you are looking for a definition of an "*hidalgo*," you will find that the dictionary says: "He is one with a generous and noble soul." I believe that Spain has been wise to erect this Spanish house on American soil for we believe firmly that it will be understood what the house of an *hidalgo* represents, that its meaning is very much alive in the souls of the American people.

Although "*hidalgo*" could indicate belonging to the noble class, its nobility is rooted deeply in the soul. The house of an *hidalgo* in St. Augustine is meant to evoke the past. It is the desire of the inhabitants of St. Augustine to keep alive the memory of those brave and generous men who arrived in this territory and, despite hunger and infirmity, arrived and stayed in a land that 400 years later would become the most powerful country of the world.

St. Augustine could be called the birth certificate of the United States, and it was a Spaniard, Pedro Menéndez de Avilés, who wrote it. We believe that it was the will of God that a Spaniard was the first to come to this land bearing with him the torch that would illuminate the new world. That torch, symbol of the Spanish culture, which Spain had inherited from Greece and Rome, was to become the lighthouse of the Americas. It is the torch that today your great country continues to carry forward.

The name of Menéndez de Avilés does not limit itself to the fort of San Marcos, but is linked also to the mission of Nombre de Dios. Aside from being a military man, Menéndez de Avilés was also religious and kind. In the American land his humane and Christian influences are still felt today.

The Spanish discoverers of the 15th and 16th centuries exemplified that theirs was a vocation for the stoic, the poet, the ascetic, as well as for the hero and the adventurer. At times, their drives seemed oriented toward ambitious goals. Sometimes their ambition proved to be mere fantasy.

How can we explain the deeds of Ponce de Leon when he first sighted the coast of Florida in 1512? How does one explain his return in later years in search of the fountain of youth? Was he truly searching for that magical water? Or was he perhaps a poet hoping to see a legend become a reality in this charming State of Florida where springs bloom and winters sleep. Here again fantasy and poetry were the goals of the Spaniards who discovered this wonderful land. Following the same road, Hernando de Soto, the lover of the sea, and many other Spaniards came to this land, carrying with them the spirit of chivalry.

In the pursuit of these dreams and fantasies a new world found its beginnings. The country on which the Spanish were the first to step was heading the world in less than three centuries, and today it has become the discoverer of space, the explorer of a new world.

We believe that we have explained the meaning of the house of an *hidalgo* which Spain offers as a permanent legacy to the city of St. Augustine. Today, on behalf of the Spanish Government, in your most distinguished and cordial company, in the presence of the representatives from other American countries, the mayor of the city of Avilés, and other honorable citizens, it is my pleasure to inaugurate the house of an *hidalgo*.

Thank you very much.

ADDRESS BY AMBASSADOR JUAN PLATE, ACTING CHAIRMAN OF THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES, AT THE DEDICATION CEREMONIES OF THE PAN AMERICAN CENTER OF THE CITY OF ST. AUGUSTINE, SEPTEMBER 4, 1965

It has justifiably been said that it honors one to pay honor, and I believe that this ancient city of St. Augustine, Fla., can and should feel honored as it commemorates so worthily and suitably the historic fact of its founding just 400 years ago. This tribute is all the more significant and worthy because it comes from a people of another race and another tongue; from a people that is tied to the city's most distant historical past only by an imponderable spiritual bond.

In this there is something that should be emphasized, because perhaps, in it lies the most noble and significant aspect of the celebration that brings us together, since only peoples that have arrived at full political maturity, thus properly constituting a nation, which is something more than a mere phenomenon of living together in the shade of the same flag, are in a position to evoke their past without reservation or resentment. To the extent that we are beginning to interest ourselves in our origin, to explore the

sources that feed the present, with the noble aim of establishing a permanent bond of historical continuity between yesterday and today; to the extent that we are beginning to feel proud of our ancestors without distinction of race, creed, or social position—to that extent we shall be affirming our national personality.

Nationality is not a historical accident, nor much less the product of a laboratory. It is not something that can be improvised, as a political formula is invented. On the contrary, a nation is the resultant of a complicated and long process of integration of material and spiritual values. We are not what we believe ourselves to be and what we have been and what we turn out to be.

There is nothing more absurd or more contrary to historical philosophy than the attitude of the Marxist false political reformers, who consider the cult of the past as a bourgeois prejudice and who in their effort to violate the historical process deny or condemn all genuine manifestations of national tradition.

It is for this reason, first of all, that I wish to record the recognition and applause that is due to all who have participated in and sponsored the celebration of the extraordinary historical fact of the founding of the first city of Christian-Western culture in what was to be the territory of the United States of America. This joint initiative of the city of St. Augustine and the U.S. Congress is all the more worthy of recognition because this first urban settlement in Florida was made not by the great Anglo-Saxon people that in the end gave its language and its institutions to this part of the New World, but by another European power of the era that for many years was the former's irreconcilable rival, Spain—the same colonizing nation that sowed forever, to the south of the Rio Grande, a seedbed of vigorous Hispano-American nationalities.

Spain could not have remained apart from this celebration. Its presence in the festivities of the fourth centenary is the logical consequence of all that I have said and the importance of the representation it sent to St. Augustine as well as the valuable testimony it has erected in stone at its expense in this beautiful museum-city proclaim to what extent the antagonisms between the two colonizing races have dissipated and how America continues to be a crucible of cultures and land of tolerance, of spiritual identification, and brotherly friendship.

Likewise, perhaps no other place in the United States is more appropriate than St. Augustine for erecting a Pan American Center to provide a place for art exhibitions and serve as a headquarters for many other inter-American cultural activities, inasmuch as, while this continues to be a strategically located point on the geographic map of this hemisphere, on the spiritual map of America this city of strictly Spanish origin is, by antonomasia, a center of cultural confluence. Because St. Augustine, I repeat, in addition to being tied forever to the Latin American nations for basic historical reasons, seems now engaged—and this is much more important—in continuing to be part of Hispano-America, as it carries out with a true love of tradition an extraordinary job of architectural reconstruction that will soon restore to it its original appearance.

As a representative of a country that takes legitimate pride in what it has today of its two cultures, the native and the Spanish, and even more, in my capacity as Acting Chairman of the Council of the Organization of American States, it is with profound satisfaction that I attend the inauguration of this new center of mutual spiritual understanding of all the brother nations of America, and express my warmest good wishes for its future expansion and strengthening. I am sure that the fertile seed that we have planted

will find a propitious soil in the ideals of hemispheric union and fraternity that inspire our Organization and that are constantly putting down deeper roots in the awareness of the people of the Americas.

ADDRESS BY SECRETARY OF THE INTERIOR STEWART L. UDALL AT DEDICATION OF SPANISH PAVILION DURING CELEBRATION OF 400TH ANNIVERSARY OF FOUNDING OF THE CITY OF ST. AUGUSTINE, ST. AUGUSTINE, FLA., SEPTEMBER 5, 1965

Anniversaries are occasions when friends or members of a family gather together to honor an event or an individual to whom they owe esteem and gratitude. Often it is a parent whom we so honor, remembering a common bond of inheritance.

In a deep and pervasive sense we Americans are doing that today. We are gathered here, North, South and Central Americans alike, in a parent's house, this casa del hidalgo, which a sire of the Americas, Spain, has built anew in this historic city.

We, who think of ourselves as young, fast-growing nations, often forget the cultural lineage of the New World. We North Americans whose cultural centers are younger than our neighbors', are particularly proud to observe the 400th anniversary of this first permanent settlement in the United States. We are proud, too, that the other members of our American family are with us to share in the occasion. And we are grateful that the Spanish people, who have given the New World such a great and lasting cultural legacy, have now provided this center of history here in St. Augustine, Fla.

It is particularly fitting at this place. Dr. Guillermo de Zendegui, editor in chief of *Americas*, magazine of the Organization of American States, has pointed out that St. Augustine was "the first meeting place of two cultures that share a hemisphere, two cultures that many political, social, and economic reasons indicate must unite and identify with each other for the better defense of their common interests."

I myself am especially grateful that our great Hispanic heritage is being suitably recognized and appreciated in these observances. Coming as I do from a southwestern State, where the Spanish heritage is strong—where the rivers and mountains and cities bear Spanish names—I am convinced that this culture and kinship are not fully appreciated in our land today. Too often we in the United States think only of the North European, English-speaking side of our New World family tree. We remember heroes in buckskin more often than those even more daring and determined conquistadors of iron, or those, braver still, whose only armor was a friar's robe.

I am sure President John F. Kennedy felt this lack when, in appointing the National St. Augustine Quadricentennial Commission, he said: "When I recall how Colonial Williamsburg has served so effectively as a symbol of the bond between English-speaking people on both sides of the Atlantic, I can see how valuable it will be to have a similar symbol of the cultural heritage which came to us from Hispanic-American sources. This can be a most important new symbolic bond with our Latin-American neighbors to the south, as well as to Spain across the ocean."

We owe much to the bravery, the faith, the dreams of our predecessors from Spain. Thus always we shall recall with equal appreciation and respect, as we do today, those Iberian deeds and qualities that helped to build the Americas.

Anniversaries like this quadricentennial remind us that we—all of us, from Alaska to Cape Horn and from the Pacific to the Caribbean—are inheritors of a rich culture and the tradition of adventure, of enterprise, of freedom the product of which is the democratic concept we all share today.

Men founded those traditions: First, the indomitable conquistadors, marching through the swamps and forests; riding over mountains and deserts; fighting, thirsting, pushing on. The names of these tough men read bold today, though their outposts and graves be lost: Ponce de Leon, Vasques de Ayllon, Narvaez, De Soto, Coronado, Cabeza de Vaca.

Then came the colonizers, Adelantados like Pedro Menendez de Aviles, who stepped ashore on this bay 400 years ago. And the Padres, the Father Serras and Father Kinosh, who founded missions and ministered in pueblos. They civilized rather than subdued. They built beautifully. They brought cattle and seeds and saintliness, and understood as so few other colonizers did the vital heritage of the land and the importance of man's relationship to it.

The counties these men explored and colonized so long, long ago, are in another era now: free, democratic, pressing on toward new goals of human welfare and happiness. Yet the rich heritage they left us is evident today in every one of our American States: faith in destiny, determination to achieve the high goals we have set, a pride in the brotherhood of free and active men.

It is evident also in personal qualities which Spain has bequeathed us—graciousness, and a sensitivity to the beauty of form, of action and of courage.

We in the United States cherish a number of tangible relics of our Hispanic heritage. We wish there were more, but, considering their antiquity, feel fortunate that those we do possess have survived for us to appreciate.

A total of 10 Spanish-American sites and buildings is in our National Park System, among them the Castillo de San Marcos that still stands guard here at St. Augustine. Tangible evidence of four centuries of American history here, it is symbolic, as well, of a people's determination to be free, to be strong, and to defy all who would intrude, subvert, or deprive.

And now, in addition to the conservation of historic monuments, our sense of history is being further strengthened here by means of restoration and reconstruction. This is not mere antiquarianism. Dr. de Zendegui has pointed out that the growing concern for restoring the past is a sign of national maturity.

"Only nations that have come of age can look backward into the past without reservation, rancor, or doubt," he has written. "It is only then that the concept of nationhood takes on a new meaning of continuity."

The nations of the new world are doing this today, and we are privileged to witness it here today.

President Johnson eloquently expressed the importance of this attention to our past when, as Vice President, he addressed you here in 1963.

"In these times," he said, "we of the United States, like responsible people in all the lands of the West, are focusing our effort and our resources on the future. We guide our policies and our purposes by the faith that wise efforts today can build a better tomorrow—a tomorrow of peace and justice and freedom for men everywhere. * * * But the men who came from the old world to open and explore and build the new world endowed us with an heritage of faith.

"In efforts such as this St. Augustine restoration, we honor that special legacy. For certainly no American can come here and see the restoration of the first city on the North American mainland without appreciating anew how great was the faith of the men who landed on these shores 450 years ago.

"From these shores we are reaching for new worlds. We need both the faith and vision of those earlier times to guide us for-

ward. I can think of nothing more appropriate than that; travelers can come to this coast to see the launching site of America's venture in the age of space and to have the privilege of seeing at St. Augustine this site where the age of freedom itself was launched in North America."

Mr. HOLLAND. Mr. President, in closing my remarks relative to the quadricentennial celebration at St. Augustine, I wish to express for myself and for the citizens of St. Augustine, and of Florida in general, our appreciation to the Post Office Department for recognizing the historic importance of this occasion by the issuance of a special commemorative stamp appropriately embossed with the picture of a Spanish conquistador, backed by the banner of Spain of 400 years ago, with an ancient sailing vessel showing still farther in the background. This commemorative stamp, first issued in St. Augustine on the opening day of the celebration, carries the appropriate words "The Settlement of Florida 1565-1965."

I hope that this unforgettable celebration may serve to renew and strengthen our memories of the great debt which our Nation owes to Spain and to make stronger and more permanent the friendly relations between our Nation and Spain as well as between our Nation and the other Spanish-American Republics which have the common heritage, with us, of original settlement by Spanish explorers, soldiers, and priests.

THE SPOKESMAN FOR MEDICAL SCHOOLS TESTIFIES THAT GI BILLS ENABLE NEEDY YOUNG MEN TO BECOME EXCELLENT PHYSICIANS

Mr. YARBOROUGH. Mr. President, in testimony September 8, before the Senate Subcommittee on Health, Dr. Robert Berson, executive director of the American Association of Medical Colleges, told the subcommittee two very important things about the impact which the World War II and Korean GI bills had upon medical education in the United States.

First. That the GI bills enabled many young men to become doctors who had not even thought about attending medical school previously, because it costs so much.

Second. That these same young men went on to become some of the most promising doctors of their generation of medical students.

This experience of the medical profession has been repeated in every educational field or profession which ever testified on the cold war GI bill. All our professions will benefit from its enactment, just as they were upgraded by the previous GI bills.

Mr. President, it is important to realize that the GI bill has not only educated more young Americans, but the level of education and the level of achievement has also been upgraded by the GI's themselves who went to college under the GI bills.

In connection with Dr. Berson's testimony as to the great benefit the medical profession received as a result of the

GI bills, it is important to point out that 24 percent of the interns in American colleges today are foreign students. That is because we are giving our American boys and girls so few opportunities to obtain a medical education.

Let me repeat, 24 percent of all the interns in American hospitals today are foreign students—27 percent of all the residents in America today are being filled by foreign students because so few Americans are getting the opportunity to go to medical school. They should have the aid of the GI bill so that they may have an opportunity to obtain a medical education.

Mr. President, I ask unanimous consent that a portion of Dr. Berson's testimony on the Health Professions Educational Assistance Amendments dealing with the GI bill and a short colloquy I had with Dr. Berson be printed in the RECORD.

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

EXCERPT FROM TESTIMONY OF DR. ROBERT BERSON, BEFORE SENATE HEALTH SUBCOMMITTEE, HEARINGS ON H.R. 3141, HEALTH PROFESSIONS EDUCATIONAL ASSISTANCE AMENDMENTS, SEPTEMBER 8, 1965

The medical schools had an interesting experience after World War II, because we had a large wave of students who were benefiting from the GI bill of rights and men who had previously not thought of studying medicine found that they could, and they entered medical schools and most medical educators found that generation of medical students some of the most promising and satisfactory people we have seen going through medical school.

COLLOQUY BETWEEN SENATOR YARBOROUGH AND DR. BERSON

Senator YARBOROUGH. Dr. Berson, I want to comment briefly on this last paragraph on page 6, where you mention the benefits of the GI bill.

Dr. BERSON. Yes, sir.

Senator YARBOROUGH. You mentioned there the thrust that medical education was receiving for those GI's.

The Senate has passed a GI bill for the cold war veterans this session by a vote of more than 4 to 1, which bill came out of this committee. The bill is now pending in the House. Many different people in our educational community testified that when these GI's came on the campuses, they were studying harder and making higher degrees and displaying higher motivation than the other students who had not been through that experience. Is that true in the medical schools?

Dr. BERSON. Very much so. There was really a tremendously encouraging group of students. They were mature. They knew what they wanted. They were very fine people, and many of them said that they had never thought that they could study medicine, so they had made no serious plan to do it. It was just out of their reach.

But when they came out of the service and the GI bill provisions were there, they had the opportunity, and I think that they have turned out to be very excellent physicians.

INTEREST IN COMPENSATION FOR VICTIMS OF CRIME GROWS

Mr. YARBOROUGH. Mr. President, interest in the criminal injuries compensation bill is growing rapidly. Mr. James E. Starrs, in an informative letter pub-

lished in the September 6 Washington Post urges the District of Columbia and National Crime Commissions to consider the plight of the crime victim.

He argues eloquently:

It would seem that our best energies and massive resources are being channeled into a single-minded effort to apprehend, convict, and rehabilitate the offender. Meanwhile the crime victim remains unnoticed, unredeemed, secreted behind an impenetrable drapery of public indifference.

Mr. President, this problem deserves to be placed high on our list of the unfinished business of the American people.

Mr. President, a bill is pending in Congress which I introduced last July. I have been advocating publicly for over a year that we enact a bill to compensate innocent victims of crimes.

New Zealand passed such a law in 1963. England adopted such a plan in 1964. It is time for Congress to adopt such a plan for the United States of America.

I ask unanimous consent to have the letter from James E. Starrs published in the September 6 Washington Post printed in the RECORD.

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

[From the Washington (D.C.) Post Sept. 6, 1965]

CONSIDER THE VICTIM

The District of Columbia and National Crime Commissions are now at work but no word has yet come down informing us that the plight of the crime victim will be considered by them. Once again, it would seem that our best energies and massive resources are being channeled into a single-minded effort to apprehend, convict and rehabilitate the offender. Meanwhile the crime victim remains unnoticed and unredeemed, secreted behind an impenetrable drapery of public indifference.

No one would urge that the problems created by the offender be minimized. Neither, for that matter, should the crime victim continue to exist in a limbo of semi-official banishment.

Recently the residents of Washington, D.C., were startled to learn that rape victims are treated with disdain and discourtesy by our local police and medical facilities. Yet no one seems particularly startled by the daily and unrelieved suffering of all crime victims, who are treated less like victims than like pawns to be deployed to assure the apprehension and conviction of the offender.

Yet all is not lost. California has recently enacted into law a program of aid to victims of crimes of violence and their families. The modest sum of \$100,000 has been appropriated for the fiscal year 1965-66. In addition, Senator YARBOROUGH deserves high praise for presenting to Congress a bill to compensate crime victims. Much more remains to be done to close the gap between our attention to the offender and our inattention to his victim.

For example, Attorney General Katzenbach is interested in obtaining legislation providing for a work-release program for Federal prisoners. Under this proposal, Federal prisoners could engage in gainful outside employment during the term of their imprisonment. Is it not possible to require of such prisoners that they share some part of their wages with the crime victims?

In any event, is it a fantasy to suppose that these newly created crime commissions might study this and other possible remedies for the crime victims?

JAMES E. STARRS.

WASHINGTON.

HON. FELTON M. JOHNSTON

Mr. YOUNG of Ohio. Mr. President, it was a matter of great regret to me when I read the announcement of Felton M. Johnston, Secretary of the Senate, that he was retiring from that position at the end of the present year, following my election as U.S. Senator in 1958, I did not come to Washington immediately, but sometime that December I decided to spend a day in Washington to ascertain what committees I might possibly be elected to and where my office would be located. At that time I called at the office of the Secretary of the Senate and was most cordially welcomed by Felton M. Johnston. He was exceedingly generous in his attitude toward me. I liked him immediately.

In the years following I have come to hold "Skeeter" Johnston, as he is affectionately called by all of us who know him, in the very highest admiration. I desire to pay my deference and manifest my devotion to him and attest my admiration of him as a man and as a public official.

I consider that he is a fine public servant. Over the years he has been most helpful to me and I know that he has been helpful to my colleagues. It is a matter of great regret to me that this intelligent, personable and able official has announced his retirement from public life.

He has acquired very great knowledge of the history and tradition of the Senate of the United States, and it is always a pleasure to meet with him in his office. I have taken pride in having him as a friend. In my judgment Felton M. Johnston has earned the respect of every Senator. I think that without a doubt he has always tried to be helpful and cooperative. He has always been available to Senators in his office or in and near the Senate Chamber.

It is my understanding that over the years he has worked his way up the legislative ladder. He was first, I believe, a member of the staff of Senator Pat Harrison, of Mississippi, and then following that became assistant clerk of the Senate Committee on Finance. Then, at a later period he became clerk of that committee and in that capacity served notably and most capably.

Then came World War II, and for a time "Skeeter" Johnston served as congressional liaison officer for the State Department, and, according to information given me, he rendered devoted service to his duties. Then he joined the Army of the United States and served his country with a full measure of devotion. In the years after World War II he was first elected secretary of the Senate majority, and when that majority was turned into a minority, he served as secretary to the Democratic minority of the Senate. This service continued for a period of about 10 years, and on January 5, 1955, Felton M. "Skeeter" Johnston was elected Secretary of the Senate. He has continued to render a full and complete measure of service in that capacity from 1955 to this time.

Now may I add a little further comment regarding this fine friend and distinguished public servant.

During his long years of service to the Senate, Felton Johnston ably performed the duties that were entrusted to him. More than that, he won the friendship of the Senators he came to know and they included all the Members of the Senate, not just those on that side of the aisle which had selected him for his many positions of trust and responsibility.

He rendered great service to his party at its national conventions in 1948 and 1952 as secretary of the committee on platform and resolution.

He was born on March 10, 1909, in Tallulah, La., and was educated in the public schools of Clarksdale, Miss. He received his higher education at the University of Mississippi, where he was graduated in 1929.

His wife is the former Wanda Stippich, of Norfolk, Nebr., and the Johnston children are Mrs. A. B. Chatfield, Jr., and Lt. Felton McLellan Johnston, Jr., of the U.S. Air Force. They have justifiable pride in Felton Johnston's Senate service.

The Members of the Senate, his fellow Senate employees, and his many friends on and off Capitol Hill will all be very sorry indeed that he has chosen to retire.

His record as Secretary of the Senate was one of achievement, of unflinching courtesy, of competence, knowledge, and efficiency. For an entire decade the Members and employees of the Senate have relied on his great ability and his great affability. His reputation for integrity and honesty will not soon be forgotten. He was a credit to the Senate as an institution which he loved and which he served with complete dedication.

As he makes preparations for his well-earned retirement, we wish him many, many years of life and joy. He has earned a place in the affections of all who came to know him and, by knowing him, learned to value his friendship. We congratulate him on his distinguished and able service to the Senate. We wish him well, and we shall sincerely miss him. Commencing with the second session of the 89th Congress, things will not be the same, and I personally shall have a feeling of emptiness with the departure of Felton M. "Skeeter" Johnston as Secretary of the Senate.

On many occasions with the distinguished assistant majority leader, Senator RUSSELL LONG, and my colleagues, Senators EVERETT JORDAN, of North Carolina; JOE CLARK, of Pennsylvania; DANIEL INOUYE, and others, I have enjoyed accounts of the football prowess of "Ole Miss" and famed coaches and players of the Southern Conference. Also, from the limitless fund of memories of "Skeeter" Johnston, of Senators who are no longer with us, I have been regaled and enlightened. I shall miss him when, following a habit I have adopted, watching Presidential press conferences, achievements of our astronauts, and other notable public events on his television. He is one of the finest and most personable and most knowledgeable men I know. Were he to write a book of his recollections throughout his long years of service and his comments regarding public men he

has met, I know it would be most readable—probably a bestseller. I have no knowledge or information that he has any intention of writing such a volume. To him and his beautiful and accomplished wife, Wanda, I join with many other of my colleagues to wish Godspeed and happy landings to this fine public servant who is leaving us, and all good things for members of his family.

PRIVACY, OUR VANISHING FREEDOM

Mr. BURDICK. Mr. President, I ask unanimous consent that the article entitled "Privacy, Our Vanishing Freedom," written by the distinguished Senator from Missouri, which appeared in the July 1965 issue of *Frontier* be printed in the RECORD.

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

PRIVACY, OUR VANISHING FREEDOM (By U.S. Senator EDWARD V. LONG)

In the course of 3 months of testimony heard by the Senate Subcommittee on Administrative Practice and Procedure, the public has been awakened, as never before, by exposure of threats to individual privacy from governmental snooping and eavesdropping. Some of the communications media and the public have chosen to treat many of the revelations as a joke—the olive transmitter in the martini glass, the tiny microphone in a picture frame of George Washington, or the miniature tape recorder in a lady's purse.

It is difficult, however, to find any humor in these disclosures when they are placed in their proper perspective with relation to other facts unearthed during the hearings. As chairman of the subcommittee conducting these hearings, it was gratifying to see that not all newsmen and citizens treated the revelations lightly. The prompt and intense reaction which these exposures evoked amongst the press and the greater proportion of the American citizenry clearly showed that the menace was clearly and widely recognized.

It was heartening to learn from the immediate flood of mail to my office that thousands of Americans arrived at the same conclusions as those reached by the subcommittee. These were that representative agents of the U.S. Government were the perpetrators and private citizens the victims of what can be described only as "police-state tactics" of well-equipped and obedient zealots of an increasingly inquisitive governmental bureaucracy.

How else could we explain practices by post office inspectors of regularly spying on employees by watching them from peepholes and two-way mirrors in work areas, cafeterias, dressing rooms, and rest rooms? What other explanation could possibly account for the frequent use of mail covers by governmental agencies in "fishing expeditions" on unsuspecting citizens when all other attempts at investigation and prosecution fail? How else could the Post Office Department explain the handing over of mail of certain delinquent taxpayers to the Internal Revenue Service which, in turn, opened it in violation of statutory provisions? What else could account for the view of the Food and Drug Administration that some small vitamin manufacturers, food processors, and churches pose such a threat to this Nation that gang-buster-type raids are justified? How else could Food and Drug and certain other agencies defend their practices of trial by press in which the names and reputations of many innocent citizens are ruined through adverse

publicity with little or no regard for due process of law?

The answers to these questions, and many more like them, clearly demonstrated to the subcommittee the degree to which ethical and legal considerations had been superseded by administrative agency desires to gain prosecutions and convictions.

The subcommittee has encountered far too many instances of power abuse by administrative agencies to remain indifferent. Instead of concerning themselves with those matters which are legitimate and conducive to the public welfare, we find many of their agents engaged in bizarre and juvenile games of cops and robbers. Far from viewing power as a public trust which must be employed with discretion and restraint, representatives of agencies appearing before the subcommittee reflected attitudes of police orientation, total indifference to the constitutional rights of their victims, and an unsatiated desire to acquire and use the most sophisticated snooping gear to pry and invade the citizen's right of privacy.

The one thread of continuity permeating the entire content of the revelations made before the subcommittee is all too clear and all too disturbing for those who have the eyes to see—the constitutional rights of the man in the street are being violated and trampled by agents of his very government. The basic rights of the individual citizen are, in short, jeopardized by those supposedly protecting these rights.

This abuse of legitimate power serves no possible good. It brings the Federal Government into disrepute in the public eye, and makes a mockery of the idea that the Government exists for the people.

THE TECHNIQUES OF THE POLICE STATE

The subcommittee revelations about the tools and techniques of the snoopers are deeply disturbing to those of us who cherish our democratic heritage. When it is logically assumed that other individuals are imitating some of the eavesdropping attitudes and methods employed by Government agents, it is difficult to contest the fact that many of our fellow countrymen are leading a slow but steady drift toward the degradation of police-state morality. The permissive mentality which tolerates and even encourages such activity is in radical contrast to the spirit and the letter of our Constitution and its guarantees. Those who allow themselves to become so parochial and self-centered in the importance of their snooping tasks that they ignore or minimize the ethical implications of their behavior must be reminded of the fact that the rights of none of us are any stronger than the rights of any one of us. Liberty exists, and can continue to exist in our society, only in proportion to wholesome restraint on the part of every citizen toward his fellow citizen. We must never forget that this Nation was founded on the basic premise that the individual is a free human being with certain inalienable rights. Among these many rights is that of the right of privacy. In the early history of our Nation, the right of privacy was considered so important that extensive protections of it were included in the Bill of Rights. This right has become even more dear to Americans as we have become an industrialized and urbanized society in which the areas where a person can enjoy privacy have become increasingly limited.

AN ALMOST TOTAL ABSENCE OF ETHICS

A brief look at some of the snooping paraphernalia demonstrated before the subcommittee and admittedly used by governmental agencies clearly demonstrates the extent to which ethical and constitutional inhibitions have been overcome by practices of peeping permissiveness.

Miniature microphones concealed in tie-clasps, pens, wristwatches, telephones, and picture frames which can monitor conversa-

tions in any locality are in the inventory of many Government agencies.

Small cameras and tape recorders disguised in the most ingenious ways are purchased by the agencies in significant quantities.

Telephone tapping devices are widely used by various agencies.

"Spike mikes" and "tube mikes" concealed in the walls of buildings have been known to be used by Federal agents.

Two-way mirrors have long been in the arsenal of Government snoopers.

The proliferation of eavesdropping devices, unfortunately, does not end at this point. The ingenious and inventive human mind is constantly devising new and more pernicious means to pry into the privacy of the individual citizen. The progress of laser beam research, infrared photography techniques, and other exploratory projects put the imagination of James Bond to shame. Their implications for the future privacy of the American citizen are, to say the least, alarming. It becomes distressingly clear that George Orwell's "1984" need not be fantasy and need not be fiction of a distant future. The technology of eavesdropping on the privacy of the individual upon which Orwell bases the control of his "thought police" is already developed two decades before his scene.

What is equally disturbing is that the electronic snooping gadgetry is not restricted to governmental use alone. It is widely used by police, private detectives, and private citizens. The odious ear and the invidious eye have, unfortunately, become as much a part of the American way as apple pie and mother, although it is hardly as savory as the one or as beneficent as the other. Modern Americans are exposed, peered into, inquired about, and spied upon so as to be increasingly without privacy; they are members of a naked society with little or no personal privacy.

Such commentaries on life in this Nation today make it quite apparent that surveillance is becoming more and more pervasive in our lives, and that privacy is becoming harder and harder to protect. Every day we hear of new ways to spy on and overhear the private conversations—we are tempted to say, even the private thoughts—of our fellow citizens. A steadily growing arsenal of insidious eavesdropping devices, uncomplicated in operation, virtually incapable of detection, and relatively inexpensive, is widely advertised in many of our leading newspapers and periodicals. At the present time there is nothing to prevent the abnormally curious and the unscrupulous individual from purchasing and using such gear.

Strange as it may seem, no effective legislation has yet been formulated to curb these incursions. Unfortunately, in the whole subject area of invasions of privacy, the legislator is in both a legal desert and a legal jungle: a legal desert because of the sparsity of law and a legal jungle because of the conflicting nature of that which does exist. For example, the only Federal laws on wiretap and eavesdropping are sections 302 and 805 of the 1934 Federal Communications Act. Neither of these sections has been enforced, partly because technological innovations have circumvented them and because the proverbial fox has been put in charge of the henhouse. Agencies of the Federal Government, as repeated violators of these sections, have been understandably reluctant to enforce them. The legal jungle is clearly shown when five States enact and enforce laws which are in direct conflict with the Federal law; yet no protest is heard.

EVERYBODY'S LIBERTY IS AT STAKE

These facts clearly point to the need for action to correct these deficiencies and conflicts. It is my basic contention that the use of any type of concealed surveillance equipment poses a direct threat to the constitu-

tional liberties guaranteed to every American. Spying in any form smacks of gestapo methods, and is incompatible with every principle of human decency for which our Nation stands. Something must be done and done soon, if we are to restore and safeguard a reasonable degree of personal privacy in the lives of our citizens in the years to come.

While the subcommittee clearly recognizes the need for remedial legislation, it is difficult to predict the final form that such a corrective statute will take. It becomes increasingly clear to the subcommittee that a curb could not and should not be put on the inventive genius of scientists and engineers. The area of possible restrictions in electronic eavesdropping would appear to lie, rather, in the direction of licensing the manufacturers, purchasers, or users of the equipment. Any of these alternatives, or some combination of them, would undoubtedly fall within the administrative sphere of the Federal Communications Commission. Needless to say, any type of restrictive legislation which can appreciably reduce the widespread practices of electronic snooping while restoring the constitutional right of privacy should serve as a safeguard for the dignity and the integrity of every individual citizen in the United States.

As chairman of the Senate subcommittee entrusted with this formidable task, I am determined to use all the powers at my command to formulate effective legislation to correct this situation which has been ignored for too long. Finding a solution will not be easy. Once found, persuading Congress to correct the situation may not be easy. I am convinced, however, that the results will justify the efforts expended.

DEDICATION OF INTERSTATE HIGHWAY 70, SPANNING THE STATE OF MISSOURI

Mr. SYMINGTON. Mr. President, next Sunday afternoon, September 19, Missouri will dedicate its 252-mile segment of Interstate 70 as a completely divided highway spanning the State from the Kansas to the Illinois lines; Kansas City to St. Louis. The Secretary of Commerce, the Honorable John T. Connor, will be the dedication speaker in the ceremonies to be held at the exact midpoint of the route, adjoining the 126-mile marker at Columbia, Mo.

In recognizing this achievement, Secretary Connor will be joined by my colleague, Senator EDWARD V. LONG; the Governor of Missouri, Warren E. Hearnes; Federal Highway Administrator Rex M. Whitton; and other National and State officials.

Nine years ago, on August 2, 1956, just 35 days after President Eisenhower signed the Federal Aid Highway Act into law, work on the 41,000-mile Interstate Highway System was initiated in Missouri, with groundbreaking on Interstate 70 in St. Charles County just west of St. Louis.

Missouri was in the forefront then, because we had an outstanding highway department under the capable leadership of one of the great public servants of America, Rex M. Whitton.

In 1956, Missouri's chief highway engineer, Mr. Whitton, had no idea that he would later be called by President Kennedy to become Federal Highway Administrator in charge of this, the greatest of all peacetime construction programs, and later would be asked by

President Johnson to continue in that position.

We in Missouri are proud of the leadership being given nationally by Rex Whitton. In recognition of the progress made to date, the ceremonies this Sunday were planned under the sponsorship of the Missouri Good Roads Association, through the capable leadership of Fred Hughes, president.

Mr. President, I ask unanimous consent that there may be inserted at this point in the RECORD an article from the September issue of that association's magazine, Missouri Good Roads, reporting plans for the dedication, and two reports on the status of the Interstate System and the Federal aid highway program.

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

INTERSTATE 70 DEDICATION SCHEDULED FOR SEPTEMBER 19 AT COLUMBIA

The date was August 2, 1956, just 35 days after President Dwight D. Eisenhower signed the Federal Aid Highway Act into law. The place was St. Charles County, Mo. The occasion was the beginning of the world's greatest construction project—the Nation's System of Interstate Highways.

It was a project to bring Americans 41,000 miles of superhighways by 1972. Estimated cost of the nationwide program is \$46.8 billion.

On September 19, Missouri will dedicate its 252-mile segment of Interstate 70 as a completely divided highway spanning the State. The ceremony will take place at the exact midpoint of the route, Columbia, Mo. Secretary of Commerce John T. Connor will be the dedication speaker.

The commemoration begins at 4:30 p.m. from a speakers platform erected at the Parkade Plaza in Columbia. By coincidence, this large parking and shopping center is adjacent to the 126-mile marker on Interstate 70, the exact halfway point of the statewide highway. On the platform will be Secretary Connor, Missouri Gov. Warren E. Hearnes, Senator EDWARD V. LONG, Federal Highway Administrator Rex M. Whitton, and other top National and State officials.

A 6 p.m. dinner, where Secretary Connor will deliver the principal address, is scheduled at nearby Holiday Inn. More than 500 persons have purchased tickets to the dinner, filling the banquet room to capacity.

Missouri Good Roads Association president, Fred Hughes, of Joplin, is master of ceremonies at both programs.

The dedication is sponsored by the Missouri Good Roads Association, a nonprofit statewide organization interested in an adequate system of highways for Missourians. Plans for the commemoration were drawn by a committee of representatives from each of the cities along the Interstate 70 route, the Government office, the State highway department, the highway patrol, and the Missouri Good Roads Association.

Federal Highway Administrator Rex M. Whitton was Missouri's chief engineer at the start of the interstate program. At the time the first shovelful of dirt was turned on Interstate 70, Whitton little realized that he would eventually head the Nation's vast highway program.

Contractor on the Interstate 70 job was Missouri Good Roads member Cameron, Joyce & Co.

The Nation's Interstate System will save 8,000 lives a year and \$11 billion to users each year. Its effects on the Nation's economy—its agricultural, business, commercial, industrial and recreational benefits—can only be measured in astronomical terms. It will pay

for itself in 5 years through benefits to its users who enjoy more than a penny savings for each mile they drive on the modern highway.

Interstate 70 is the key route of the Interstate System as it connects the Midwest with the country's two coasts, from Frederick, Md., to western Utah where Interstate 15 whisks the traveler across corners of Arizona and Nevada into California.

Missouri's Interstate 70 is proving miraculously safer than the stretches of old U.S. 40 it replaces. A 3½-year study by the State highway department revealed that a 21-mile segment of Interstate 70 replacing old Highway 40 between Boonville and Columbia had 114 accidents, 95 injuries, and 4 fatalities during the study period. However, during the 3½-year period before the new highway was opened there occurred 400 accidents, 296 injuries, and 13 fatalities on the old road.

The interstate is 3½ times safer than the obsolete road it replaces.

In fact, one Federal official points out that while Federal highway spending totals about \$8 billion annually, the economic loss now due to accidents exceeds that amount.

Interstate 70's role in Missouri's tourist business becomes increasingly apparent in view of the ease of entering our State now provided the tourist. American motorists chalk up more than 215 million vacation and pleasure miles annually on trips more than 100 miles from home or requiring an overnight stay. The greatest percentage of these trips are under 500 miles and represent weekend trips and short vacations. The average traveling couple spends \$31 a day and any area attracting two dozen extra tourists a day is gaining revenues comparable to adding a new industry with a \$150,000 annual payroll.

Unfortunately, there isn't enough money currently available for a speedup in the State highway program to provide better roads into Missouri's magnificent recreation areas after the motorist leaves the interstate.

However, the completion of Interstate 70 reflects the kind of roads that can be built—roads that can meet today's needs—roads that save more than they cost.

THE INTERSTATE SYSTEM

In 1956, President Eisenhower signed into law the Federal Aid Act creating a 41,000-mile system of interstate and defense highways. This system, criss-crossing the United States, was scheduled for completion in 1972.

Although Federal aid to State highway programs had been utilized in Missouri since 1921, this act created the highway trust fund earmarking, as Missouri had been doing for years, highway user moneys. Previously, Federal aid projects had been financed out of Federal general revenues.

The Interstate System is a sharing of Federal and State funds on a 90-10 percent basis. Other Federal aid funds are shared on a 50-50 basis. The Federal Aid Act of 1956 was the result of planning for an Interstate System envisioned for years. At the time of the original appropriations, the "windshield estimate" by highway engineers was \$27 billion. This was a hurried estimate. The 1961 estimate, which took into consideration rising costs of construction and materials as well as the fact that Congress changed the law and required construction to be adequate for anticipated traffic 20 years hence, was more accurate at \$41 billion. The 1965 estimate, the most recent, is \$46.8 billion for the system.

The House has recently passed Senate Joint Resolution 81 to provide:

1. Three billion dollars in appropriations for the interstate program.
2. A post-1972 needs study to be made by the Department of Commerce.
3. Withdrawal of Federal funds from States which do not have safety laws after 1968.

Four hundred and ninety miles of Missouri's interstate routes are completed, including Interstate 70.

Under contract and expected to be completed in 1965 are 117 additional miles. Other interstate segments totaling 77 miles are under contract.

This leaves 435 miles of Missouri's 1,119-mile portion of the interstate not built and not under contract.

No interstate contracts have been let this year. This is a critical situation which is slowing Missouri's highway program. The reason for this slowdown is a lack of money in the highway trust fund. When Congress established the highway trust fund it required that there be no deficit financing, that there has to be money in the fund before it can be released to the States. For this reason, even though Congress appropriates money for the program, the money has to be in the fund before it can be released to the States. Missouri's share has been lagging a full 3 months and no contracts have been let for 1966 under this program.

The highways that are built under the interstate program belong to the State. Missouri will have ownership of the 1,119 miles of Missouri interstate and will have to maintain and repair these highways. The Interstate System as such is not a federally owned system. It is merely a system of highway marking. Highways built under the interstate program have to meet standards established by the Federal Bureau of Public Roads.

The Nation's interstate program began in Missouri on August 2, 1956 in St. Charles County, Mo.

FEDERAL-AID HIGHWAY PROGRAM

The enactment of the first Federal Aid Highway Act in 1916 had four important effects upon State highway administration in Missouri.

First, since the receipt of Federal funds was conditional upon the matching of funds by the recipient States, it created a need for a State agency which would be in power to make the State commitments. In Missouri the Federal act contributed, therefore, to the establishment of the State highway commission.

Next, the Federal legislation stipulated certain minimum technical qualifications for the State highway agencies. These encouraged the development of Missouri's State Highway Department.

Thirdly, the participation of the State on a continuing basis in the construction and maintenance of State roads and bridges is in part traceable to the requirement that roads constructed with Federal aid be maintained by the recipient State.

Finally, the availability of Federal aid has encouraged Missouri and other States in their efforts to provide more adequate roads.

In 1921, the Federal Highway Act amended the 1916 act, eliminating the requirement which restricted the use of Federal aid to the construction of rural roads by permitting the expenditure of Federal funds on any roads chosen by the State and approved by Federal authority. Formerly, the Federal contribution had been restricted to 7 percent of the total rural mileage in the Nation.

As required by this Federal legislation, the State highway department submitted a report in 1922, designating the State's first primary and secondary systems. These road systems were to connect 25 of the State's cities with a population of 25,000 or more.

The Federal Aid Highway Act of 1936 appropriated additional funds which were to be expended on secondary roads under the provisions of the 1921 act. For the first time, funds were made available for elimination of hazards at railroad crossings. Federal legislation enacted in 1944 extended the use of Federal aid to urban extensions of the Federal aid highway system.

The 1944 legislation also introduced the now familiar classification of primary, secondary, and urban highways. The primary highways are the trunk systems connecting towns or cities and can be either interstate or intrastate. The supplementary roads are of a local nature and are short distance routes. A good example of a primary route is U.S. 63, and the supplementary or secondary routes are lettered routes. The urban highways are extension of primary or secondary routes through metropolitan areas. These road classifications are also the ABC highways. Every 2 years the Federal bill covering the Federal aid primary, secondary, and urban area extensions is commonly called the ABC bill.

CONGRESS AND ONE MAN, ONE VOTE

Mr. HRUSKA. Mr. President, Prof. Robert G. Dixon, of the George Washington University Law School, has been studying the problem of legislative reapportionment under a Rockefeller Foundation grant during the last year.

Earlier this year, in testifying before the Constitutional Amendments Subcommittee, Professor Dixon showed a deep knowledge and understanding of this problem and its implications. In a recent issue of the George Washington University magazine he discussed the reapportionment issue.

In this article it is pointed out that Chief Justice Warren's stated objective in the reapportionment decisions is the ultimate goal of fair and effective representation. In order to achieve this, Professor Dixon suggests:

The need for the future will be to pick apart the meaning of the one man, one vote slogan.

As those of my colleagues who have taken an active interest in this issue know, that is not a simple task, but it is of vast importance. The article notes:

It is a far more subtle and many-faceted concept than most persons yet realize and may have a future out-reach far beyond its present dimension.

There is one point upon which I would disagree with Professor Dixon. He states:

Granting the importance of the district system, and recognizing also its imperfections as an instrument for fair and effective representation, there may be much merit in considering a reapportionment constitutional amendment.

With this I agree; however, he continues:

For a variety of reasons not wholly related to the merits of the matter, the prospects for adoption of such an amendment appear dim.

It is my belief that prospects for adoption of such an amendment are not dim. After my colleagues have had an opportunity to go home after adjournment to visit with the voters, I believe that they will come back with a renewed faith in their constituents and their ability to understand and make an intelligent judgment on the issue of reapportionment. Then we can adopt the Dirksen amendment.

I ask unanimous consent that the entire article be printed in the Record at this point.

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

CONGRESS AND ONE MAN, ONE VOTE

(By Robert G. Dixon, Jr.)

The Supreme Court's reapportionment decisions in June 1964, rank as one of the most far-reaching series of decisions since the beginning of judicial review (*Reynolds v. Sims* from Alabama and related cases from 14 other States). The Court, utilizing the "equal protection of the laws" clause of the 14th amendment, embraced a one-man, one-vote principle which means, said the Court, that legislators in each house of a bicameral legislature must be elected from districts of approximately equal population. Under this new equal population district standard—whose strictness is still uncertain a year later—at least one legislative house and in most instances both houses in virtually every State became unconstitutional.

A few months earlier in February 1964 in a case from Georgia (*Wesberry v. Sanders*) the Supreme Court had laid down the rule that congressional districts for the election of the lower house of Congress must be of substantially equal population. The U.S. Senate and the weighted voting system for the election of President and Vice President (electoral college system) remain untouched, so far. A suit to attempt to readjust voting weight in the election of the President is being seriously discussed, and Delaware may take the lead. State equality in the Senate, however, is fixed as an apparently unamenable part of our Constitution.

UNCERTAINTY OF STANDARDS

A year after the Supreme Court mandated drastic change in legislative apportionments and congressional districts, far fewer than half of the States had succeeded in accomplishing change, although there had been furious activity in virtually every State. Even in the steadily increasing number of States with new apportionment plans and new congressional districts there is no assurance of ultimate constitutionality because of continued uncertainty concerning the Supreme Court's eventual standards for fair representation and substantial population equality among legislative districts.

For example, one figure commonly considered is the maximum percentage deviation from average or "ideal" district. (The average or "ideal" district for each house may be obtained by dividing the State's population by the number of seats in each house of the legislature.) In regard to congressional districts the House of Representatives passed and sent to the Senate a bill permitting a 15-percent leeway either way. One Federal district court (Georgia) in April 1965, also spoke favorably of a 15-percent leeway for State legislative districts. But at least one of the new congressional districts in 4 of the first 10 States to redistrict after *Wesberry* exceeds a 15-percent deviation, and it may be some time before the Supreme Court rules on whether a 15-percent deviation yields substantial equality. It could be argued that the allowable percentage deviation for the House of Representatives should be less than for State legislatures, because only half of Congress is apportioned on a population basis whereas both houses of State legislatures are to be apportioned substantially on a population basis.

Some of the newly reapportioned State legislatures show major variations in terms of maximum deviation percentage points. Deviations in Washington run to 20 percent, and in New York to 11 percent (both approved by lower Federal courts). But Michigan's deviations of under 1 percent for the Senate and under 3 percent for the House are being challenged. It is being urged that the price of this allegedly unnecessary strict-

ness was a major cutting of county lines in drawing district boundaries, ignoring of community-of-interest factors, gerrymandering, and violation of parts of the Michigan constitution deemed not to be intrinsically in conflict with a substantial population equality rule.

Gerrymandering arguments may come to be even more important than arguments over population percentage points as the reapportionment crisis unfolds in the next few years. The Supreme Court itself seemed to invite this argument in an opinion handed down in January 1965, in a Georgia case (*Fortson v. Dorsey*) which challenged the at-large (winner-take-all) election of seven State senators from Fulton County (Atlanta). Although the Court refused to disturb the at-large election system on the record presented, Justice Brennan did say, in his opinion for the Court, that a system might be suspect if it operated "to minimize or cancel out the voting strength of racial or political elements of the voting population."

This statement was made in a State legislative apportionment case, as noted above, involving election from the county at large, without subdistricts, of all of the members apportioned to the county for the State senate. The force of this statement seems equally applicable to the construction of congressional districts. Its essence seems to be to identify a "political equity" or "racial equity" interest as a further outreach of the one-man, one-vote concept. On this basis a system of equal population districts which was so constructed as to prevent the weaker political party from capturing a share of seats roughly proportional to its share of the popular vote would be suspect, and perhaps unconstitutional.

GOAL OF PROPORTIONATE REPRESENTATION

This "political equity" possibility relates directly to what seems to be the crux of our present crisis in reapportionment and redistricting. When we talk about one man, one vote inside a given district, we are simply talking about the concept of majority rule. The candidate who polls the most votes should win, and each vote should count the same. This thought was the essence of the Georgia "county unit" case in 1963 which invalidated Georgia's system of weighted voting for such statewide officers as Governor and U.S. Senator. This "county unit" system was quite similar in operation to the "State unit" system (electoral college system) still used for President and Vice President.

Simplicity vanishes when we shift from one man, one vote inside a given district to the construction of a representative assembly intended to represent fairly all of the interests in the State, and comprised of members chosen through separate district elections. Those interests which constitute a majority, or are in an important balance-of-power position in a district or series of districts, will get representation, although it may not always be proportionate to their numerical strength. Those interests which constitute a locked-in minority in a series of districts will, realistically speaking, get no effective representation.

People are notably unhappy when they feel they are not receiving representation in the legislature proportionate to their strength in the State as a whole. Indeed, this feeling was the primary motivation for most of the plaintiffs in most of the reapportionment suits dating back to the leading case from Tennessee (*Baker v. Carr*) in 1962. Although the battle cry has been one man, one vote the purpose has been to achieve representation in the legislature more proportionate to voting strength. The goal has been to effectuate certain interests, not just to achieve a mathematical abstraction by treating all voters as interchangeable grains

of sand who can be shifted from district to district in pursuit of a bare equality of numbers.

It comes down really to a conundrum: How can we have a PR result without the PR form? (In a proportional representation voting system, districts are abolished and parties are allocated seats in proportion to their overall strength.) How can we retain our traditional subdistrict system of electing our central legislature and still have it give us a proportional representation result for all of the interests in the State as a whole?

In short, the logic of one man, one vote, when applied to legislative elections, points to PR and away from the district system with its wasted votes for all those who are a minority in the district where they dwell. But PR has its own shortcomings because in wiping out district lines it opens the door for the rise of minor parties who can pick up a few electoral quotas, and the two-party system is weakened.

ONE MAN, ONE VOTE IN LEGISLATURES

When applied to the legislative arena as a whole, one man, one vote—which Chief Justice Warren also said includes the idea of making every vote as effective as possible—puts in question the whole range of anti-majoritarian rules and practices in Congress and State legislatures. As Chief Justice Warren said in one of his opinions in the reapportionment decisions of June 1964, the ultimate goal is fair and effective representation. Any device which impedes or thwarts the dominant represented view is therefore suspect. It short-weights the representation function. From this perspective a number of legislative practices are suspect under a one man, one vote concept, functionally viewed. They would include, at the least, the following: (1) The filibuster, (2) seniority practice in "electing" committee chairmen, (3) seniority practice in committee assignments, (4) powers of committee chairman to delay or block action, (5) all extraordinary majority requirements in legislative voting, (6) inequitable staffing for committees and for legislators individually.

Some of these possible out-reaches of one man, one vote, placed in functional context, are doubtless somewhat distant. Of more immediate relevance are the equality and gerrymandering issues which are affecting current apportionment litigation, as outlined above, and the possibility of a Federal constitutional amendment.

PROPOSED REAPPORTIONMENT AMENDMENT

The proposals for a Federal constitutional amendment, particularly those made by Senators JAVITS and CHURCH, are designed to modify partly the reapportionment-decisions of June 1964. Specifically, these proposals—which are far narrower than the original draft of Senator DIRKSEN's better known proposal—would permit the people of a State to place one house of a bicameral legislature on a mixed representation basis (i.e. deviating from a straight population principle in one house) provided the change was approved in an initial statewide one man, one vote popular referendum, and reapproved or modified by popular referendums every 10 years thereafter. A Senate subcommittee in June approved language of this type. The other house, and of course the Governorship, would remain on a straight population basis. Thus, the substance of the Court's decisions and the starting premise of equal population districts in both houses of a bicameral legislature would remain intact, modifiable only by an alternative form of one man, one vote, namely—the statewide referendum.

All district systems—including equal population district systems—may yield unequal and distorted representation as mentioned earlier. District lines frequently carve up and submerge indistinguishable interests, often

unavoidably. The balance-of-power position of better organized interests frequently leads to exaggeration of their influence. The prohibitionists demonstrated this by going all the way and getting a constitutional amendment. All district systems tend to exaggerate—sometimes grossly so—the position of the dominant political party. The great merit of the district system lies in discouraging splinter parties, promoting stability, and protecting the power to govern.

Granting the importance of the district system, and recognizing also its imperfections as an instrument for fair and effective representation, there may be much merit in considering a reapportionment constitutional amendment. For a variety of reasons not wholly related to the merits of the matter, the prospects for adoption of such an amendment appear dim. The two essential elements for such an amendment would be: (1) a provision for placing before the people, either automatically or by petition, the question of electing one house under a mixed representation system, without need for approval of the sitting legislature however it be apportioned; (2) provision for decennial review of the representation question, either automatically or by petition. The sitting legislators, whether or not they be the product of an "equal population district" system, may have a role in the process but should not be in a position to block popular review and modification of the representation system. The curse of the system that prevailed before *Baker v. Carr* was the people had no power to act, except through the sitting legislators, and the courts refrained from acting by treating the matter as a political question.

To fear popular control and experimentation in this matter is to fear democracy itself. The people being the ones to be represented, it would seem that they should be the ultimate judges of the adequacy and fairness of that system. This is the principle on which the whole power of constitutional amendment rests—including a power to add to or subtract from the Bill of Rights.

THE NEEDED DIALOG

It is implicit in this entire essay that in regard to reapportionment and redistricting we are dealing not merely with a simple civil right of the individual voter. Voting is involved. But in the creation, out of arbitrary districts, of a representative system for indirect democracy, the right of the individual voter becomes intertwined with large corollary questions concerning group dynamics—i.e., concerning political philosophies and practices of representation in a public order in which groups are as relevant as individuals. The individual does vote. The issue is: how effective is his vote, and the votes of those who think as he does, when filtered through a system of frequently changing districts?

Reapportionment restructures government at its core. It calls for a national dialog at the philosophical level and at the practical political level on the theories and mechanics of effective representation, both in district voting and inside legislatures. The need for the future will be to pick apart the meaning of the "one man, one vote" slogan. It is a far more subtle and many-faceted concept than most persons yet realize and may have a future outreach far beyond its present dimension.

(NOTE.—Robert G. Dixon, professor of law, was on leave in 1964-1965 under a Rockefeller Foundation grant for legislative reapportionment research, and has been awarded a grant from the American Philosophical Society for continued research in this field in the summer of 1965. Funds for research assistants have been provided by a supplemental grant from the Evening Star-George Washington Research Fund.

(In the past year Professor Dixon has spoken on reapportionment before several

groups including the Conference of Chief Justices, the National Association of Attorneys General, the Association of American Law Schools, the National Association of Counties, the Midwest Conference of Political Scientists, the Columbia University Law Forum, and the regional American Assembly of George Washington University. He is scheduled to be a panelist at annual meetings of the American Political Science Association in September, of the American Society for Political and Legal Philosophy in December. He testified on the proposed reapportionment amendments before the Senate Subcommittee on Constitutional Amendments and the House Judiciary Committee.

(Although concentrating primarily on legislative reapportionment in the past year, his recent publications also include articles and contributed chapters in the fields of civil rights, church-state relations, metropolitanism, and intergovernmental relations. He is known also for his authorship of many works in other fields.

(Professor Dixon was professor of political science at Maryland, American, and Syracuse Universities before joining the university law faculty in 1956. He holds the doctor of philosophy in political science from Syracuse University and the bachelor of laws with distinction from George Washington, and was a Ford Foundation Faculty Fellow at Stanford University Law School.

(He expressed his belief in the practical as well as the theoretical in a recent publication for students, saying: "Maintaining the rule of law is of primary importance, especially in these times of crisis. Law, without liberty, has been the frequent lot of mankind. But liberty, without law, is an impossibility. Both are a precondition to that balance of freedom and order, of public need and private right, which men call justice.")

BOISE COLLEGE COMES OF AGE

Mr. CHURCH. Mr. President, in recent years I have been privileged to cast my vote in the Senate for a continuing series of the most progressive aid-to-education bills ever enacted. Others who support these bills in aid of elementary, secondary, and higher education may have wondered, as I have, how effectively this kind of assistance would be put to use.

I have just had the satisfaction of seeing an entire new era open for a college in my home city of Boise, Idaho; a college for which I once served as a night-school instructor. The rapid expansion of its curriculum and facilities has been the result of bootstrap efforts by the people of the district, combined with State-enabling legislation and financial assistance from the Federal Government which we have established. The rise of Boise College from a 2-year junior college to a 4-year baccalaureate school is a highly gratifying one.

This story has been told in the September 2, 1965, issue of the Idaho Observer and I ask unanimous consent, Mr. President, that it be printed in the RECORD.

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

A COLLEGE COMES OF AGE AFTER A SWIFT SWITCH IN GEARS

(By Alice Dieter)

A new era opened this week, with the start of the 1965-66 academic year, for one of Idaho's major educational institutions,

which 6 months ago was just another junior college offering vocational courses and a steppingstone to the bachelor's degree.

For fast growing Boise College, now a 4-year, degree-granting institution, the week marked the culmination of three decades of patient development and 6 months of frantic preparation.

When the bill to make Boise Junior College a 4-year school bounced through the Idaho Legislature without a hitch last winter, no one was more surprised than the college administration.

At the time the college was in the midst of a factfinding study designed to pave the way for eventual addition of a junior and senior curriculum. An upper division was bound to come eventually, they knew, but suddenly they found themselves called upon to shift gears in months instead of years.

The major responsibilities for shifting the gears fell on the shoulders of a three-man team that is remarkably complementary and reflects, in three quite diverse individuals, a strong similarity of views as to the future of the college. The three: President Eugene Chaffee, Vice President William Gottenberg and Dean of Faculty Acel Chatburn.

Dr. Chaffee is a dapper, broad-shouldered man with silver streaks in his dark hair. He has a voice grown hoarse with telling the story of Boise Junior College at innumerable service club luncheons since he joined the faculty in 1932.

Dr. Chaffee was born in Nebraska. He came to Idaho as a boy when his family acquired a ranch in the Boise Valley. After earning his bachelor of arts degree at Occidental College he returned to Idaho to look for a teaching job. There was an opening in Meridian, with 35 candidates for it. Chaffee beat the field, taught several years there and at Ustick and then returned to California, to the university at Berkeley, where he earned a master's degree in history. His master's thesis on the history of the Boise Valley is a well-worn reference volume at the Boise public library.

Meanwhile, back in Boise, educators and civic leaders had recognized the need for an institution of higher education in the community. The Episcopal Church took the first steps. The church had operated St. Margaret's Hall in Boise since the 1880's. In 1932 Bishop Middleton S. Barnwell hired an expanded faculty, authorized a new curriculum, and began phasing out the high school work of the school.

The only full-time male member of the new faculty serving as dean of men, athletic coach and dean of social sciences was Eugene Chaffee.

Two years later, faced with mounting financial burdens, the church relinquished its interest to an organization of businessmen. The school functioned under their direction until 1939 when passage of the Idaho junior college law authorized the organization of a junior college bonding district.

Dr. Chaffee stayed all the way. Only once did he consider leaving. He had been offered the administrative deanship in 1934, but felt the conditions were unacceptable.

The trustees were offering no real authority, they still wanted to run the school themselves.

Besides, Dr. Chaffee was still deeply interested in history. His plans became more specific and in 1936 he had decided to leave for Brazil to research the history of Brazilian border disputes for a doctoral dissertation.

"Very interesting subject," he says, "very complicated because Brazil shares a border with every other South American country except Chile."

But Dr. Chaffee didn't go to Brazil. The trustees made him a new offer of the presidency of the college. And they offered him the authority he wanted. The Brazilian

border disputes stayed unresearched and the two doctoral degrees which Chaffee now holds are both honorary.

When he accepted the presidency he told his family, "I'm going to stick at this long enough to get this institution on its feet * * * and if the people of Boise want me I'll stay here all my life."

Money was a problem at the college. Dr. Chaffee recalls that economic conditions were so adverse in 1932 that the only bank left in town closed its doors the week the school opened. "Sometimes we had to wait until another student registered before we knew we would have coal to heat the classrooms, but we always paid our bills."

It was the community that built the college. One wall of his new office in the remodeled administration building is lined with photographs of Boiseans who have worked through the years.

Dr. Chaffee had a taste of this support for himself as an individual when he was stricken early in 1964 with a severe viral infection. Hospitalized in San Francisco and on the critical list, his room and the hall outside were banked with flowers. The messages stacked up at his bedside.

He recovered, but to the distress of his friends he cut his convalescence in half to return to the project that would culminate in the 4-year college bill a year later.

Says the college president:

"It is many people working together who have built this college, even sworn enemies. Not many men can have in their lives what I have. It is the road I drive, the lights of my town. I've been here so long now that I know everyone * * * and their children, and few people can do that anymore. This is the greatest satisfaction of all. It is basic to being a human being, like family. You can change businesses, but not families."

The vice-presidential slot on the administrative team is filled by a more recent Idahoan, William Gottenberg, who joined the college faculty in 1947.

Gottenberg is a trim, quick man who radiates energy and speaks in direct, clipped sentences. A Montanan, he served in the Navy in World War II, as did Dr. Chaffee, and returned to Missoula to teach.

A chance meeting with Dr. Chaffee in Butte in 1947, a summer trip to look over the Idaho State College campus, and an impulse to drive to Boise resulted in Gottenberg's joining the BJC faculty that fall.

"I saw an outstanding community and a small, but promising school," said Gottenberg.

He taught classes (English and Spanish) for only 2 years. A secondary responsibility as student government advisor became part of a major need for a man to work with all phases of student life. This was Gottenberg's dish of tea.

As he describes it, "My area is the students, loans, finances, housing, feeding and counseling."

His secretary can vouch for his concern. "He is late now because he went over to the hospital to see a boy who has had an accident," she explained to a waiting visitor. "He wanted to be sure the boy planned to come back to school."

"He insists on an open-office-door policy with the students and that makes his load very heavy, but he has an ability to switch his attention easily from one problem to another. He is here early and late."

"When they offered me the vice-presidency," Gottenberg recalls, "I told them then I wouldn't do it if it took me away from the students." He took 3 days to decide, then accepted.

It was Gottenberg who stepped into the breach during the months when Dr. Chaffee was convalescing from the virus attack. With the president back at his desk the vice president has been able to spend more time again on student affairs, but the responsibilities are expanding rapidly.

"Even though the early passage of the bill surprised us," says Gottenberg, "we were ahead because we had already rewritten the student constitution. We are working toward the student self-government that a more mature student body requires."

Gottenberg believes decisions about social life, campus regulations and dormitory administration belong properly to the students. "Students respond to responsibility * * * and this protects against 'Berkeley' behavior."

It is Gottenberg's responsibility to keep up with the expanding Government programs that provide funds for student loans and supplemental training programs. He says that the college is taking advantage of every Federal fund source available except the Manpower Development and Training Act, which the trustees decided was unacceptable because the admission procedure involved selection of students by an agency other than the college.

He prides himself on his skill at combining available resources to fit individual student problems. "As opportunities expand we have many types of students, some of them husband-wife teams with families to feed. We find a way. It is part of our job as a community college."

Gottenberg is deeply involved in the expansion of the vocational school and the need to provide challenges for the post-high school students.

"Last summer we needed to dig a trench to bury some electrical cable for our new vocational building," he says. "I hired a trench digger and operator, and we held a contest between the machine and a student. The rest of the boys watched and figured the time and cost involved in both methods of trench digging. They saw for themselves the pittance of their own strength against a machine."

In measuring the future importance of vocational training Gottenberg quotes Labor Secretary Willard Wirtz: "It takes 14 years of education to equal a machine—and a machine doesn't eat." He adds to this the estimate that the average worker now requires retraining at least three times during his working life.

Will town-grown friction develop as the student body expands? Gottenberg says this isn't an immediate possibility.

"We are giving the students increased responsibilities. Guidance counseling and involvement with the life of the community will continue. Most of our students will be from Ada and Canyon Counties and we will have more commuters as the Interstate is completed. Sixty-seven percent of our students work, many of them hold evening jobs. The community hires our kids."

The dean of faculty, Dr. Acel Chatburn, is a native Idahoan. Large boned, sandy haired and bespectacled, he moves and speaks with the quiet voice of a rancher, even though his "spread" is a mere 2 acres now.

Dr. Chatburn began teaching in Idaho schools in 1931. He served in the Boise school system for 10 years and then received an appointment to 1 year of an unexpired term as Idaho superintendent of public instruction.

He speaks with wryness of "having the honor of serving in that office for the shortest period in Idaho history." Although Dr. Chatburn was buried, with the rest of the Republican slate, in the Roosevelt landslide of 1944, he is proud of the fact that he drew more votes than any other member of the ticket.

But that year marked the end of his excursion into politics and he returned to the classroom. It was a complete return. He joined the BJC faculty and taught all the psychology courses, gave all the guidance tests, taught all the education courses and also directed the student teachers and managed the film library.

"My responsibilities gradually 'dwindled' or 'concentrated' to heading the department of education."

He was appointed dean of the faculty in 1956 and later took a leave of absence to complete his doctorate at Washington State University.

When the legislature suddenly flashed that green light in the direction of the Boise campus it was Dr. Chatburn's responsibility to lead in decisions concerning expansion areas, and to recruit that all-important element, a new faculty.

The enabling bill specified the fields of business and education plus liberal arts for the upper division. But the college was left to decide which liberal arts.

Dr. Chaffee and Dr. Chatburn knew the curriculum committee's decisions would be crucial. They decided to begin where the community's needs were the greatest and where the faculty was already strong.

Says Dr. Chatburn: "A good case could be made for several different disciplines. Our choice fell on history because of the present strong staff and some people we knew we had a chance of getting, the proximity of the Idaho Historical Society Library, the college's own significant history collection, and the nearby Law Library."

"Mathematics was another choice because of the presence on our faculty of Dr. Elsie Buck to head the new department and because of the surge of interest in the fields of mathematics."

"We decided early that rather than dissipate our energies we would do a good job in a few areas and avoid duplication of strong departments in other Idaho schools."

"A big factor is the size of the authorized levy for upper division (1 mill). Costs have to be held down and conducting classes for less than 10 students is prohibitive. Therefore, although the music faculty is strong, expansion in that department was postponed because the classes must of necessity be very small."

With intensive recruitment the college faculty has been raised to 100 members. This represents 20 new positions. With necessary replacements Dr. Chatburn brought 27 new members to the school's teaching staff. Of the new faculty 11 hold doctoral degrees.

The most fruitful efforts were in the northern Midwest, where "they are fed up with the climate and the rat-race." Entering a highly competitive market for faculty, Dr. Chatburn could not offer a starting salary schedule that was particularly attractive. He could offer good maximum salaries and a competitive merit system devised by the BJC faculty which "works although the experts say it isn't supposed to."

But the recruitment leaned heavily on the very qualities that Dr. Chaffee, Gottenberg, and Dr. Chatburn found so satisfactory in their own careers.

"We sold the community, the climate, and the opportunity to grow with the school." As one who could remember when the BJC campus was sandwiched in between the city dump and the airport, Dr. Chatburn could tell his story with graphic detail.

"We answered initial inquiries with the chamber of commerce book on Greater Boise. We described the community as balanced, conservative in tone, and with no dominant industrial or religious group pressures. We found that if we could get a man to visit us on campus for an interview we could usually hire him * * * the climate, culture, scenery, fishing, and skiing do the job. Our main bait is a new and growing institution."

CRIME IN THE DISTRICT OF COLUMBIA

Mr. PELL. Mr. President, on July 28 last, I spoke to the Senate of my increasing concern of the unequal and losing

contest between the forces of law and the forces of crime in our Nation's Capital.

At that time I was joined in my sentiments by Senator MORSE, of Oregon, and Senator KENNEDY of New York. The Metropolitan Police of the District of Columbia is unquestionably making every effort that it can to combat this almost overwhelming wave of crime which would seem that sometime in our lives to strike at every family who resides in the District.

Much of the seeds of crime can be traced to the great social and economic problems that exist in our cities and which are even magnified in this city, our Nation's Capital. Therefore, it is incumbent upon our police department to not only apprehend criminals but also to make every attempt to inspire respect for the law and for their law enforcement personnel.

We have seen the results in Los Angeles of a breakdown in communication between those who are charged with law enforcement and those who are involved in social and economic upheaval. It is unquestionably most difficult to relate respect for law and order to the illiterate, the undereducated and the disadvantaged. It is obvious that extraordinary efforts must be made to do just that in the District of Columbia.

I am extremely pleased, as I know many of my colleagues are, that the Washington Police Department is moving firmly in this direction. For in the last few days, Howard F. Mowry was appointed acting deputy police chief and head of the recently created special division on community relations.

Howard F. Mowry is a man in whom I have the utmost confidence both as a working policeman and as an individual with an acute sensitivity to social problems and humane relations. It is significant to note that on August 15, 1963, I spoke on the floor of the Senate of his courage and coolheadedness in dealing with a violent and possibly deranged criminal, and for this act of bravery, he received public acclaim and recognition.

Mr. President, at this point I ask unanimous permission to insert into the RECORD several articles and editorials concerning Deputy Chief Mowry's appointment and also that of his assistant in the special division on community relations, Inspector George E. Causey, with whom he has worked closely for many years.

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

[Editorial broadcast by WMAL AM/FM/TV, Aug. 29, 1965]

COMMUNITY RELATIONS UNIT

The Metropolitan Police Department's community relations unit serves as a sounding board between the community and key city officials. The unit gained added stature when Police Chief Layton named Acting Deputy Chief Howard Mowry to become the unit's new commanding officer. Deputy Chief Mowry has been on the force since 1935 and has gained a citywide reputation for his ability to work with all factions. The appointment received immediate and enthusiastic support from the community. Negro leaders believe the action will improve relations and want to broaden the unit's role.

Another valuable member of the unit, Inspector George Causey, was to have retired, but will stay on as second in command. His return after a month's illness is welcome news.

We are confident that, under the leadership of Deputy Chief Mowry, the community relations unit will improve communications between District residents and the Metropolitan Police Department.

[From the Washington (D.C.) Post, Sept. 2, 1965]

MOWRY TO LEAD POLICE RELATIONS UNIT: INSPECTOR CAUSEY WILL STAY AT NO. 2 POST

(By Alfred E. Lewis)

Inspector Howard F. Mowry, a member of the force for 30 years, has been appointed head of the Metropolitan Police Department's Community Relations Division.

Police Chief John B. Layton announced Mowry's promotion to acting deputy chief yesterday and said the 52-year-old veteran would devote full time to his new assignment.

Washington's Negro leaders hailed the action as an indication that the year-old division is being given more priority in the department.

They also expressed pleasure with Layton's announcement that he and Commissioner Walter N. Tobriner had persuaded Inspector George E. Causey, who was about to retire as second in command of the division, to remain on a sick leave basis.

Mowry and Causey, both former captains of the 14th precinct, are acknowledged tacticians in community relations work and enjoy the respect of many civic groups.

Several community leaders had indicated that Causey's retirement because of a recurring spinal ailment—a retirement already approved by the board of police and fire surgeons—would hamper the work of a division still struggling to get on its feet.

The blue-ribbon committee that launched the young unit and is now reevaluating it was expected to recommend that Causey be hired as a part-time consultant after he left the force.

Causey has been on sick leave for more than a month, but has been making periodic visits to the division office. "How much he can work and how long will depend on the doctors," Layton said.

Causey was described as "devoted and knowledgeable" by Tobriner, who said, "The most impressive thing about him is his overwhelming desire to improve human relations."

Deputy Chief Thomas Rasmussen, who has nominally headed the division since July 1, was praised by Layton for taking on an additional workload when he already was night supervisor of uniformed police. He has been relieved of any responsibility for the division.

Mowry, who joined the force October 16, 1935, has worked in the 1st, 3d, 8th, and 14th precincts, has headed the narcotics squad and has held headquarters staff jobs.

He is considered by many Negro leaders as being sensitive to ghetto problems as well as competent at maintaining open communications between city officials and the key Negro leadership.

They expressed hope that he would be aided in his new job by an expanded division staff and improved offices at headquarters.

[From the Washington (D.C.) Star, Sept. 1, 1965]

POLICE SHAKEUP SHIFTS HEAD OF RACIAL UNIT—TOP POSTS GO TO MOWRY AND CAUSEY

(By J. Theodore Crown)

A shakeup in the Metropolitan Police Department's community relations unit—engineered by the District Commissioners—re-

sulted today in the appointment of a new supervisor and the retention of a veteran officer who had sought retirement.

Police Chief John B. Layton announced that Inspector Howard F. Mowry would be named acting deputy chief and placed in charge of the unit, which seeks to establish good relations between the police and the community, especially Negroes.

Inspector George E. Causey, who has served as the unit's second in command since its inception in September 1964, returned to duty this morning. He had been on sick leave and went before the board of police and fire surgeons yesterday.

CAUSEY, TOBRINER MEET

The surgeons cleared Causey for retirement, and he was scheduled to go before the retirement board September 9.

He reversed his decision to retire after a conference late yesterday with Walter N. Tobriner, president of the Board of District Commissioners.

Mrs. Ruth Bates Harris, associate director of the Commissioners' Council on Human Relations, called today's developments "the best thing that could have happened to Washington."

She said Causey and Mowry were "two men the community as a whole has confidence in, and these actions will advance the cause of community-police relations and human relations in the District as a whole."

Causey's intention to retire, disclosed in the Star Sunday, disturbed Negro leaders who described him as one of the department's most effective community relations experts. The unit had suffered from the retirement earlier in the summer of Deputy Chief George Wallrodt, who, like Causey, had won the respect of District Negroes.

URBAN LEAGUE CHIEF PLEASED

Sterling Tucker, executive director of the Washington Urban League, said Causey's loss would have resulted in "an absence of seasoned experience in community and human relations in the department."

Today's actions, Tucker said, "indicate a new priority being given by the police to community relations, which is a kind of recognition * * * of the needs in this area."

Deputy Chief Thomas Rasmussen was relieved of his duties as supervisor of the unit, but retains his job as one of the department's three deputy chiefs in charge of the uniformed force.

[From the Washington (D.C.) Star, Sept. 2, 1965]

POLICE GET BRIEFING ON RACIAL UNIT AIMS

(By J. Theodore Crown)

The new head of the Washington Police Department's community relations unit today began a series of sessions with all captains on the force to explain their responsibilities in achieving good relations between the police and the public.

The new supervisor, Inspector Howard F. Mowry, began this morning by telling a group of captains:

"You have a responsibility to get out to meet with these citizens, listen to their problems, and be as helpful as you can."

The captains, in each of the department's five inspection districts, in turn are to explain these aims to the policemen at the precinct level.

MEETS WITH CITIZENS

Mowry also is meeting with "grassroots" groups of citizens in homes and churches, telling them:

"We have a sympathetic ear for all the problems in the community, but we expect you responsible citizens of the community to cooperate with us to help this city to be a better place for all to live.

"It is a two-way street. The police department can only go so far and we must

have the cooperation of responsible citizens or we cannot succeed."

Mowry explained that he was trying to cram as many of these meetings as possible in today and tomorrow in advance of the long Labor Day weekend.

Until Mowry's appointment to the post yesterday, the community relations unit had been relative inactive for about a month. Inspector George Causey, the unit's second in command, had been on sick leave.

Mowry was named acting deputy chief in his position as the new head of the unit. Causey has reversed his decision to retire because of bad health and plans to remain on the job.

HEADS SECOND UNIT, TOO

Today Mowry also was named by Chief John B. Layton to head the department's civil disturbance unit. Lt. Willie Harp had been acting head of the unit since the retirement of Deputy Chief George R. Wallrodt. Causey is a longtime member of that unit, too.

The Star had reported Sunday that there were reports of high-level disagreement over methods and emphasis in the community relations unit.

Layton also disclosed yesterday that Deputy Chief Thomas Rasmussen was relieved of his duties as supervisor of the community relations unit but will continue as one of the department's three deputy chiefs in charge of the uniformed force.

Mowry temporarily will retain his duties as fifth district inspector. The district includes the 14th, 9th and 12th precincts.

[From the Washington (D.C.) Star, Sept. 4, 1965]

OPEN LINES

The creation of the police department's special division on community relations a year ago seemed a sensible, logical action. But the importance of that step was not fully evident until the Star's disclosure last weekend that the unit's second in command, Inspector George E. Causey, planned to retire for reasons of health.

Expressions of regret and concern poured in from virtually every Negro leader in the community. It is hard to recall a more unqualified vote of confidence in a police officer from spokesmen from the major Negro groups—if indeed there has ever been one.

In persuading Inspector Causey to forgo his retirement and remain on the job, Commissioner Tobriner and Chief Layton did an excellent day's work. The icing on the cake, however, came with the appointment of Howard F. Mowry, who has done a good job in the precincts on racial problems, to head the special unit. One Negro leader called the two actions "the best thing that could have happened to Washington." Another applauded both officers' sensitivity to racial problems.

Perhaps the most consistent and significant thought they expressed, however, had to do with the importance of keeping open lines of communications between Negroes and city officials. For without this, grievances, real or imagined by either side, can never be resolved. The lines now open must remain open.

[From the Washington (D.C.) Post
Sept. 13, 1965]

THE VALUE OF RESTRAINT

For a police department, as for anyone else, openly admitting a mistake requires both self-confidence and strength of character. For the Metropolitan Police to concede poor judgment in the detention of four boys in the 10th precinct station house last Wednesday night, also demonstrates an encouraging willingness to listen to citizens' complaints.

The incident could have led to an ugly confrontation. The boys were picked up for

playing football in an alley; a crowd gathered, demanding their release, and a scuffle began. With the help of Mr. Halles, the executive director of the Washington NAACP, the police managed to disperse the crowd. But a cloud of rancor remained. Now the atmosphere is markedly improved by Acting Deputy Chief Mowry's public statement that the patrolmen ought not to have arrested the boys. The confidence of various groups in society in the fairness of the police is of course the key to public cooperation.

The incident also illustrates the value of a police community relations division under an able and forthright officer like Chief Mowry. It was his first test in a highly demanding job, and he deserves the community's confidence. Washington's Metropolitan Police constitute one of the most efficient forces in the country. It is now showing that it understands the value of restraint and tact as well.

Mr. PELL. Mr. President, both Deputy Chief Mowry and Inspector Causey have been captains of the 14th precinct and are good tacticians in community relations work and because of this, enjoy the respect of every segment of the committee.

I would hope and expect, and I am sure many of my colleagues would agree, that they will get the fullest cooperation in their endeavors for I am certain the community will be far better off for their efforts.

It is both interesting and pleasing for me to note that Howard Mowry comes from an old and much respected Rhode Island family. So I take this opportunity to wish him well in his new position and to reiterate my interest and hope for a vigorous effort against crime by those who are charged with the responsibility of law enforcement in the District of Columbia.

WHO WILL WATCH THE WATCHMAN?

Mr. HRUSKA. Mr. President, for some time it has been the proud boast of the managers of America's space effort that unlike the Soviets, our experiments are conducted in full view of the public. This, it has been asserted, is characteristic of the differences in our form of government and the closed society of the Communist world.

Now, a dark cloud has been cast on that claim. Assertions of censorship and news management have been made by the respected science writer of the Washington Evening Star, William Hines.

Some of the clumsy attempts at censorship are both silly and stupid.

But, more importantly, they seriously undermine not only this Nation's confidence, but that of the world, in our ability and determination to tell the truth.

Since the time of the Bay of Pigs fiasco when Mr. Arthur Sylvester, the voice of the Pentagon, asserted the Government's right to lie to save itself, we have seen recurring examples of news management and cover up and censorship. We have seen a President reciting cheery little items of economic good tidings to a national television audience, days before the appropriate Government bureau would ordinarily release such news and the sole purpose is to con-

ceal or counteract such hard and unhappy facts as the chronic unemployment figures.

Some time ago, Mr. President, after the Pentagon had claimed smashing victories in our air strikes against the North Vietnamese, I asked to see photographs of the damaged areas. I was told they were "not available." I asked why U.S. television networks were carrying films by Vietcong photographers but were seemingly unable to obtain footage showing the effects of our raids. There was no explanation.

And now there are distressing signals that the space program is falling prey to the same dread disease of secrecy.

It would be my hope, Mr. President, that the communications media themselves, which argue so eloquently for the freedom of the press which our Constitution guarantees them, would increase their protests against news management and censorship.

Mr. Hines has done a great service both to his craft and to the public in his article which appeared in the September 1 issue of the Star. I ask unanimous consent to have it printed in the RECORD.

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

[From the Washington (D.C.) Evening Star,
Sept. 1, 1965]

WHO WILL WATCH THE WATCHMAN?

(By William Hines)

The Pentagon has surprised almost everyone with its promptness in applying the first squeeze of censorship and news management to its new manned orbiting laboratory (MOL) program.

Most people assumed that soon after the military got a manned role in space, it would start classifying it, but few could have foreseen the rapidity with which restrictions came. The elapsed time from President Johnson's announcement of the start of MOL at his press conference last week to the Pentagon's first fumbling bit of news management was exactly 2 hours.

The restriction was picaresque and worse than pointless: It was unenforceable.

Reporters trooping to an MOL briefing at the Pentagon were instructed that they would not be allowed to make tape recordings or to mention the name of the official (Dr. Albert C. Hall, Deputy Director of Research and Engineering), who was briefing them. This exchange then occurred:

"Why not?"

"Because that's the way we prefer to do it."

The briefing was highly technical and contained many points that could be misunderstood by reporters and thus misinterpreted for readers who, in the final analysis, will be paying the expensive tab for MOL. A tape would have been helpful.

The briefing was later transmitted by telephone to the National Aeronautics and Space Administration's Houston Center, where a large contingent of reporters was covering the flight of Gemini 5.

The same "no tape, no attribution" rule was invoked at Houston, but was ignored by many reporters who refused to be bound by secrecy they knew could not be enforced. Tape recordings were made and freely circulated.

The handling of the MOL briefing is by no means unique. The current longstanding new gag on Russian space accomplishments is another excellent example.

Soon after the Kennedy administration came in, the Government ceased reporting Soviet space launchings, including attempts that failed. Manifestly the Russians knew

when they launched; they also knew we knew. The people left in the dark were—and are—those here in the United States who are paying for the Nation's elaborate and presumably efficient spacecraft detection system. Nobody in the Government defends this policy, yet it persists.

The Defense Department is not the only traducer of a free news flow. The space agency gives news management the old college try every time a manned spacecraft goes up.

Of all the significant news locations in a Gemini flight, the only one not covered by the combined news media (meaning press, radio, and TV) is the most important one of all, the mission control center at Houston.

It is not a secret place, nor one in which unnecessary traffic is discouraged. Flight Director Christopher C. Kraft already has stated publicly that he would rather have a Soviet observer in his control center than an American journalist. Further, every clerk and secretary among the 4,600 NASA civil servants who could spare 5 or 10 minutes from work was encouraged to look in.

On one flight the motion picture actor Jimmy Stewart was an interested observer. Even newspaper publishers have been admitted, possibly on the theory that they are not really "working press," and hence harmless.

But neither camera nor tape recorder nor pen-and-paper reporter is allowed in the nonsecret room at any time during a flight. This is a measure of how far we have come in 20 short years. Even in the supersecret atom bomb project, the national press had a "pool" representative, William L. Laurence of the New York Times. This is not to suggest that there has been any "cover-up" to date. In the course of missions, Kraft gives regular, full, and apparently frank accounts of flight activities, and opens himself to detailed questioning. So do his associates. A mission commentary of less consistent accuracy and authenticity is broadcast.

But whether or not there has been suppression to date is not the point. All flights so far have ended happily, and nothing succeeds like success. There has been no reason for a cover-up.

The point is that the opportunity for news management definitely exists in mission control—and it is an axiom of political science that where opportunity exists, there are always people waiting to seize it.

The PRESIDING OFFICER (Mr. BASS in the chair). Is there further morning business? If not, morning business is closed.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

AMENDMENT NO. 451

Mr. COOPER. Mr. President, on behalf of myself and the Senator from Montana [Mr. METCALF], I send an

amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment (No. 451), as follows:

On page 12, lines 1 and 2, after the word "pay" in line 1 strike out the words "the Federal pro rata share of".

On page 16, line 15, after the word "pay" strike out the words "the Federal pro rata share of the".

Mr. COOPER. Mr. President, I would like to explain the purpose of the amendment which I have offered for myself and the Senator from Montana [Mr. METCALF]. The committee bill provides that the cost shall be allocated between the Federal Government and the States in the same proportion that costs are allocated for construction of the Interstate Highway and primary systems—that is, 90 percent to be paid by the Federal Government and 10 percent by the States, in respect to the Interstate Highway System, and 50 percent by the Federal Government and 50 percent by the States with respect to the primary system.

I support the objectives of the bill, and voted to report it to the Senate. But yesterday, at the close of the session, I stated my reasons for having presented this amendment in committee, and the reasons which lead me to offer it today.

In the subcommittee this amendment was adopted by a large vote, but in the full committee the action of the subcommittee was reversed by a vote of 8 to 5.

I offer this amendment for two principal reasons. One reason is that it is a national program. It is so declared by the bill and by the President.

The second reason for requiring the full amount to be paid by the Federal Government is that the bill would impose a penalty upon States not acceding to its program—the penalty being the denial of all Federal-aid funds for construction of highways. With such a penalty, and no State could accept such a penalty, the program proposed in the bill—worthy as it is—cannot be considered a true voluntary Federal-State aid program. The denial of all funds to a State would amount to millions of dollars to a State.

In the case of California it would amount to a denial of \$336 million annually. In my own State it would amount to \$74 million. In other States it would be in similar proportions.

The bill would effectually require the States to accept this program and that their legislatures appropriate money to pay for its cost. It is a worthy program. I voted to report it to the Senate, but I do not approve its mandatory features.

Over 100 Federal-aid programs have been enacted. None mandatorily requires State acceptance. If it is to be exercised, I believe the Federal Government should pay its full cost.

I understand there are others who desire to speak. I shall not speak further at this time.

Mr. METCALF. Mr. President, will the Senator yield to me for a moment?

Mr. COOPER. I yield.

Mr. METCALF. Mr. President, I concur in this amendment for all of the reasons outlined. This is a coercive program.

We are saying to the States that they have to go into the secondary road system where always we have had the provision that billboards were permitted. We are saying to them that they must remove billboards on the 50-50 allocation that has always been proposed.

There is a difference in the Interstate System, which is new, which goes through new areas and new territory. We say that under the law we will give the same proportion of assistance to the State to remove billboards that we gave for the financing of other highway systems, such as under the 90-10 Interstate System.

So far as the secondary systems are concerned, we have always had the right to erect billboards. This is a prevailing system in all the States. Yet, we are saying to the States that they must remove the billboards or they will not be permitted to share in the Federal highway program. It is coercion.

We are taking away from the States their police power to remove billboards and we are saying they have to make compensation.

This is a national program. We have decided we are going to remove billboards from the interstate and secondary systems. Therefore, I concur that we should pay that cost out of the national budget. We should not force the States to forgo all of their participation in the interstate program if they do not want to take away a man's livelihood, or a man's business, which he has had for many years.

I feel strongly that the States should use their funds for secondary road systems and the farm-to-market roads, and for the development of primary highways on the present allocation, and should not be forced to compensate the billboard operators. I feel strongly that the cost should come out of the Federal budget.

Therefore, I concur in the amendment.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, even though the remarks of the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee [Mr. FULBRIGHT], will not be germane to the pending legislation (S. 2084), I ask unanimous consent that the chairman of the Foreign Relations Committee [Senator FULBRIGHT] be allowed to speak for not to exceed 1 hour.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Without objection, it is so ordered. The rule of germaneness is waived.

Mr. COOPER. Mr. President, I do not intend to object, but I wish to have the assurance that the amendment which has been stated will be the pending question at the conclusion of the remarks by the distinguished chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. The Chair states to the senior Senator from

Kentucky that his amendment will be the pending question.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly without losing his right to the floor?

Mr. FULBRIGHT. I yield.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE SITUATION IN THE DOMINICAN REPUBLIC

Mr. FULBRIGHT. Mr. President, the formation of a provisional government in Santo Domingo under the leadership of Dr. Hector Garcia-Godoy is good news. It provides reason for cautious optimism as to the future and testifies as well to the arduous and patient efforts of the OAS mediating team. I wish to pay tribute especially to Ambassador Bunker for his wisdom and patience in handling this difficult affair. The formation of a provisional government is not the end of the Dominican crisis, but it does bring to an end a tragic and dangerous phase of the crisis. Many problems remain, particularly the problem of establishing the authority of a democratic government over the Dominican military. Nonetheless, the situation now seems to be moving into a less dangerous and more hopeful phase. At this time of relative calm it is appropriate, desirable, and, I think, necessary to review events in the Dominican Republic and the U.S. role in those events. The purpose of such a review—and its only purpose—is to develop guidelines for wise and effective policies in the future.

I was in doubt about the advisability of making a statement on the Dominican affair until some of my colleagues made public statements on the floor. Their views on the way in which the committee proceedings were conducted and, indeed, on the Dominican crisis as a whole, are so diametrically opposed to my own that I now consider it my duty to express my personal conclusions drawn from the hearings held by the Committee on Foreign Relations.

The suggestions that have been made that the committee was prejudiced in its approach against the administration's policies are, in my opinion, without merit. The committee was impartial and fair in giving a full and detailed hearing to the administration's point of view, so much so, in fact, that it heard only one witness from outside the Government.

U.S. policy in the Dominican crisis was characterized initially by overtimidness and subsequently by overreaction. Throughout the whole affair, it has also been characterized by a lack of candor.

These are general conclusions I have reached from a painstaking review of the salient features of the extremely com-

plex situation. These judgments are made, of course, with the benefit of hindsight and, in fairness, it must be conceded there were no easy choices available to the United States in the Dominican Republic. Nonetheless, it is the task of diplomacy to make wise decisions when they need to be made and U.S. diplomacy failed to do so in the Dominican crisis.

It cannot be said with assurance that the United States could have changed the course of events by acting differently. What can be said with assurance is that the United States did not take advantage of several opportunities in which it might have changed the course of events. The reason appears to be that, very close to the beginning of the revolution, U.S. policymakers decided that it should not be allowed to succeed. This decision seems to me to have been based on exaggerated estimates of Communist influence in the rebel movement in the initial stages and on distaste for the return to power of Juan Bosch or of a government controlled by Bosch's party, the PRD—Dominican Revolutionary Party.

The question of the degree of Communist influence is of critical importance and I shall comment on it later. The essential point, however, is that the United States, on the basis of ambiguous evidence, assumed almost from the beginning that the revolution was Communist dominated, or would certainly become so. It apparently never occurred to anyone that the United States could also attempt to influence the course which the revolution took. We misread prevailing tendencies in Latin America by overlooking or ignoring the fact that any reform movement is likely to attract Communist support. We thus failed to perceive that if we are automatically to oppose any reform movement that Communists adhere to, we are likely to end up opposing every reform movement, making ourselves the prisoners of reactionaries who wish to preserve the status quo—and the status quo in many countries is not good enough.

The principal reason for the failure of American policy in Santo Domingo was faulty advice given to the President by his representatives in the Dominican Republic at the time of acute crisis. Much of this advice was based on misjudgment of the facts of the situation; some of it appears to have been based on inadequate evidence or, in some cases, simply inaccurate information. On the basis of the information and counsel he received, the President could hardly have acted other than he did.

I am hopeful, and reasonably confident, that the mistakes made by the United States in the Dominican Republic can be retrieved and that it will be possible to avoid repeating them in the future. These purposes can be served, however, only if the shortcomings of U.S. policy are thoroughly reviewed and analyzed. I make my remarks today in the hope of contributing to that process.

The development of the Dominican crisis, beginning on April 24, 1965, provides a classic study of policymaking in a fast-changing situation in which each decision reduces the range of options available for future decisions so that

errors are compounded and finally, indeed, there are few if any options except to follow through on an ill-conceived course of action. Beyond a certain point the Dominican story acquired some of the inevitability of a Greek tragedy.

Another theme that emerges from the Dominican crisis is the occurrence of a striking change in U.S. policy toward the Dominican Republic and the possibility—not a certainty, because the signs are ambiguous, but only the possibility—of a major change as well in the general Latin American policies of the United States. Obviously, an important change in the official outlook on Dominican affairs occurred between September 1963, when the United States was vigorously opposed to the overthrow of Juan Bosch, and April 1965, when the United States was either unenthusiastic or actually opposed to his return.

What happened in that period to change the assessment of Bosch from favorable to unfavorable? It is quite true that Bosch as President did not distinguish himself as an administrator, but that was well known in 1963. It is also true, however, and much more to the point as far as the legitimate interests of the United States are concerned, that Bosch had received 58 percent of the votes in a free and honest election and that he was presiding over a reform-minded government in tune with the Alliance for Progress. This is a great deal more than can be said for any other President of the Dominican Republic.

The question therefore remains as to how and why the attitude of the U.S. Government changed so strikingly between September 1963 and April 1965. And the question inevitably arises whether this shift in the administration's attitude toward the Dominican Republic is part of a broader shift in its attitude toward other Latin American countries, whether, to be specific, the U.S. Government now views the vigorous reform movements of Latin America—such as Christian Democracy in Chile, Peru, and Venezuela, APRA in Peru and Accion Democratica in Venezuela—as threatening to the interests of the United States. And if this is the case, what kind of Latin American political movements would now be regarded as friendly to the United States and beneficial to its interests?

I should like to make it very clear that I am raising a question not offering an answer. I am frankly puzzled as to the current attitude of the U.S. Government toward reformist movements in Latin America. On the one hand, President Johnson's deep personal commitment to the philosophy and aims of the Alliance for Progress is clear; it was convincingly expressed, for example, in his speech to the Latin American Ambassadors on the fourth anniversary of the Alliance for Progress—a statement in which the President compared the Alliance for Progress with his own enlightened program for a Great Society at home. On the other hand, one notes a general tendency on the part of our policymakers not to look beyond a Latin American politician's anticommunism. One also notes

in certain Government agencies, particularly the Department of Defense, a preoccupation with counterinsurgency, which is to say, with the prospect of revolutions and means of suppressing them. This preoccupation is manifested in dubious and costly research projects, such as the recently discredited Camelot; these studies claim to be scientific but beneath their almost unbelievably opaque language lies an unmistakable military and reactionary bias.

It is of great importance that the uncertainty as to U.S. aims in Latin America be resolved. We cannot successfully advance the cause of popular democracy and at the same time align ourselves with corrupt and reactionary oligarchies; yet that is what we seem to be trying to do. The direction of the Alliance for Progress is toward social revolution in Latin America; the direction of our Dominican intervention is toward the suppression of revolutionary movements which are supported by Communists or suspected of being influenced by Communists. The prospect of an election in 9 months which may conceivably produce a strong democratic government is certainly reassuring on this score, but the fact remains that the reaction of the United States at the time of acute crisis was to intervene forcibly and illegally against a revolution which, had we sought to influence it instead of suppressing it, might have produced a strong popular government without foreign military intervention. Since just about every revolutionary movement is likely to attract Communist support, at least in the beginning, the approach followed in the Dominican Republic, if consistently pursued, must inevitably make us the enemy of all revolutions and therefore the ally of all the unpopular and corrupt oligarchies of the hemisphere.

We simply cannot have it both ways; we must choose between the Alliance for Progress and a foredoomed effort to sustain the status quo in Latin America. The choice which we are to make is the principal unanswered question arising out of the unhappy events in the Dominican Republic and, indeed, the principal unanswered question for the future of our relations with Latin America.

It is not surprising that we Americans are not drawn toward the uncouth revolutionaries of the non-Communist left. We are not, as we like to claim in Fourth of July speeches, the most truly revolutionary nation on earth; we are, on the contrary, much closer to being the most unrevolutionary nation on earth. We are sober and satisfied and comfortable and rich; our institutions are stable and old and even venerable; and our Revolution of 1776, for that matter, was not much of an upheaval compared to the French and Russian revolutions and to current and impending revolutions in Latin America, Asia, and Africa.

Our heritage of stability and conservatism is a great blessing, but it also has the effect of limiting our understanding of the character of social revolution and sometimes as well of the injustices which spawn them. Our understanding of revolutions and their causes is imperfect not because of any failures of mind or

character but because of our good fortune since the Civil War in never having experienced sustained social injustice without hope of legal or more or less peaceful remedy. We are called upon, therefore, to give our understanding and our sympathy and support to movements which are alien to our experience and jarring to our preferences and prejudices.

We must try to understand social revolution and the injustices that give it rise because they are the heart and core of the experience of the great majority of people now living in the world. In Latin America we may prefer to associate with the well-bred, well-dressed businessmen who often hold positions of power, but Latin American reformers regard such men as aliens in their own countries who neither identify with their own people nor even sympathize with their aspirations. Such leaders are regarded by educated young Latin Americans as a "consular bourgeoisie," by which they mean business-oriented conservatives who more nearly represent the interests of foreign businessmen than the interests of their own people. Men like Donald Reid—who is one of the better of this category of leaders—may have their merits, but they are not the force of the future in Latin America.

It is the revolutionaries of the non-Communist left who have most of the popular support in Latin America. The Radical Party in Chile, for example, is full of 19th century libertarians whom many North Americans would find highly congenial, but it was recently crushed in national elections by a group of rambunctious, leftist Christian Democrats. It may be argued that the Christian Democrats are anti-United States, and to a considerable extent some of them are—more so now, it may be noted, than prior to the intervention of the United States in the Dominican Republic—but they are not Communists and they have popular support. They have also come to terms with the American copper companies in Chile; that is something which the predecessor conservative government was unable to do and something which a Communist government would have been unwilling to do.

The movement of the future in Latin America is social revolution. The question is whether it is to be Communist or democratic revolution and the choice which the Latin Americans make will depend in part on how the United States uses its great influence. It should be very clear that the choice is not between social revolution and conservative oligarchy but whether, by supporting reform, we bolster the popular non-Communist left or whether, by supporting unpopular oligarchies, we drive the rising generation of educated and patriotic young Latin Americans to an embittered and hostile form of communism like that of Fidel Castro in Chile.

In my Senate speech of March 25, 1964, I commented as follows on the prospect of revolution:

I am not predicting violent revolutions in Latin America or elsewhere. Still less am I advocating them. I wish only to suggest that violent social revolutions are a possi-

bility in countries where feudal oligarchies resist all meaningful change by peaceful means. We must not, in our preference for the democratic procedures envisioned by the Charter of Punta del Este, close our minds to the possibility that democratic procedures may fail in certain countries and that where democracy does fall violent social convulsions may occur.

I think that in the case of the Dominican Republic we did close our minds to the causes and to the essential legitimacy of revolution in a country in which democratic procedures had failed. That, I think, is the central fact concerning the participation of the United States in the Dominican revolution and, possibly as well, its major lesson for the future. I turn now to comment on some of the events which began last April 24 in Santo Domingo.

When the Dominican revolution began on Saturday, April 24, the United States has three options available. First, it could have supported the Reid Cabral government; second, it could have supported the revolutionary forces; and third, it could do nothing.

The administration chose the last course. When Donald Reid Cabral asked for U.S. intervention on Sunday morning, April 25, he was given no encouragement. He then resigned, and considerable disagreement ensued over the nature of the government to succeed him. The party of Juan Bosch, the PRD, or Dominican Revolutionary Party, asked for a "U.S. presence" at the transfer of government power but was given no encouragement. Thus, there began at that time a chaotic situation which amounted to civil war in a country without an effective government.

What happened in essence was that the Dominican military refused to support Reid and were equally opposed to Bosch or other PRD leaders as his successor. The PRD, which had the support of some military officers, announced that Rafael Molina Urena, who had been President of the Senate during the Bosch regime, would govern as Provisional President pending Bosch's return. At this point, the military leaders delivered an ultimatum, which the rebels ignored, and at about 4:30 on the afternoon of April 25 the air force and navy began firing at the National Palace. Later in the day, PRD leaders asked the U.S. Embassy to use its influence to persuade the air force to stop the attacks. The Embassy made it clear it would not intervene on behalf of the rebels, although on the following day, Monday, April 26, the Embassy did persuade the military to stop air attacks for a limited time.

This was the first crucial point in the crisis. If the United States thought that Reid was giving the Dominican Republic the best government it had had or was likely to get, why did the United States not react more vigorously to support him? On the other hand, if the Reid government was thought to be beyond salvation, why did not the United States offer positive encouragement to the moderate forces involved in the coup, if not by providing the "U.S. presence" requested by the PRD, then at least by letting it be known that the United States was not opposed to the prospective change of re-

gimes or by encouraging the return of Juan Bosch to the Dominican Republic? In fact, according to available evidence, the U.S. Government made no effort to contact Bosch in the initial days of the crisis.

The United States was thus at the outset unwilling to support Reid and unwilling to support if not positively opposed to Bosch.

Events of the days following April 24 demonstrated that Reid had so little popular support that it can reasonably be argued that there was nothing the United States could have done, short of armed intervention, to save his regime. The more interesting question is why the United States was so reluctant to see Bosch returned to power. This is part of the larger question of why U.S. attitudes had changed so much since 1963 when Bosch, then in power, was warmly and repeatedly embraced and supported as few if any Latin American presidents have ever been supported by the United States.

The next crucial point in the Dominican story came on Tuesday, April 27, when rebel leaders, including Molina Urena and Caamano Deno, called at the U.S. Embassy seeking mediation and negotiations. At that time the military situation looked very bad for the rebel, or constitutionalist, forces. Ambassador Bennett, who had been instructed four times to work for a cease fire and for the formation of a military junta, felt he did not have authority to mediate; mediation, in his view, would have been "intervention." Mediation at that point might have been accomplished quietly and without massive military intervention. Twenty-four hours later the Ambassador was pleading for the marines, and as we know some 20,000 soldiers were landed—American soldiers.

On the afternoon of April 27 General Wessin y Wessin's tanks seemed about to cross the Duarte bridge into the city of Santo Domingo and the rebel cause appeared hopeless. When the rebels felt themselves rebuffed at the American Embassy, some of their leaders, including Molina Urena, sought asylum in Latin American embassies in Santo Domingo. The administration has interpreted this as evidence that the non-Communist rebels recognized growing Communist influence in their movement and were consequently abandoning the revolution. Molina Urena has said simply that he sought asylum because he thought the revolutionary cause hopeless.

An opportunity was lost on April 27. Ambassador Bennett was in a position to bring possibly decisive mediating power to bear for a democratic solution, but he chose not to do so on the ground that the exercise of his good offices at that point would have constituted intervention. In the words of Washington Post Writer Murrey Marder—one of the press people who, to the best of my knowledge, has not been assailed as prejudiced:

It can be argued with considerable weight that late Tuesday, April 27, the United States threw away a fateful opportunity to try to prevent the sequence that produced the

American intervention. It allowed the relatively leaderless revolt to pass into hands which it was to allege were Communist.¹

The overriding reason for this mistake was the conviction of U.S. officials, on the basis of evidence which was fragmentary at best, that the rebels were dominated by Communists. A related and perhaps equally important reason for the U.S. Embassy's refusal to mediate on April 27 was the desire for and, at that point, expectation of an antirebel victory. They therefore passed up an important opportunity to reduce or even eliminate Communist influence by encouraging the moderate elements among the rebels and mediating for a democratic solution.

Owing to a degree of disorganization and timidity on the part of the anti-rebel forces which no one, including the U.S. Embassy and the rebels themselves, anticipated, the rebels were still fighting on the morning of Wednesday, April 28. Ambassador Bennett thereupon urgently recommended that the antirebels under Air Force General de los Santos be furnished 50 walkie-talkies from U.S. Defense Department stocks in Puerto Rico. Repeating this recommendation later in the day, Bennett said that the issue was one between Castroism and its opponents. The antirebels themselves asked for armed U.S. intervention on their side; this request was refused at that time.

During the day, however, the situation deteriorated rapidly, from the point of view of public order in general and of the antirebels in particular. In mid-afternoon of April 28 Col. Pedro Bartolome Benoit, head of a junta which had been hastily assembled, asked again, this time in writing, for U.S. troops on the ground that this was the only way to prevent a Communist takeover; no mention was made of the junta's inability to protect American lives. This request was denied in Washington, and Benoit was thereupon told that the United States would not intervene unless he said he could not protect American citizens present in the Dominican Republic. Benoit was thus told in effect that if he said American lives were in danger the United States would intervene. And that is precisely what happened.

It was at this point, on April 28, that events acquired something of the predestiny of a Greek tragedy. Subsequent events—the failure of the missions of John Bartlow Martin and McGeorge Bundy, the conversion of the U.S. force into an inter-American force, the enforced stalemate between the rebels under Caamano Deno and the Imbert junta, the OAS mediation and the tortuous negotiations for a provisional government—have all been widely reported and were not fully explored in the committee hearings. In any case, the general direction of events was largely determined by the fateful decision of April 28. Once the Marines landed on that day, and especially after they were heavily reinforced in the days immediately following, the die was cast and the United States found itself deeply in-

involved in the Dominican civil conflict, with no visible way to extricate itself, and with its hemisphere relations complicated in a way that few could have foreseen and no one could have desired.

The danger to American lives was more a pretext than a reason for the massive U.S. intervention that began on the evening of April 28. In fact, no American lives were lost in Santo Domingo until the Marines began exchanging fire with the rebels after April 28; reports of widespread shooting that endangered American lives turned out to be exaggerated.

Nevertheless, there can be no question that Santo Domingo was not a particularly safe place to be in the last days of April 1965. There was fighting in the streets, aircraft were strafing parts of the city, and there was indiscriminate shooting. I think that the United States would have been justified in landing a small force for the express purpose of removing U.S. citizens and other foreigners from the island. Had such a force been landed and then promptly withdrawn when it had completed its mission, I do not think that any fair-minded observer at home or abroad would have considered the United States to have exceeded its rights and responsibilities.

The United States intervened in the Dominican Republic for the purpose of preventing the victory of a revolutionary force which was judged to be Communist dominated. On the basis of Ambassador Bennett's messages to Washington, there is no doubt that the threat of communism rather than danger to American lives was his primary reason for recommending military intervention.

The question of the degree of Communist influence is therefore crucial, but it cannot be answered with certainty. The weight of the evidence is that Communists did not participate in planning the revolution—indeed, there is some indication that it took them by surprise—but that they very rapidly began to try to take advantage of it and to seize control of it. The evidence does not establish that the Communists at any time actually had control of the revolution. There is little doubt that they had influence within the revolutionary movement, but the degree of that influence remains a matter of speculation.

The administration, however, assumed almost from the beginning that the revolution was Communist-dominated, or would certainly become so, and that nothing short of forcible opposition could prevent a Communist takeover. In their apprehension lest the Dominican Republic become another Cuba, some of our officials seem to have forgotten that virtually all reform movements attract some Communist support, that there is an important difference between Communist support and Communist control of a political movement, that it is quite possible to compete with the Communists for influence in a reform movement rather than abandon it to them, and, most important of all, that economic development and social justice are themselves the primary and most reliable security against Communist subversion.

¹ Washington Post, June 27, 1965, p. E3.

It is, perhaps, understandable that administration officials should have felt some sense of panic; after all, the Foreign Service officer who had the misfortune to be assigned to the Cuban desk at the time of Castro's rise to power has had his career ruined by congressional committees. Furthermore, even without this consideration, the decisions regarding the Dominican Republic had to be made under great pressure and on the basis of inconclusive information. In charity, this can be accepted as a reason why the decisions were mistaken; but it does not change the conclusion that they were mistaken.

The point I am making is not—emphatically not—that there was no Communist participation in the Dominican crisis, but simply that the administration acted on the premise that the revolution was controlled by Communists—a premise which it failed to establish at the time and has not established since. The issue is not whether there was Communist influence in the Dominican revolution but its degree, which is something on which reasonable men can differ. The burden of proof, however, is on those who take action, and the administration has not proven its assertion of Communist control.

Intervention on the basis of Communist participation as distinguished from control of the Dominican revolution was a mistake in my opinion which also reflects a grievous misreading of the temper of contemporary Latin American politics. Communists are present in all Latin American countries, and they are going to inject themselves into almost any Latin American revolution and try to seize control of it. If any group or any movement with which the Communists associate themselves is going to be automatically condemned in the eyes of the United States, then we have indeed given up all hope of guiding or influencing even to a marginal degree the revolutionary movements and the demands for social change which are sweeping Latin America. Worse, if that is our view, then we have made ourselves the prisoners of the Latin American oligarchs who are engaged in a vain attempt to preserve the status quo—reactionaries who habitually use the term "Communist" very loosely, in part out of emotional predilection and in part in a calculated effort to scare the United States into supporting their selfish and discredited aims.

If the United States had really been intervening to save American lives, as it had a moral if not a strictly legal right to do, it could have done so promptly and then withdrawn and the incident would soon have been forgotten. But the United States did not intervene primarily to save American lives; it intervened to prevent what it conceived to be a Communist takeover. That meant, in the terms in which the United States defined the situation, that it was intervening against the rebels, who, however heavily they might or might not have been infiltrated by Communists, were also the advocates of the restoration of a freely elected constitutional govern-

ment which had been forcibly overthrown. It also meant that the United States was intervening for the military and the oligarchy—to the detriment of the Dominican people and to the bitter disappointment of those throughout Latin America who had placed their hopes in the United States and the Alliance for Progress.

On the basis of the record, there is ample justification for concluding that, at least from the time Reid resigned, U.S. policy was directed toward construction of a military junta which hopefully would restore peace and conduct free elections. That is to say that U.S. policy was directed against the return of Bosch and against the success of the rebel movement.

In this connection it is interesting to recall U.S. policy toward Bosch when he was in power in the Dominican Republic between February and September of 1963. He had been elected, as I have already mentioned, in the only free and honest election ever held in the Dominican Republic, in December 1962, with 58 percent of the votes cast.

The United States placed such importance on his success that President Kennedy sent the then Vice President Johnson and Senator Humphrey, among others, to attend his inauguration in February 1963. In September 1963, when he was overthrown in a military coup, the United States made strenuous efforts—which stopped just short of sending the Marines—to keep him in power, and thereafter the United States waited almost 3 months before recognizing the successor government. Recognition came, by the way, only after the successor government had conducted military operations against a band of alleged Communist guerrillas in the mountains, and there is a suspicion that the extent of the guerrilla activities was exaggerated by the successor government in order to secure U.S. recognition.

It may be granted that Bosch was no great success as President of the Dominican Republic but, when all his faults have been listed, the fact remains that Bosch was the only freely elected President in Dominican history, the only President who had ever tried, however ineptly, to give the country a decent government, and the only President who was unquestionably in tune with the Alliance for Progress.

Despite these considerations, the United States was at the very least unenthusiastic or, more probably, opposed to Bosch's return to power in April 1965. Bosch himself was apparently not eager to return—he vacillated in the very early stages and some well-informed persons contend that he positively refused to return to the Dominican Republic. In any case, he missed a critical opportunity. But the United States was equally adamant against a return to power of Bosch's party, the PRD, which is the nearest thing to a mass-based, well-organized party that has ever existed in the Dominican Republic. The stated reason was that a PRD government would be Communist dominated.

This might conceivably have happened, but the evidence by no means supports the conclusion that it would have happened. We based our policy on a possibility rather than on anything approaching a likelihood. Obviously, if we based all our policies on the mere possibility of communism, then we would have to set ourselves against just about every progressive political movement in the world, because almost all such movements are subject to at least the theoretical danger of Communist takeover. This approach is not in the national interest; foreign policy must be based on prospects that seem probable, hopeful and susceptible to constructive influence rather than on merely possible dangers.

One is led, therefore, to the conclusion that U.S. policymakers were unduly timid and alarmist in refusing to gamble on the forces of reform and social change. The bitter irony of such timidity is that by casting its lot with the forces of the status quo, in the probably vain hope that these forces could be induced to permit at least some reform and social change, the United States almost certainly helped the Communists to acquire converts whom they otherwise could not have won.

How vain the hopes of U.S. policymakers were is amply demonstrated by events since April 28. The junta led by Gen. Antonio Imbert, which succeeded the junta led by Colonel Benoit, proved quite intractable and indeed filled the airwaves daily with denunciations of the United States and the Organization of American States for preventing it from wiping out the Communist rebels. These are the same military forces which on April 28 were refusing to fight the rebels and begging for U.S. intervention. Our aim apparently was to use Imbert as a counterpoise to Caamaño Deno in the ill-founded hope that non-Communist liberals would be drawn away from the rebel side.

In practice, instead of Imbert becoming our tractable instrument, we, to a certain extent, became his; he clung tenaciously to the power we gave him and was at least as intransigent as the rebels in the protracted negotiations for a provisional government.

The resignation of Imbert and his junta provides grounds for hope that a strong popular government may come to power in the Dominican Republic, but that hope must be tempered by the fact that the military continues to wield great power in Dominican politics—power which it probably would not now have if the United States had not intervened to save it from defeat last April 28. Even with a provisional government installed in Santo Domingo, and with the prospect of an election in 9 months, there remains the basic problem of a deep and widespread demand for social change. The prospect for such social change is circumscribed by the fact that the military has not surrendered and cannot be expected voluntarily to surrender its entrenched position of privilege and outrageous corruption.

The United States has grossly underestimated the symbolism of the Bosch constitution of 1963. It can be argued that this contains unrealistic promises, but it has stirred the hopes and idealism of the Dominican people. The real objections to it, the part of conservative Dominicans, seem to be that it provides for separation of church and state and that it provides that Dominican citizens have the right to live in the Dominican Republic if they so desire—that is, that Dominican citizens who happen also to be Communists cannot be deported. In passing, one may note a similarity to the U.S. Constitution on both of these points.

The United States has also misread the dedication of the Dominican military to the status quo and to its own powers and privileges. It may be said that the United States has overestimated its ability to influence the military while failing to use to the fullest the influence it does have.

The act of United States massive military intervention in the Dominican Republic was a grievous mistake, but if one is going to cross the bridge of intervention, with all of the historical ghosts which it calls forth throughout Latin America, then one might as well cross all the way and not stop in the middle. It is too late for the United States to refrain from intervention; it is not too late to try to redeem some permanent benefit from that intervention. Specifically, I think that the influence of the United States and the Organization of American States should be used to help the Dominican people free themselves from the oppressive weight of a corrupt and privileged military establishment. It is entirely possible, if not likely, that if the military is allowed to retain its power it will overthrow any future government that displeases it just as it has done in the past. The OAS mediating team made a contribution by bringing about the installation of a provisional government; the OAS can still make a solid contribution to Dominican democracy by urging or insisting that as part of a permanent solution the Dominican military establishment be substantially reduced in size and some of the more irresponsible generals be pensioned off or sent on lengthy diplomatic holidays abroad. If the United States and the OAS are going to impose a solution in the Dominican Republic, they might as well impose a good solution as a bad one.

Since preparing these remarks, I note in this morning's press that General Wessin has been induced to leave the Dominican Republic. This, I believe, is a step in the right direction.

The Foreign Relations Committee's study of the Dominican crisis leads me to draw certain specific conclusions regarding American policy in the Dominican Republic and also suggests some broader considerations regarding relations between the United States and Latin America. My specific conclusions regarding the crisis in Santo Domingo are as follows:

First. The United States intervened forcibly in the Dominican Republic in

the last week of April 1965 not primarily to save American lives, as was then contended, but to prevent the victory of a revolutionary movement which was judged to be Communist-dominated. The decision to land thousands of marines on April 28 was based primarily on the fear of "another Cuba" in Santo Domingo.

Second. This fear was based on fragmentary and inadequate evidence. There is no doubt that Communists participated in the Dominican revolution on the rebel side, probably to a greater extent after than before the landing of U.S. marines on April 28, but just as it cannot be proved that the Communists would not have taken over the revolution neither can it be proved that they would have. There is little basis in the evidence offered the committee for the assertion that the rebels were Communist-dominated or certain to become so; on the contrary, the evidence suggests a chaotic situation in which no single faction was dominant at the outset and in which everybody, including the United States, had opportunities to influence the shape and course of the rebellion.

Third. The United States let pass its best opportunities to influence the course of events. The best opportunities were on April 25, when Juan Bosch's party, the PRD, requested a "United States presence," and on April 27, when the rebels, believing themselves defeated, requested United States mediation for a negotiated settlement. Both requests were rejected, in the first instance for reasons that are not entirely clear but probably because of United States hostility to the PRD, in the second instance because the U.S. Government anticipated and desired a victory of the antirebel forces.

Fourth. U.S. policy toward the Dominican Republic shifted markedly to the right between September 1963 and April 1965. In 1963, the United States strongly supported Bosch and the PRD as enlightened reformers; in 1965 the United States opposed their return to power on the unsubstantiated ground that a Bosch or PRD government would certainly, or almost certainly, become Communist dominated. Thus the United States turned its back on social revolution in Santo Domingo and associated itself with a corrupt and reactionary military oligarchy.

Fifth. U.S. policy was marred by a lack of candor and by misinformation. The former is illustrated by official assertions that U.S. military intervention was primarily for the purpose of saving American lives; the latter is illustrated by exaggerated reports of massacres and atrocities by the rebels—reports which no one has been able to verify. It was officially asserted, for example—by the President in a press conference on June 17 according to an official State Department bulletin—that "some 1,500 innocent people were murdered and shot, and their heads cut off." There is no evidence to support this statement. A sober examination of such evidence as is available indicates that the Imbert

junta was guilty of at least as many atrocities as the rebels.

Sixth. Responsibility for the failure of American policy in Santo Domingo lies primarily with those who advised the President. In the critical days between April 25 and April 28, these officials sent the President exaggerated reports of the danger of a Communist takeover in Santo Domingo and, on the basis of these, recommended U.S. massive military intervention. It is not at all difficult to understand why, on the basis of such advice, the President made the decisions that he made.

Seventh. Underlying the bad advice and unwise actions of the United States was the fear of another Cuba. The specter of a second Communist state in the Western Hemisphere—and its probable repercussions within the United States and possible effects on the careers of those who might be held responsible—seems to have been the most important single factor in distorting the judgment of otherwise sensible and competent men.

I turn now to some broader and long-term implications of the Dominican tragedy, first to some considerations relating to the Organization of American States and its charter, then to the problem of reaction and revolution in Latin America, finally to a suggestion for a freer and, I believe, healthier relationship between the United States and Latin America.

Article 15 of the Charter of the Organization of American States says that:

No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state.

Article 17 states that:

The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, on any grounds whatever.

These clauses are not ambiguous. They mean that, with one exception to be noted, all forms of forcible intervention are absolutely prohibited among the American States. It may be that we should never have accepted this commitment at Bogotá in 1948; it is obvious from all the talk one hears these days about the obsolescence of the principle of nonintervention that some U.S. officials regret our commitment to it. The fact remains that we are committed to it, not partially or temporarily or insofar as we find it compatible with our vital interests but almost absolutely. It represents our word and our bond and our willingness to honor the solemn commitments embodied in a treaty which was ratified by the Senate on August 28, 1950.

There are those who might concede the point of law but who would also argue that such considerations have to do with our ideals rather than our interests and are therefore of secondary importance. I do not believe that is true. We are currently fighting a war in Vietnam, largely, we are told, because it would be a disaster if the United States failed to

honor its word and its commitment; the matter, we are told, is one of vital national interest. I do not see why it is any less a matter of vital interest to honor a clear and explicit treaty obligation in the Americas than it is to honor the much more ambiguous and less formal promises we have made to the South Vietnamese.

The sole exception to the prohibitions of articles 15 and 17 is spelled out in article 19 of the OAS Charter, which states that "measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in articles 15 and 17." Article 6 of the Rio Treaty states:

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

The United States thus had legal recourse when the Dominican crisis broke on April 24, 1965. We could have called an urgent session of the Council of the OAS for the purpose of invoking article 6 of the Rio Treaty. But we did not do so. The administration has argued that there was no time to consult the OAS, although there was time to consult—or inform—the congressional leadership. The United States thus intervened in the Dominican Republic unilaterally—and illegally.

Advising the Latin American countries of our action after the fact did not constitute compliance with the OAS Charter or the Rio Treaty; nor, indeed, would advising them before the fact have constituted compliance. One does not comply with the law by notifying interested parties in advance of one's intent to violate it. Inter-American law requires consultation for the purpose of shaping a collective decision. Only on the basis of advance consultation and agreement could we have undertaken a legal intervention in the Dominican Republic.

It is possible, had we undertaken such consultations, that our Latin American partners would have delayed a decision; it is possible that they would have refused to authorize collective intervention. My own feeling is that the situation in any case did not justify military intervention except for the limited purpose of evacuating U.S. citizens and other foreigners, but even if it seemed to us that it did, we should not have undertaken it without the advance consent of our Latin American allies. We should not have done so because the word and the honor of the United States were at stake just as much—at least as much—in the Dominican crisis as they are in Vietnam and Korea and Berlin and all the places around the globe

and than the good intentions of the United States.

There is another important reason for compliance with the law. The United States is a conservative power in the world in the sense that most of its vital interests are served by stability and order. Law is the essential foundation of stability and order both within societies and in international relations. A great conference is taking place here in Washington this week on the subject, World Peace Through Law. As a conservative power the United States has a vital interest in upholding and expanding the reign of law in international relations. Insofar as international law is observed, it provides us with stability and order and with a means of predicting the behavior of those with whom we have reciprocal legal obligations. When we violate the law ourselves, whatever short term advantage may be gained, we are obviously encouraging others to violate the law; we thus encourage disorder and instability and thereby do incalculable damage to our own long term interests.

There are those who defend U.S. unilateral intervention in the Dominican Republic on the ground that the principle of nonintervention as spelled out in the OAS Charter is obsolete. The argument is unfortunate on two grounds. First, the contention of obsolescence justifies an effort to bring about changes in the OAS Charter by due process of law, but it does not justify violation of the Charter. Second, the view that the principle of nonintervention is obsolete is one held by certain U.S. officials; most Latin Americans would argue that, far from being obsolete, the principle of nonintervention was and remains the heart and core of the inter-American system. Insofar as it is honored, it provided them with something that many in the United States find it hard to believe they could suppose they need: protection from the United States.

Many North Americans seem to believe that, while the United States does indeed participate in Latin American affairs from time to time, sometimes by force, it is done with the best of intentions, usually indeed to protect the Latin Americans from intervention by somebody else, and therefore cannot really be considered intervention. The trouble with this point of view is that it is not shared by our neighbors to the south. Most of them do think they need protection from the United States and the history of the Monroe Doctrine and the "Roosevelt corollary" suggest that their fears are not entirely without foundation. "Good intentions" are not a very sound basis for judging the fulfillment of contractual obligations. Just about everybody, including the Communists, believes in his own "good intentions." It is a highly subjective criterion of national behavior and has no more than a chance relationship to good results. With whatever justice or lack of it, many Latin Americans are afraid of the United States; however much it may hurt our feelings, they prefer to have their security based on some more objective stand-

ard than the good intentions of the United States.

The standard on which they rely most heavily is the principle of nonintervention; however obsolete it may seem to certain U.S. officials, it remains vital and pertinent in Latin America. When we violate it, we are not overriding the mere letter of the law; we are violating what to Latin Americans is its vital heart and core.

The inter-American system is rooted in an implicit contract between the Latin American countries and the United States. In return for our promise not to interfere in their internal affairs they have accepted a role as members of our "sphere" and to support, or at least not to obstruct, our global policies. In the Dominican Republic we violated our part of the bargain; it remains to be seen whether Latin Americans will now feel free to violate theirs.

In the eyes of educated, energetic and patriotic young Latin Americans—which is to say, the generation that will make or break the Alliance for Progress—the United States committed a worse offense in the Dominican Republic than just intervention; it intervened against social revolution and in support, at least temporarily, of a corrupt, reactionary military oligarchy.

It is not possible at present to assess the depth and extent of disillusion with the United States on the part of democrats and reformers in Latin America. I myself think that it is deep and widespread. Nor am I reassured by assertions on the part of administration officials that a number of Latin American governments have secretly expressed sympathy for our actions in the Dominican Republic while explaining that of course they could not be expected to support us openly. Why cannot they support us openly, unless it is because their sympathy does not represent the views of their own people and they do not dare to express it openly? In fact, real enthusiasm for our Dominican venture has been confined largely to military dictators and ruling oligarchies.

The tragedy of Santo Domingo is that a policy that purported to defeat communism in the short run is more likely to have the effect of promoting it in the long run. Intervention in the Dominican Republic has alienated—temporarily or permanently, depending on our future policies—our real friends in Latin America. These, broadly, are the people of the democratic left—the Christian and social democrats in a number of countries, the APRA Party in Peru, the Accion Democratica Party in Venezuela, and their kindred spirits throughout the hemisphere. By our intervention on the side of a corrupt military oligarchy in the Dominican Republic, we have embarrassed before their own people the democratic reformers who have counseled trust and partnership with the United States. We have lent credence to the idea that the United States is the enemy of social revolution in Latin America and that the only choice Latin Americans have is between communism and reaction.

If those are the available alternatives, if there is no democratic left as a third option, then there is no doubt of the choice that honest and patriotic Latin Americans will make: they will choose communism, not because they want it but because U.S. policy will have foreclosed all other avenues of social revolution and, indeed, all other possibilities except the perpetuation of rule by military juntas and economic oligarchies.

The dominant force in Latin America is the aspiration of increasing numbers of people to personal and national dignity. In the minds of the rising generation there are two principal threats to that aspiration—reaction at home and domination from abroad. As a result of its Dominican actions the United States has allowed itself to become associated with both. We have thereby offended the dignity and self-respect of young and idealistic Latin Americans who must now wonder whether the United States will one day intervene against social revolutions in their own countries, whether one day they will find themselves facing U.S. marines across barricades in their own home towns.

I, myself, am sure, as I know President Johnson and, indeed, most U.S. citizens are sure, that our country is not now and will not become the enemy of social revolution in Latin America. We have made a mistake in the Dominican Republic, as we did at the Bay of Pigs in 1961, but a single misjudgment does not constitute a doctrine for the conduct of future policy and we remain dedicated to the goals of the Alliance for Progress.

We know this ourselves but it remains to convince our true friends in Latin America that their social revolutions will have our sympathy and support. It will not be easy to do so, because our intervention in Santo Domingo shook if it did not shatter a confidence in the United States that had been built up over 30 years since the liquidation of the Caribbean protectorates and the initiation of the "good neighbor policy."

It will be difficult but it can be done. President Johnson took a positive step on the long road back in his statement of rededication to the Alliance for Progress to the Latin American Ambassadors on August 17. It remains for us to eliminate the ambiguity between the anti-revolutionary approach symbolized by Project Camelot and the preoccupation with problems of counterinsurgency on the one hand and the creative approach of the Alliance for Progress on the other. If we do this—and I am both sure that we can and reasonably hopeful that we will—then I think that the Dominican affair will be relegated in history to the status of a single unhappy episode on the long road toward the forging of a new and creative and dignified relationship between the United States and Latin America.

In conclusion, I suggest that a new and healthier relationship between the United States and Latin America must be a freer relationship than that of the past.

The United States is a world power with world responsibilities and to it the inter-American system represents a sensible way of maintaining law and order in the region closest to the United States. To the extent that it functions as we want it to function, one of the inter-American system's important advantages is that it stabilizes relations within the western hemisphere and thus frees the United States to act on its worldwide responsibilities.

To Latin Americans, on the other hand, the inter-American system is politically and psychologically confining. It has the effect, so to speak, of cooping them up in the Western Hemisphere, giving them the feeling that there is no way to break out of the usually well-intentioned but often stifling embrace of the United States. In their hearts, I have no doubt, most Latin Americans would like to be free of us, just as a son or daughter coming of age wishes to be free of an over-protective parent. A great many of those Latin Americans for whom Castro still has some appeal—and there are now more, I would guess, than before last April 28—are attracted not, I feel, because they are infatuated with communism, but because Cuba, albeit at the price of almost complete dependency on the Soviet Union, has broken out of the orbit of the United States.

It is the nature of things that small nations do not live comfortably in the shadow of large and powerful nations, regardless of whether the latter are benevolent or overbearing. Belgium has always been uncomfortable about Germany and France; Ireland has never been able to work up much affection for Great Britain. And in recent years some of the Eastern European governments have demonstrated that, despite the Communist ideology which they share with the Soviet Union, they still wish to free themselves as much as they can and as much as they dare from the overbearing power of Russia. It is natural and inevitable that Latin American countries should have some of the same feelings toward the United States.

Perhaps, then, the foremost immediate requirement for a new and more friendly relationship between Latin America and the United States in the long run is not closer ties and new institutional bonds but a loosening of existing ties and institutional bonds. It is an established psychological principle—or, for that matter, just commonsense—that the strongest and most viable personal bonds are those which are voluntary, a voluntary bond being, by definition, an arrangement which one is free to enter or not to enter. I do not see why the same principle should not operate in relations between nations. If it does, it would follow that the first step toward stronger ties between Latin America and the United States would be the creation of a situation in which Latin American countries would be free, and would feel free, to maintain or sever existing ties as they see fit and, perhaps more important, to establish new arrangements, both among themselves and with nations out-

side the hemisphere, in which the United States would not participate.

President Frei of Chile has taken an initiative to this end. He has visited European leaders and apparently indicated that his Christian Democratic Government is interested in establishing new political, economic, and cultural links with European countries. For the reasons suggested, I think this is an intelligent and constructive step.

I think further that it would be a fine thing if Latin American countries were to undertake a program of their own for "building bridges" to the world beyond the Western Hemisphere—to Europe and Asia and Africa, and to the Communist countries if they wish. Such relationships, to be sure, would involve a loosening of ties to the United States in the immediate future, but in the long run, I feel sure, they would make for both happier and stronger bonds with the United States—happier because they would be free, stronger because they would be dignified and self-respecting as they never had been before.

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

Mr. FULBRIGHT. I yield.

Mr. CLARK. Mr. President, I should like to express my complete accord with the position taken by the Senator in his most interesting and very important speech about the Dominican Republic and the events which have taken place there.

It has been my privilege as a junior member of the Committee on Foreign Relations to sit through most of the hearings which have been held on the Dominican Republic and to read that part of the testimony which I did not actually hear.

I believe that this speech is overdue, sound, and wise. I hope that it will be given great effect by the policymakers of the executive branch of our Government.

Mr. FULBRIGHT. Mr. President, I thank the Senator very much for his comment.

Mr. LONG of Louisiana. Mr. President, the Senator from Arkansas is certainly entitled to his opinion with regard to the action of the President of the United States, as are all Senators. However, I should like to say as a member of the Committee on Foreign Relations, I do not believe the Senator from Arkansas' remarks reflect the sentiment of that committee on this matter. The members of the committee were invited by the President to give him advice on the decision to send American troops to the Dominican Republic. That is true of the distinguished chairman of the committee also. When that decision was made, not one dissenting voice was heard. The Senator was there. He had an opportunity to advise the President about what should be done. I believe his advice was taken on that occasion.

Mr. FULBRIGHT. I think the Senator is mistaken. We were not asked as to what action should be taken. We were told what had been done. As far as we knew, it had been done.

Mr. LONG of Louisiana. That is not my impression. My impression is that the Senator attended the meeting at the White House. He was there. I know I was there.

Mr. FULBRIGHT. I was there.

Mr. LONG of Louisiana. Not one American marine had been landed up to that time.

Mr. FULBRIGHT. But the decision had been made.

Mr. LONG of Louisiana. I am not going to quote the Senator because that was a secret meeting and much secret information was discussed.

My understanding was that the President—and I say this with regard to our Republican friends also—said certain things to indicate that he did not want to act until he had consulted with us; and the decision had not been made.

My impression of the matter was that the Senator from Arkansas made a suggestion of what should be done. He can use his best judgment on the protocol about matters of that sort. But my impression was, insofar as the Senator's suggestion, was concerned that it was folded.

So far as I am concerned, this was simply a matter of whether this country was going to stand aside and risk another Cuban type Communist takeover, or whether we were going to move on the theory that this looked very much as though it might be a Communist takeover, and that we would rather take the chance of moving when it might not be necessary, than take the risk—as President Eisenhower did—that this would be a Communist takeover.

We have information now that the Communists in the Dominican Republic are stronger than Castro was when he started out to take Cuba.

We have information, available to the Senator from Arkansas, to lead us to believe there is a real threat of Communist subjugation and conquest of that island. That we do not wish to see take place.

I have heard some criticism of the fact that the President sent more troops than were necessary. In Louisiana we had some contact with this type of problem.

I recall a time, while my father was a prominent official in Louisiana government, when some people who could not win an election decided to take charge and organized an army at the airport. The National Guard arrived and the only fellow who was injured was a man who shot himself with his own shotgun trying to get through a barbed wire fence.

At another time, in the city of New Orleans, when the police force was under control of the existing organization, which was opposed to our group and would not assure our faction an honest election count, we called out the National Guard. After awhile we agreed on a procedure to assure a fair election and we took out the National Guard. We got an honest count.

On both occasions the man in charge of the troops did not have to shoot anybody, but he said:

The best way to be sure you do not have to fight is to have enough troops there so

the opposition will know that they cannot defeat you if there is to be fighting.

That would be my advice to the President. "Do not send 200 or 300 marines and have them exterminated. Send enough boys so that if there is a fight, and the opposition will know that if they start a fight, they will be defeated."

The Senator had a different idea than I did in regard to the Bay of Pigs. My thought about the Bay of Pigs was that the idea of helping people to go there and liberating that island was not a bad idea. The only thing was that we did not send enough people to whip Castro.

If that were to have been done, that would have been the time to do it, in my judgment. Many people would like to be free of Castro's enslavement on that island. If the general philosophy of the Senator's speech had been followed, Castro would have taken not only that island, but the Dominican Republic, also.

If we follow the general view that if the Communists attempt to take over, we ought to do what is within our power to keep that from happening, not only would we not have lost the Dominican Republic to the Communists; we would never have lost Cuba to the Communists.

Suppose President Eisenhower had it to do all over again, and he had heard one group argue the Fulbright doctrine: "Do not interfere; you might be criticized"; and another group saying, "This is a Communist takeover; go on in." Suppose President Eisenhower, sincere, anti-Communist, and good man that he is, had been confronted with such a situation again.

I believe he would not have taken a chance that there would be a Communist takeover. He would have gone in. He would have resolved the doubt in an effort to try to save the people from Communist subjugation.

So far as I know—and I believe this is correct—every responsible person who had any contact with the matter urged the President to do what he did; and the President proceeded to do what he thought was best, after explaining the problem as he saw it. He invited everyone, including the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], to offer advice. I had the opportunity to offer my advice. My advice was: "If you have any thought whatever that this might be a Communist takeover, please, Mr. President, move, because the American people will never forgive you if you merely sit here and watch the Communists take that island."

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

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. I want to associate myself with the remarks just made by the distinguished Senator from Louisiana. I am one of those who were privileged to sit in on the particular meeting that has been referred to. There were many there from both sides of the aisle. As I recall, the distinguished minority leader [Mr. DIRKSEN] was present, as, of course, was the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. I believe the

overwhelming consensus was that we wanted to be certain that the island of the Dominican Republic was not lost to the Communists. No one was absolutely certain as to what was happening. At this point there was no time for a study by the Foreign Relations Committee or any other committee. The country was on fire; people were dying; property was being destroyed; Communists were on hand and chaos was in charge. Something had to be done and it had to be done based on the best information then available. The President was told by our Ambassador, by the representatives of the CIA, the Peace Corps, the USIA, and the Air Force, the Army, the Marines, and the Navy. All spoke with a loud and unanimous voice—and they said, "the revolution has been going on for 4 days—it is now out of hand and you Mr. President must send in troops to save lives and property." It was very clear that at the White House, at that time that the overwhelming consensus was of the belief that we had better send in enough forces to make certain that the indiscriminate shooting and looting would be stopped, and that the Communists would not take over. I do not agree that too many troops were sent into the Dominican Republic. For that matter, I do not believe we are sending too many troops to Vietnam. If one argued the same philosophy as that expressed by the Senator from Arkansas, perhaps he could say we are sending too many troops to Vietnam, because we are now beginning to win there.

Surely no one would argue that we are not supposed to win just because we are opposing Communists, and some misled liberals who are on their side. We are fighting Communists in Vietnam. We are having to oppose them—one way or another, all around the world, and for a certainty they sought to take over the Dominican Republic just as they did Cuba, and that was a matter of grave concern to us when the President sent in our troops to Santo Domingo. I do not see anything wrong with that, as the distinguished Senator from Louisiana has indicated. What is wrong with trying to save a country from communism?

We had already lost Cuba to Castro. It has been admitted that there were only about 12 known Communist leaders in Cuba with Castro when he started his revolution. He was acclaimed—when he started out—the greatest social revolutionary to come along in modern day. I remember when the New York Times and other newspapers were writing lyrical articles about Castro and what a great man he was. I recall his appearance before the American Society of Newspaper Publishers and Editors, where he was lauded and applauded. I also recall when he sat with the Committee on Foreign Relations in the Capitol and I asked him, "When are you going to have elections?"

Castro replied, "There is no use in having elections, because I will be elected over and over again."

Castro made that statement in the Committee on Foreign Relations, and still many thought he was a great demo-

cratic leader. Castro proved that it was not necessary to have a large number of Communists present in order to deliver a country to communism. When a country like Cuba falls to communism it costs us hundreds of lives and millions of dollars. So we could not afford to take a chance in the Dominican Republic.

I do not understand the philosophy of the Senator from Arkansas in this respect. I have the greatest affection and highest respect for my former chairman, the Senator from Arkansas [Mr. FULBRIGHT], but I do not understand, for the life of me, what the objection is to sending enough troops to the Dominican Republic to do the job, or even perhaps sending 200 or 300 more. The job was done. The country has not been lost. It is today moving in the direction of establishing a constitutional government, so that, hopefully, constitutional rights will be in the near future preserved.

I again totally associate myself with the remarks of the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, if it could be done as the Senator from Arkansas proposes, I would much prefer to treat the Communists with Christian fellowship, love, and truth, without having to resort to violence. A number of fine people, such as Cardinal Mindszenty, used that approach, but did not get far with it. If we are to keep the Communists from taking over, we cannot rely on them to tell the truth; we cannot rely on them to admit that they are Communists; we cannot rely on their regime not to murder and exterminate people who do not agree with communism.

I would be willing to take a chance on meeting Communists in free elections. Why will they not agree to free elections? They will not agree to them here or anywhere else. About the only time Communists are willing to agree to free elections is when the Communists cannot win by force of arms nor by blackmail, assassination, or brutality. They have yet to win their first free election.

A program of good will, kindness, truth, and love they neighbor, while it is fine to be extended toward Communists, is never seen coming from the opposite direction, toward us.

Mr. FULBRIGHT. Mr. President, to try to keep the record straight—and it was not my intention to engage in a general, running debate on how much we disagree with communism—I assure the Senator from Louisiana that I am not a Communist and do not wish to promote that system.

The policies I am talking about involve a judgment as to whether they do or do not promote communism.

The only election in the Dominican Republic that we are told was absolutely free and without any threat, was the one that resulted in the election of Mr. Bosch. But he was thrown out by a coup.

The Senator from Louisiana is saying that the whole movement of U.S. troops was to prevent Communists from taking over. At the meeting at the White House it is my impression—and I believe

the press reports will confirm it—that we were told that the movement was to save American lives. Much was said about the saving of 1,500 American lives and several hundred other lives. It was put on the basis of saving innocent people, particularly Americans and the nationals of other countries. I said in my speech that I thoroughly agreed with that proposal.

When a situation endangers the lives of people who had nothing to do with the occurrence, it is quite proper for us to act. That was the theory on which our action was based at the meeting. We were not told that a Communist takeover was in progress.

I recall asking—and perhaps someone else asked—what the situation was with respect to communism. We were told that three individuals had been identified as Communists. This is out of several thousand who were engaged in the uprising.

I must say this in all charity to the Director of the CIA, who had been sworn in that very noon, so he could not have been expected to know what had taken place. He had been the Director of the CIA only about 10 hours, perhaps 6 hours. I do not blame him at all for either inadvertence or anything else. About a week later, after the situation had been reviewed, it was announced that 55 persons were Communists.

No one believed that Rafael Molina Urena was a Communist. He had been the President of the Senate under the Bosch regime. Under their Constitution, as I understand it, since Bosch did not return, Molina was what we would consider to be the legitimate successor. I understand that that was the process of succession. He was designated by the party in power, the PRD Party, which is the only legitimate party which had won an election, by 58 percent, in 1962. The party was thrown out by a coup, as the Senator knows.

This was an effort to reestablish themselves. The leaders of this revolution were not accused of being Communists. The Senator is assuming the very fact in controversy. The very fact that I question is that there was any firm and convincing evidence that this was a Communist takeover, that the revolutionary power, the revolutionary movement was dominated and controlled by Communists.

We had 13 meetings on this matter. To me, there is very little evidence from the testimony of administration witnesses. Every witness was an administration witness except Muñoz-Marín, who is certainly no enemy of the administration. He has been a very close friend of this administration. As the Senator knows, he was a long-time Governor of Puerto Rico. There was no serious and convincing evidence, or even anything close to being convincing evidence, that the leaders of the revolution in the beginning were Communists. They were members of the PRD Party. They were people who wished to reaffirm their claim to the presidency. They had been thrown out by a coup.

The Senator assumes that this was a Communist takeover.

Mr. LONG of Louisiana. Mr. President, I decline to yield further.

Mr. FULBRIGHT. I raised the point in my speech that there was not any evidence to show that it was a Communist plot. I think that it was more likely a PRD revolution.

Mr. LONG of Louisiana. The Senator has failed to distinguish between non-Communist liberals who were involved there and the hard-core Castro-trained Communists who were trained to take over. When Castro took over Cuba, knowing the experience we have had if we had followed the Fulbright doctrine, the takeover would have occurred nevertheless, because many sincere liberals were opposed to Batista while hard-core Communists were prepared to kill the Socialist or non-Communist liberals and take the place over.

That is what they did and they did it as quickly as these honest and sincere people who believed in freedom discovered that they had made a mistake and fallen into a trap. The people discovered that it was then too late. They could not extricate themselves. Some of those people gave up their lives and were injured and taken prisoners at the Bay of Pigs invasion when they tried to liberate Cuba from Castro.

We had enough information to know that the Dominican revolt was a move in the direction of communism. This country had all the justification that it needed to intervene. It had sufficient justification to require our going in there and protecting our citizens and the citizens of other countries.

Oddly enough, De Gaulle can find more reason to criticize our country, a country which has defended France more than any other country, than any man who has ever had a position of great responsibility and power in the free world.

Mr. de Gaulle found fault with the United States sending troops to a country to protect human life. However, De Gaulle's Ambassador rushed down and asked that the French Embassy be protected by American troops against irresponsible revolutionaries who were running down the corridors with machine-guns and killing people. We took it upon ourselves to protect innocent people from friendly nations, people who were not a party to the revolt at all.

Mr. FULBRIGHT. There is no question about that.

Mr. LONG of Louisiana. The Senator suggests something that is inconsistent, with respect to this Nation contributing troops in this situation. We did not do it when Mr. Bosch was run out of there.

As a practical matter, the President was right in taking the position which he did in the military coup which involved Mr. Bosch. It was a fight between one crowd of anti-Communists and another crowd. I do not believe that we would have had any right to go in there with troops at that time. However, on the other hand, if this were a Communist takeover, or if it had the possibility of being a Communist takeover, if we

had the information, which we did, that a great many hard-core Communist Moscow-trained or Castro-trained Communists were in there seeking to start a revolution and to take charge and take over the country, we should have attempted to frustrate that effort if we could.

I believe the record shows that every person whose advice the President sought on Capitol Hill, be he Republican or Democrat—and if any Senator wants to question this statement, he can say so—either advised the President to go or did not advise him not to go.

I believe that every single person advised the President to go, with the exception of the suggestion made by the Senator from Arkansas, and, to the best of my knowledge, the President followed that advice.

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

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. Mr. President, the Senator from Arkansas talks about his recollection with regard to how many Communists we thought were in Santo Domingo. It was all a guess. My recollection is that it was approximately 58. And the 58 were Communist leaders. Actually nobody had any idea for a certainty how many Communists were there or how many of the revolutionists were on the Communist side.

At the time that Bosch was thrown out by internal revolution, I do not believe that anybody advised the then President of the United States that our people were being fired on and that our property was being destroyed, nor that we should send troops. I do not believe that the then Ambassador, nor the Army, nor the Navy, nor the CIA, nor the Peace Corps gave such advice. I do not believe that any of the people who, on this April 1965 occasion, advised the President that we needed troops there to protect our property and the lives of people, advised that we should send troops on that other occasion. When Bosch was forced by a coup to leave Santo Domingo and move to Puerto Rico.

I believe that it might be said about that meeting at the White House to which we have been making reference, and I do not believe this will violate to any great extent the rules with regard to keeping such meetings secret—that everybody who was there recalls that when the President was advising us as to what he was going to do—a telephone call came through, the fellow who was talking from the Dominican Republic said that he was at that moment under the table and the bullets were coming through the window and surging all around him.

Mr. LONG of Louisiana. Bullets were whizzing through the window of the Embassy by the Ambassador.

Mr. SMATHERS. The Senator is correct. At the very moment of the telephone conversation, bullets were coming through the window. What is the President supposed to say—"Let us go out and reason with these people?" This was no time to reason. These people were not in a reasoning mood. Something had to be

done, and the President was advised to take a firm and courageous course and he took it.

At that time, we thought that some 1,560 people were killed in the first few days. Remember the President did not send our troops until the revolution had been going on for 4 days. Everybody's hindsight is better than their foresight. It may be that there were not 1,560 people killed. However, many of them were killed, and millions of dollars worth of property was destroyed. Our Embassy was being fired upon. Other embassies were being looted. Thank God our troops finally showed up.

The Senator from Louisiana has pointed out that by virtue of the fact that we had our troops down there, some 5,600 people, nationals of other countries, were safely evacuated. Because of the presence of our troops, there was no great loss of life.

If we had delayed; if we had had a study; if the President had vacillated, hundreds and hundreds of other people would have been killed and untold damage would have been done. But most importantly that country would be in the hands of the Communists today.

One of the significant things that is never talked about when we discuss this Dominican matter is the Organization of American States. At its fourth inter-parliamentary session—in the official meetings or consultations, the Organization of American States directed that one of their groups go to Santo Domingo and make a study. These are Latin people, not from the United States—but from various countries of Latin America. The official OAS group concluded that the President of the United States did the only sensible and practical thing that could have been done under the circumstances, when he dispatched troops to restore law and order.

I repeat these are Latins, familiar with the area, the conditions, the people. They approved the President's action. It seems to me that what we ought to be doing is applauding the President. Thank God that most of the people are doing that. The Gallup poll shows that 85 percent of the people approve of what the President did in Santo Domingo. I believe that those people who approve of the action of the President are correct. And I believe a majority of the members of the Foreign Relations Committee, and a majority of this Senate believe our President acted correctly and courageously.

Mr. LONG of Louisiana. Mr. President, the President had the advice of a nine-man American team in Santo Domingo. The team included those who had responsibility, anybody in charge of any organization, from the Peace Corps up to the Ambassador himself. He had the advice of the State Department, and the advice of his own White House staff, which is supposed to be available to him for such purpose. Some reference was made to the fact that the man from the CIA had only been there a short time. But that man was a naval admiral, and he was not merely saying what he

learned in 5 days; he was giving the best judgment he could based on the advice of experts who have been studying such problems for many years.

If those who had responsibility to tell us how to deal with the Communists in Santo Domingo, and how to deal with the Communists in the Dominican Republic, and all those people, so far as I know unanimously—and the record will show—provided such advice to the President, who would say that should be done?

The Senator said when he was there that perhaps he did not advise us not to go because he thought the decision had been made. That is my understanding. My understanding is that the President had taken the precaution to do what he should have done, that is, to put the carriers in a position so that he would have the troops available if the decision was made to go in.

Now he has been criticized for going in with too much. I suppose next year he will be criticized for going too soon.

But if we were compelled to move, I would want to be able to avoid a complete Communist takeover. If we had to go in, it was better to go with too much too soon than to go with too little too late.

Mr. FULBRIGHT. Will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. FULBRIGHT. On the question of what the record shows, I based my speech upon the records of the hearings before the committee. Many wild rumors were published in the newspapers which our own people did not confirm. For example, the Senator from Florida [Mr. SMATHERS] says 1,560 were killed in the first 4 days.

As of May 8, the Red Cross confirmed a count of 150 dead and 605 wounded in hostilities. They were not Americans. No American citizen was killed or shot or injured until after the Marines were landed and the Marines exchanged shots with the revolutionists.

So subsequent events did not confirm the advice about the necessity and the danger that came from the Embassy.

Mr. RANDOLPH. Mr. President, a parliamentary inquiry.

Mr. LONG of Louisiana. Mr. President, I believe I have the floor.

Mr. RANDOLPH. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Louisiana has the floor at this moment, unless he will yield for a parliamentary inquiry.

Mr. LONG of Louisiana. I have not yielded, Mr. President. I wish to make this statement, and I will try to cut it short.

I know the Senator from Arkansas [Mr. FULBRIGHT] has a responsibility to the Senate. He is trying to discharge it. I shall try to cooperate with him.

It is one thing to think about these matters, ask for hearings, bring people in, see what the record shows, and take a nice vacation and analyze the matter, and come back in a week and say, "I am not sure this was necessary at all."

But it is quite another thing if the man is there, and shooting is going on,

and he must move now or it will be too late. He cannot stop to figure whether 315 or 575 or 1,500 people have been killed. He must move now.

It is easy to find fault with the President of the United States. Senators have, and I am sure they will continue to do so.

But one thing we cannot say about the man who is President of the United States: We cannot say he cannot move. I say to the Senate that when hurricane Betsy hit Louisiana last week, the worst disaster in our history, I called the President and said, "Mr. President, the most horrible thing that has ever happened to Louisiana has just occurred. The people ought to see you and know that their Government and their President are interested in their welfare. It will give them the courage to try to hold out and try to help themselves, if they just know that help is on its way, and that they have this great country on their side."

That man has on his hands the war in Vietnam, but he called me and said, "Be at the White House in 15 minutes. If you are not at the White House in 15 minutes, I will be on my way to Louisiana by myself." I got there and we went down there, and he told those people that all of the redtape would be cut, and that help was on its way.

We are getting help. If I had to choose between one man who thinks it might not be all that serious, and says, "Let us wait and get the report and analyze it and think about it a little longer," and the man who says, "Wait a minute; if we do all this, it might be too late," I think I would take the fellow who could move.

Many battles have been lost by waiting to see. The South would be a separate nation today—and I am glad we are not—had it not been that a citizen of Louisiana, Gen. P. G. T. Beauregard, waited until the smoke lifted on the first day of the Battle of Shiloh, down in Tennessee.

Had that man had the aggressive instincts of our President, he would have pushed Grant's army into the Tennessee River before General Buell was able to bring up a whole new Federal Army to join the fight. On that occasion, Albert Sidney Johnson had bled to death in his saddle pressing the attack. When Johnson died, and Beauregard found himself in command, he preferred to halt the attack and renew it on the following day. By that time Beauregard was facing two Union armies instead of one.

Had Beauregard possessed the initiative of our President, he would have run the Union Army into the river on the evening of the first day, and instead of Grant defeating the Southern Army, and proceeding to capture one army at Vicksburg and another at Appomattox, Grant would have been relieved of duty as an incompetent, and Lincoln would have never found himself a great general.

But, Mr. President, we have a President who moved. He moved in the tradition of our great country, and in the tradition of all great Americans, who do not believe in waiting until the smoke

lifts in Santo Domingo or until the dust settles in China to do something about these things. Mr. President, I thank the merciful Lord that our President possesses a sense of urgency and that he possesses initiative.

I yield the floor.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, the Senator from West Virginia will cooperate, as always, with his colleagues. He knows that the subject matter which has been discussed is important. As the assistant majority leader has stated, legislation is pending in the Chamber. It, too, deals with important subject matter of concern to the American people.

I ask unanimous consent, however, that the Senator from Delaware be permitted to address the Senators on a subject which is not germane.

Mr. ROBERTSON. How long does the Senator from Delaware wish to hold the floor?

Mr. RANDOLPH. Approximately 10 minutes. He talked with me about an hour and a half ago about his request. At that time, we did not know that the Senator from Arkansas and the Senator from Louisiana would take as much time as they have taken.

I, too, wish to go forward with the pending legislation, but I feel that I at least implied to the Senator from Delaware that I would submit this unanimous-consent request, and I do so with the understanding that he speak not more than 10 minutes.

Mr. ROBERTSON. With that understanding I shall not object, but I hope after that we may proceed with the bill, because it is not a minor bill.

Mr. RANDOLPH. I agree with the Senator from Virginia, and for that reason, very frankly, I hope Senators will not discuss this nongermane subject.

I ask unanimous consent that the Senator from Delaware be permitted to speak.

The PRESIDING OFFICER. Does the request of the Senator from West Virginia include any time limitation? The Chair is asking for information.

Mr. WILLIAMS of Delaware. No.

The PRESIDING OFFICER. Does the Senator make any request as to retention of the floor?

Mr. WILLIAMS of Delaware. No; I do not do that.

The PRESIDING OFFICER. Is there objection to the request? None is heard, and it is so ordered.

Mr. WILLIAMS of Delaware. Before I proceed, I understand that there is no time limitation; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. I shall be brief. As I told the Senator from West Virginia I would not want a time limitation. I appreciate the fact that there is an important bill before the Senate, and I appreciate the fact that he wishes to proceed to discuss it.

I point out, however, that there is nothing world shaking in the bill. I

tried to obtain a copy of it this morning as late as 10 o'clock, and it had not even come back from the printer, which shows how fast we are moving. It is about a \$320 million bill which is before the Senate for consideration. It had not even been printed until about an hour ago, and certainly the Texas steam roller, even under the Great Society, can slow down that long.

I am correct, then, in my understanding that there is no time limitation as far as I am concerned; however, I assure the Senators that I shall take no longer than necessary.

NOMINATION OF DAVID BRESS TO BE DISTRICT ATTORNEY FOR DISTRICT OF WASHINGTON, D.C.

Mr. WILLIAMS of Delaware. Mr. President, the nomination of Mr. David Bress to fill the vacancy as district attorney for the District of Washington, D.C., has been submitted to the Senate.

I do not know Mr. Bress. He may be a very able man. He may be a man of the greatest integrity; however, in the light of the past position which Mr. Bress had as one of the attorneys, for Bobby Baker's vending company, it is not proper that he be appointed at this time as the U.S. attorney in Washington, D.C.

It is common knowledge that a Federal grand jury is at work in the District of Columbia on the affairs of Mr. Robert G. Baker. Although Mr. Bress might disassociate himself from the work of the Baker grand jury, I do not believe this is enough. There must be an investigation that is thorough and aggressive and one that appears to be thorough and aggressive in every respect.

It is not only important that the investigation be honest; it is equally important that the investigation gives the appearance of being honest.

The public must be shown that Bobby Baker and his kind will be investigated and prosecuted in the same manner as any other influence peddlers. The appearances are particularly important in the Baker case because of his former influential position as Secretary to the Democratic majority in the Senate and because of his past associations with some of the highest public figures in this Nation.

The public must be shown that there is no double standard of justice by which the Bobby Bakers are shielded by friends in the Senate, investigated by friendly U.S. attorneys, or brought before courts stacked with his political cronies.

The attempted whitewash of the Baker case by the Democratic majority of the Rules Committee has disillusioned many citizens. This Nation needs assurance that the whitewashing is ended in this Baker matter. The nomination of Mr. Bress does little to restore confidence in the Johnson administration. Instead it can only be interpreted as a continuation of the efforts to protect Bobby Baker and keep a tight lid on the whole Baker operation.

If the administration did not know that Mr. Bress represented Serv-U in the civil suit that launched the Baker

matter, then the administration was lax in its preliminary study in making this nomination.

If the facts were known by the President and others then the nomination can be regarded as an arrogant disregard for normal ethical sensitivity and for public opinion.

If a lawyer for the Teamsters Union were named as U.S. attorney or judge in an area where Mr. Hoffa was under investigation it would be regarded as shocking. I consider it no less shocking when an influence peddler, such as Mr. Baker has been proven to be, ends up with so many friends in court. I hope it is carelessness. I hope there are no callous efforts to stack the deck.

This nomination should be withdrawn by the administration.

If it is not the Senate should hold it up until after the whole Baker investigation and prosecution is disposed of.

Mr. President, yesterday, in response to a suggestion concerning the advisability of having his nomination either withdrawn or held up until after the Baker case had been disposed of, Mr. Bress is quoted as having said that while he admitted he was the attorney for the Serv-U Corp. he was not aware that Mr. Baker was a stockholder. Such an excuse is ridiculous.

As evidence that Mr. Bress did know or at least that he should have known that Mr. Baker was connected with this company I ask unanimous consent to have printed in the RECORD a copy of a document filed in the district court by Mr. David G. Bress in his capacity as the attorney for the Serv-U Corp. Under date of October 22, 1963.

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

IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—CAPITOL VENDING CO., INC., WASHINGTON, D.C., PLAINTIFF V. ROBERT G. BAKER, U.S. CAPITOL; FRED BLACK, JR.; ERNEST C. TUCKER, SERV-U CORP., WASHINGTON, D.C., DEFENDANTS—CIVIL ACTION No. 2249-63

(Filed October 22, 1963, Harry M. Hull, clerk.)

ANSWER OF DEFENDANT SERV-U CORP.

The defendant, Serv-U Corp., by its attorney, for its answer to the complaint says as follows:

First defense

The complaint fails to state a valid claim upon which relief can be granted.

Second defense

1. Defendant admits the jurisdiction of this court.

2. Defendant does not have sufficient information or knowledge to either admit or deny the averments of paragraph 2.

3.-5. Defendant admits the averments of paragraphs 3, 4, and 5.

6. Defendant denies that it is a corporation organized under the laws of California, but avers that it is a corporation organized under the laws of Delaware and has an office in the District of Columbia at 2000 P Street NW., Washington, D.C.

7-9. Defendant does not have sufficient information or knowledge to either admit or deny the averments of paragraphs 7, 8, and 9.

10. Defendant admits that it is engaged in the coin operated vending machine business in California and that it has contracts relating to the installation and operation of such machines in various plants in California, including certain plants of North American Aviation Corp. but this defendant denies that Robert G. Baker is a stockholder of record and is without sufficient information

or knowledge to admit or deny any equitable interest.

11. Defendant denies the averments relating to this defendant but has not sufficient information or knowledge to admit or deny the remaining averments of paragraph 11.

12. Defendant admits that Ernest C. Tucker is a stockholder of record in defendant and that he is its chairman of the board.

13-14. Defendant does not have sufficient knowledge or information to either admit or deny the averments of paragraphs 13 and 14.

15-19. Defendant denies the averments of paragraphs 15, 16, 17, 18, and 19.

Wherefore, defendant, Serv-U Corp., prays that a judgment be entered herein in its favor and that the complaint herein be dismissed with costs and that this defendant be awarded attorneys fees incurred by it herein.

DAVID G. BRESS,
Attorney for defendant,
Serv-U Corp.

WASHINGTON, D.C.

Mr. WILLIAMS of Delaware. Mr. President, this document relates to the suit which the Capitol Vending Co. had filed against Robert G. Baker, Fred Black, Jr., Ernest C. Tucker, and the Serv-U Corp. under Civil Action No. 2249-63.

While in this document they did not admit specific knowledge that Mr. Baker was a stockholder in the Serv-U Corp., nevertheless, as an attorney for Serv-U certainly Mr. Bress was aware of the facts of life, and as specific proof that at the time this document was filed Mr. Baker was actually a stockholder of the corporation I ask unanimous consent to have Mr. Baker's financial statement of February 1, 1963, printed in the RECORD.

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

Robert G. Baker, Washington, D.C., statement of condition, Feb. 1, 1963

Assets	Market value of assets Feb. 1, 1963	Liabilities and net worth	Amount
Current assets:		Current liabilities:	
Cash on hand and in banks.....	\$51,000	Accounts payable.....	\$43,000
Accounts receivable.....	58,000	Mortgages payable (installments due within 1 year (schedule 2)).....	31,800
Notes receivable.....	287,000	Notes payable (banks secured by stocks (schedule 3)).....	200,000
Cash-surrender value of life insurance.....	2,000		
U.S. Government retirement reserve.....	10,000	Total current liabilities.....	364,800
Stocks (schedule 1).....	1,582,630		
Total current assets.....	2,158,630	Fixed liabilities:	
Fixed assets:		Mortgages payable (schedule 2).....	120,500
Real estate owned (schedule 2).....	456,666	Less installment due within 1 year.....	31,890
Furniture and equipment.....	5,000	Total, fixed liabilities.....	88,610
Total assets.....	2,620,296	Total liabilities.....	453,410
		Net worth.....	2,166,886
		Total liabilities and net worth.....	2,620,296

Real estate owned and mortgages payable, Robert G. Baker, Washington, D.C., Feb. 1, 1963

Description	Title in name of—	Market value, Feb. 1, 1963		Mortgages payable	
		Share owned, (percent)	Amount	Amount	Annual payment
Residence: 3324 Northampton St. NW., Washington, D.C.	Bobby G. and Dorothy C. Baker	100	\$35,000	\$13,000	\$1,530
1 house and 2 apartments: Blue Ridge Dr., Pickens, S.C.	Robert G. Baker and D. A. Holder	50	10,000	2,500	300
Entire block ocean front: 47th St. to 48th St., North Ocean City, Md.	Robert G. Baker, Gertrude and Don Novak	33	41,666	15,000	5,000
40 acres: Colesville Rd. Extended, Silver Spring, Md.	Don Novak and Robert G. Baker	50	120,000	15,000	10,000
42-unit motel: Howard Johnson, Charlotte, N.C.	Mecklenberg Enterprises	50	250,000	75,000	15,000
Total market value, Feb. 1, 1963.....			456,666		
Total mortgages payable (Robert Baker's share), Feb. 1, 1963.....				120,500	
Total annual payment on mortgages.....					31,890

Stocks owned, Robert G. Baker, Washington, D.C., Feb. 1, 1963

Description	Shares owned	Market value Feb. 1, 1963	Pledged as collateral
Mortgage Guaranty Insurance Co.....	15,130	\$453,900	8,835 shares with Fidelity National Bank & Trust Co., Oklahoma City Okla.
Serv-U Corp. (5 times earnings).....	2,850	1,000,000	5,995 shares with First National Bank of Dallas, Dallas, Tex. 2,850 shares with Fidelity National Bank & Trust Co., Oklahoma City, Okla.
Winn Dixie.....	100	2,800	100 shares with Suburban Trust Co., Silver Spring, Md.
District of Columbia National Bank.....	1,500	45,000	1,500 shares with American Security & Trust Co., Washington, D.C.
Carolina Pipeline Co.....	2,500	20,000	2,500 shares with South Carolina National Bank, Greenville, S.C.
First Virginia Corp.....	3,000	15,000	3,000 shares with American Security & Trust Co., Washington, D.C.
Blue Ridge Development Corp.....	50	15,000	
Greenville (S.C.) Memorial Gardens.....	180	10,000	180 shares with Pickens Bank, Pickens, S.C.
Maikiki Savings & Loan Association.....	2,500	8,000	
Don Reynolds Insurance Co.....	10	5,000	
Mansfield Industries.....	200	1,600	
Truck Insurance Exchange.....	50	2,400	
Pickens Bank.....	48	1,680	48 shares with Suburban Trust Co., Silver Spring, Md.
National Bank of Maryland.....	75	2,250	75 shares with Suburban Trust Co.
Total market value of stock Feb. 1, 1963.....		1,582,630	

Mr. WILLIAMS of Delaware. Mr. President, in this financial statement Mr. Baker lists his ownership of 2,850 shares of Serv-U stock with a market valuation of \$1 million. These 2,850 shares of Serv-U stock owned by Mr. Baker were at that time being held by the Fidelity National Bank & Trust Co. in Oklahoma City, Okla., as collateral for a loan which he had obtained from that bank.

Thus, Bobby Baker's ownership of Serv-U was a matter of record in February 1963, 8 months prior to the time that Mr. Bress was acting as the attorney for the Serv-U Corp.

It is utterly ridiculous for him now to claim that he did not know that Mr. Baker was the prime factor and principal stockholder in the Serv-U Corp. If, as the attorney for this corporation, he did not know, then he is too naive for the position to which he has been nominated.

"FOOT IN MOUTH" DISEASE OF OUR STATE DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, after spending millions of dollars the Agriculture Department was able to eradicate the foot-and-mouth disease that had been so prevalent among animals.

Perhaps we should launch a research program now to eradicate the "foot in mouth" disease of our State Department.

I ask unanimous consent to have printed in the RECORD an editorial published in the September 2 issue of the Washington Daily News entitled "Foot in Uncle's Mouth."

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

[From the Washington Daily News, Sept. 2, 1965]

FOOT IN UNCLE'S MOUTH

Every once in a while, somebody opens his mouth and puts his foot, not in it, but in Uncle Sam's. That hurts us all.

We don't know the exact ins and outs of the charge by Singapore Prime Minister Lee Kuan Yew that back in 1960 a bribe of \$3 million was offered by a CIA agent and that later a letter of apology arrived from incoming Secretary of State Dean Rusk, along with a statement that the new Kennedy administration would not countenance such goings on.

We do know that both at the State Department and in Malaysia on Tuesday, U.S. spokesmen denied flatly that the incident ever occurred. And that on Wednesday, the State Department discovered the Rusk letter after Mr. Lee revealed he had not only a copy of it but a tape recording of conversations with the CIA agent.

The point at issue is not to criticize Mr. Lee, who apparently brought up the matter for domestic political reasons. Nor is it to castigate the CIA, since details of the original affair are obscure.

What bothers us—and considerably—is that the State Department could be so positive on one day that nothing of the sort ever happened and so positive on the next day that it did.

In the famous U-2 incident which also occurred in 1960, misrepresentation by U.S. officials made this country look ridiculous in the eyes of the world. Handling of this latest affair gives us reason to wonder if our official spokesman really have learned anything since then.

SINK OR SWIM FOR U.S. SHIPS

Mr. WILLIAMS of Delaware. Mr. President, the Nation was, of course, relieved and pleased at the end to the strike which has tied up the U.S. merchant fleet for the past 2½ months.

It would be pleasant to suppose that the end of the strike meant the end of the difficulties facing the merchant fleet, but unhappily it does not. Whether we like to think about it or not, the United States, a nation whose strength at sea should certainly be equal to its strength in other vital areas of commerce and defense, stands perilously close to becoming a third-rate maritime nation.

On July 30, 1965, Life magazine briefly reviewed the plight of the merchant fleet in its lead editorial entitled "Sink or Swim for U.S. Ships." The editors of Life have clearly outlined the challenge which faces the maritime industry, and their editorial is one which should be read quite carefully by officials in industry, labor, and government.

I ask unanimous consent to have the editorial printed in the RECORD.

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

SINK OR SWIM FOR U.S. SHIPS

The U.S. Government pays out some \$350 million a year to subsidize a U.S.-flag, U.S.-built merchant marine. But when the Defense Department needed to expand its mili-

tary shipments to Vietnam, it had to hire British and Danish vessels for some shipments and then to mobilize some 30 U.S. ships. The reason for this costly humiliation of a traditionally great maritime nation was that most of our best cargo vessels have been tied up for nearly 6 weeks in one of the industry's perennial strikes.

This one, kept going by the Marine Engineers' Beneficial Association, has been termed "intolerable" and "against the public interest" by the Secretary of Commerce. Since U.S. taxpayers already get up 72 cents of every maritime wage dollar, and would normally pay 100 percent of any increase, he can say that "public interest" again.

MEBA represents 16,000 seagoing engineers who already average \$1,500 a month. It is known as the "head-kicking union" because at one session its president, Jesse Calhoun, was charged with jumping on the negotiating table and kicking a shipper in the jaw. Negotiations have since broken down, the tough issues being retirement income and automation. The owners have also lost confidence in the arbitrator but are willing to arbitrate almost anything under a new one, including any appointee of George Meany's. MEBA says no.

Joe Curran of the National Maritime Union, a third of whose sailors have been beached by it, calls this a political strike and a threat to all other workers in the maritime industry. Curran is gored because the strike plays into the hands and treasury of the Seafarer's International Union, which mans unsubsidized tramps and liners and whose chief, Paul Hall, has been Curran's bitter rival for many years. The fact that only part of the maritime industry is shut down also prevents the Government from invoking a Taft-Hartley emergency and sending the engineers back to work.

Chronic interunion feuding, extravagant demands, and ruthless tactics have cost the maritime industry 10 million man-hours since World War II. The subsidy formula, which offsets the fact that U.S. wage costs are 3 or 4 times foreign costs, has hitherto floated off the exorbitant settlements. But not this time. This strike coincides with a more general crisis in the U.S. merchant marine.

President Johnson promised last January to introduce a whole new maritime policy to replace the 1936 system. His lively young (30) Maritime Administrator, Nicholas Johnson, has not only been scaring the unions and owners alike with boyish speeches but has threatened to keep new wage increases out of the subsidy formula and even disallow increases of several years past. U.S. shipowners, both struck and unstruck, are therefore fighting for their lives against rising costs, foreign competition and uncertain Government policy. By tonnage, U.S. shipping's share of U.S. foreign trade has fallen

from 50 to 9 percent since 1945. Large parts of the fleet have been scuttling to Liberian and Panamanian registry or counting their last days as eldering tramps carrying giveaway food-for-peace at subsidized rates. The U.S. maritime picture is gloomy indeed—except in one respect.

The authors of our 1936 subsidy policy, chiefly F.D.R. and Joseph P. Kennedy, knew what they were about. They wanted a first-class, liner-type cargo fleet sailing established routes—and that we have. It is second only to the British in size; in quality, second to none. The 15 leading U.S. lines (Grace, Lykes, Moore-McCormack, United States Lines, etc.) run their 300 vessels on a subsidy contract which requires them to keep their fleets modern; as a result, 80 percent of all cargo vessels in the world capable of more than 20 knots fly the U.S. flag. If U.S. foreign trade is measured by value instead of by tonnage, U.S. ships carry 37 percent of it.

Nicholas Johnson would like to see the Government out of the shipping business eventually. He sees no future in passenger subsidies and would cut cargo subsidies by relying on improved productivity through technological change, including such futuristic carriers as undersea pipelines and hydrofoils.

Undoubtedly great technological improvements lie ahead of ocean shipping, the most realistic being specialized bulk cargo ships. The industry itself has ordered 35 new automated freighters. But much of their automation is in the engine room, and MEBA refuses to agree to any fixed manning schedules in advance. This puts all savings from automation in doubt—the more so since any maritime labor settlement is subject to later interunion whipsawing.

Some owners have suggested a "czar" to save their industry from further strife and stalemate. Czars seldom solve anything, but this one might provide what U.S. shipping desperately needs, a period of labor peace while it adjusts to the throes of technological change. No new maritime policy will make sense until Washington solves this problem. The jobs at risk from automation will either expand with an expanding industry or sink with a dead one.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 618) for the relief of Nora Isabella Samuelli.

The message also announced that the House had passed the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734-736), with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POWELL, Mr. PERKINS, Mrs. GREEN of Oregon, Mr. ROOSEVELT, Mr. BRADEMAS, Mr. CAREY, Mr. DENT, Mr. GIBBONS, Mr. AYRES, Mr. GRIFFIN, Mr. QUIE, and Mr. REID of New York were appointed managers on the part of the House at the conference.

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

H.R. 2091. An act relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes; and

H.R. 10874. An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks; and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of 13th and G Streets Southwest the "Francis Case Memorial Bridge".

HOUSE BILL REFERRED

The bill (H.R. 2091) relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

Mr. RANDOLPH. Mr. President, the pending bill is S. 2084, the Highway Beautification and Scenic Development Act of 1965. As chairman of the Subcommittee on Public Roads, I introduced this measure at the request of the administration on June 3, 1965. I stated that the Committee on Public Works would give prompt and deliberate consideration to the bill, and would give attention to all points of view.

This the committee has done.

I stated also, in introducing the bill, that the measure as proposed by the administration presented certain problems of equity in relation to the Government's treatment of private property, certain questions regarding Federal-State relationships, and certain problems of financing. It is my opinion that the Committee on Public Works effectively resolved these problems in the bill which was reported unanimously from the committee on Friday, September 10.

Mr. President, at the conclusion of my remarks I shall offer certain other

amendments for the administration, of which the chairman, the able senior Senator from Michigan [Mr. McNAMARA], and my fellow committee members have been apprised. I shall explain the purpose of those amendments when they are offered.

I commend the able chairman of the full committee, the Senator from Michigan [Mr. McNAMARA], for his support and cooperation in handling a difficult and, in many respects, a controversial measure.

I commend also the distinguished ranking minority member of the Subcommittee on Public Roads and of the full committee, my good friend the diligent senior Senator from Kentucky [Mr. COOPER], for his conscientious and unflinchingly courteous actions in attention to this proposed legislation. The chairman and the ranking minority member, as well as the Senator from West Virginia and others on the Public Works Committee, have had to divide their attention with other important legislation in the fields of education, labor, and agriculture. Therefore, it has been only through the cooperation of all the members that we have been able to move the bill through the committee with reasonable speed and effectiveness.

Mr. President, at this time, I desire the RECORD to show that the committee's consideration has been other than as portrayed by some of the more imaginative reporting in some newspapers.

The committee has not crumbled before the might of the lobbyists.

The standard outdoor advertising industry as a whole has supported the principle of the proposed legislation and, in most instances, the substance of the proposed legislation as well. So have the roadbuilding industry and the leaders of most other business groups which would be affected by this measure.

No Member of this body or of the House of Representatives is more dedicated to the preservation and development of natural beauty than is the senior Senator from West Virginia. But I am also dedicated to the protection of individual property rights. It is my firm conviction that S. 2084 as amended and reported unanimously by the committee serves both these goals.

Mr. President, the proposal submitted by President Johnson to the Congress came not as a spur of the moment thought, but after weeks and months of study in the executive branch and on consideration of the experience our Nation has had for the past decade or more with the problem of a growing clutter on the American scene.

The President stated the purpose of this legislation in his message of transmittal when he declared that the national economy "and the roads that serve it are not ends in themselves. They are meant to serve the real needs of the people of this country. And those needs include the opportunity to touch nature and see beauty."

As originally introduced, S. 2084 has four titles dealing with:

First. Control of outdoor advertising on the interstate and primary highway systems.

Second. Control of junkyards on the interstate and primary highway systems.

Third. Allocation of 3 percent of a State's apportioned Federal-aid highway funds to highway and scenic enhancement.

Fourth. Diversion of one-third of the annual apportionment of Federal-aid secondary road funds to the construction of scenic highways and roads to scenic and recreation areas.

The committee had dropped title IV on scenic roads from the reported bill. This action does not mean a lack of committee interest in such a measure. However, the proponents from the States and the counties indicated that the method of financing proposed by the administration would create severe hardships for many local government bodies in that effort to sustain their construction program for secondary roads. The committee, therefore, plans early consideration of a scenic road program next year after the Congress has received the report on the scenic road study now being conducted by the Department of Commerce, and the President's recommendations with reference to this study.

The committee made several substantive changes to the administration's draft legislation in addition to the one I just mentioned:

First, the committee has recommended funding the entire measure from appropriations from the general funds under the Treasury rather than from highway trust funds as originally proposed. In light of the impending deficit in the highway trust fund, which was reported to the Congress by the Secretary of Commerce earlier this year, and on which the Committee on Public Works conducted hearings, the committee has declared that no highway trust funds shall be used for the purposes set forward in S. 2084.

Second, the committee has rejected the administration proposal that would allow the States to use their police power in eliminating nonconforming outdoor advertising structures and junkyards. The committee provision in the reported bill requires that just compensation be paid to all those whose property rights are adversely affected by this legislation. The principle of just compensation has been a guiding axiom in the committee's consideration of this legislation, and this principle was effectively expressed by our distinguished colleague on the committee, Senator EDMUND S. MUSKIE, of Maine, when he stated at the hearing:

When an individual suffers loss because of some broad public benefit or broad public interest . . . the public interest also requires that the loss be compensated for. If we cannot sustain that kind of concept in the public interest, then the public interest ought to be reviewed.

The committee unanimously supports that position.

Third, the committee established the controlled distance for outdoor advertising to 660 feet from the nearest edge of the right-of-way rather than 1,000 feet from nearest edge of the pavement as proposed by the administration. Our action in this instance was guided by the fact that 25 of the States, those States which signed agreements with the Department of Commerce under Public Law

85-767, have established this as the controlled distance under requirements of the U.S. Department of Commerce. Therefore, the original proposal of the administration in S. 2084 would have required those States to amend their statutes and to acquire additional rights immediately adjacent to the rights previously acquired under the provisions of Public Law 85-767. The committee decided that the difference between these two distances is not significant enough to warrant this burden on the States.

Before summarizing the bill as a whole, I would comment on the committee's consideration of the proposal for a program to dispose of junked automobiles, which was submitted by the distinguished Senator from Illinois [Mr. DOUGLAS] as an amendment to S. 2084. The committee conducted hearings on this proposal and gave careful consideration to the subject matter. It is a thoughtful and constructive suggestion which has been made by the senior Senator from Illinois. However, the pending measure, S. 2084, is limited in its application of junkyard controls to junkyards adjacent to the interstate and primary highway systems. Because the Douglas amendment was addressed to a disposal system for all junked automobiles, the committee withheld action on the measure.

However, as I stated in committee, and as I have counseled with the Senator from Illinois [Mr. DOUGLAS], I shall work with our friend from Illinois to enact this amendment as a part of the Solid Waste Disposal Act, which falls within the jurisdiction of the Committee on Public Works.

In summary, section 101 would provide control of outdoor advertising within 660 feet of the right of way of interstate and primary sections. It would require the States to establish means of effective control of the area by January 1, 1968.

States which fail to comply will be subject to the withholding of Federal and highway funds after that date.

Subsection (c) would establish uniform standards over official directional and information signs and provide for existence of on-premise signs.

Subsection (d), a committee amendment adopted on motion of the ranking minority member, the Senator from Kentucky [Mr. COOPER], would require the Secretary of Commerce, in consultation with the States, to devise a sign system for the interstate highways which would give specific information for the benefit of motorists. Such signs would be erected and maintained by the State highway departments on the public right-of-way. The signs would carry brand names and registered trade styles for motorists who need the facilities for food, fuel, and lodging.

This subsection, however, would not provide for privately maintained signs.

Subsection (e) provides for the erection and maintenance of advertising structures in industrially and commercially zoned areas, and in areas used industrially and commercially.

Subsection (f) establishes a final completion date on July 1, 1970, when nonconforming signs must be removed.

Subsection (g) provides just compensation for owners and leaseholders of signs that must be removed. This section is funded at \$20 million for the fiscal year 1966, and \$20 million for the fiscal year 1967 from the general fund, not from the highway trust fund.

The same penalties and the same compliance would apply to junkyards in title II as apply to outdoor advertising in title I. The junkyards would be allowed 1,000 feet in the industrial area.

I now yield to the diligent senior Senator from Maine [Mrs. SMITH].

Mrs. SMITH. Mr. President, I am keenly disappointed in S. 2084 as reported to the Senate. It is certainly not a thing of beauty. It is a far cry from the original form of the highway beautification proposal that has been so sincerely backed by the First Lady of the land and the President.

It is at best an emasculation of the administration's proposals. The flesh has been so cut from the original proposals that nothing but a skeleton remains. The original beauty has become a skeleton.

In fact, the form of the proposal presently before the Senate is so bad that some conservationists and beauty lovers feel that no bill at all would be better than the one scheduled for Senate debate today. They take issue with the bill's provision of reimbursement of billboard owners and junkyard operators for removal of billboards and screening of roadside junkyards, instead of following the administration proposal that the States use their police powers whenever possible to order the removal or screening.

They contend that the committee bill gives billboard interests a virtual carte blanche by allowing them to erect signs in areas zoned commercial or industrial by State legislatures and point to the power of the billboard lobby with State legislatures.

The working philosophy that roads should be built out of the highway trust funds—a long followed and honored philosophy—has been cast aside by this bill, which would provide the financing out of general funds. This is contrary to the position of the Federal Highway Administrator that roadside beauty is a part of highway costs.

I sincerely hope that before the Senate completes action on the bill, amendments will be offered to put flesh back on this skeleton, and that those amendments will be adopted, so that we will not have produced only a skeleton, or a zombie at best, out of the original highway beautification proposal.

To do anything less would be not only a disservice to the American people—but to do anything less would tragically let down the First Lady of this Nation.

Mr. RANDOLPH. Mr. President, I submit certain amendments proposed by the administration which apply to the bill in several particulars.

Does the Senator from Kentucky [Mr. COOPER] wish to make a statement before I refer to the amendments?

Mr. COOPER. May I ask a question?

Mr. ROBERTSON. Mr. President, I would like a few minutes before the amendments are taken up.

Mr. COOPER. Mr. President, I have an amendment pending now.

Mr. ROBERTSON. I wish to discuss all three amendments.

Mr. RANDOLPH. I yield to the Senator from Virginia [Mr. ROBERTSON].

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. ROBERTSON. Mr. President, in addition to the fact that Virginia has as good a climate as most any State in the Union because it is located in the Middle Atlantic area, which we call south of north and north of south, it also has the advantage of a wonderful seashore and a semitropical climate in its tidewater area and equally beautiful mountain scenery in its western area. And its valley area, which the Indians named Shenandoah, meaning "Daughter of the Stars," is the area of my home, and to which I sometimes refer, without undue boasting, as being as fertile as the Valley of the Nile but more centrally located.

Needless to say, Virginians always have been and always will be dedicated to all proper programs of beautification. The Garden Club of Virginia annually sponsors a tour of beautiful homes, many of which date back to the early colonial period. Thanks to the generosity of the Rockefellers, we have restored colonial Williamsburg, and the beauty of those restored buildings has become a mecca for tourists, not only nationally but from all over the world. We are likewise proud of the fact that annually there are more visitors to our Shenandoah National Park than to any other national park in the Nation.

But I frankly feel that the pending highway beautification bill, S. 2084, goes too far in encroaching upon the rights of the sovereign States and it unloads a burden upon them which they, at this time, are not in a position to carry. As a matter of fact, I am not too sure that it would be wise for the Congress to embark at this time upon a program that will start out with a cost in excess of \$300 million, and eventually far more, when we know that we have already started new programs that will run our current spending budget to \$105 billion without providing for possible increases in the cost of the war in southeast Asia, which could easily add \$3 or \$4 billion more. With the top revenue now anticipated of only \$95.5 billion, that means of course that every dollar we now spend in the beautification of our highways will be borrowed money, and at 4 percent the interest on that borrowed money will equal the expenditure in just one generation. But since our debt is far more than \$300 billion and we have no plans to balance the budget within the foreseeable future, we may reasonably anticipate that what we proposed to spend in borrowed money now for beautifying highways may have to be repaid by future generations many times over.

While I am in full sympathy and accord, as I say, with beautifying our highways, the State of Virginia is not in a position to accept any part of that

cost because we now lack at least \$80 million for financing present urgent needs for our own highway system.

I will pause to comment on the mellifluous way in which the distinguished floor leader refers to interstate and primary roads as if they were one and the same. They are not.

Primary roads under this system are State roads, for which the States get only 50 percent of Federal aid. We put up 50 percent, and we put up 100 percent for maintenance.

Under the proposed bill the primary roads must bear 50 percent of the cost of removing highway signs on State roads. These are not Federal roads but State roads. That is one point we cannot finance, and I object to it.

With regard to putting money into beautifying roads, I called the Federal Highway Commissioner today to ascertain how we stood on building these highways—not putting the lipstick on, but building the highways. He said we lacked \$3 billion of having enough money in the highway trust fund to complete the project. That is \$3 billion for Federal roads.

Before we start building red ramblers and planting pink flowering dogwoods on them, we lack \$3 billion to build the roads. But we are going to beautify them.

It is a little unfortunate, Mr. President, that we have to vote on a bill of this importance on the same day that the committee report, which indicates what is contained in the bill, is made available.

I am not indulging in any imaginative reporting when I try to give a brief summary of what I read in the committee report. If there is any imagination, it is in the committee report.

TITLE I—ADVERTISING

A brief survey of that report indicates that this bill in title I, relating to advertising, would require the States to provide effective control of outdoor advertising on the interstate and primary systems, which would prohibit signs within 660 feet of the right-of-way.

There are three exceptions: First, directional and other official information signs; second, signs advertising sale or lease of the property on which located or activities conducted on such property; third, signs located in areas zoned industrial or commercial under State law, or areas used for industrial or commercial purposes.

Nonconforming signs would have to be removed by July 1, 1970, or at the end of the fifth year after they became nonconforming, in the case of secondary roads which may be added to the primary system. We are dealing with State roads and secondary roads.

The original bill would have required the States to use their police power to acquire advertising rights, without compensation. This means that the States will have to provide 10 percent of the compensation along the Interstate System and 50 percent along the primary roads. That is money that Virginia does not have.

To carry out title I, the bill authorizes the payment of \$20 million a year for

1966 and 1967 out of the general fund of the Treasury.

TITLE II

Title II would require the States to provide effective control over junkyards along the interstate and primary systems by January 1, 1968. This would eliminate junkyards from within 1,000 feet of the edge of the pavement, unless they are first, effectively screened from view; second, located in industrial areas.

Compensation also is required for owners whose junkyards must be moved, and a cost-sharing formula is provided for screening facilities which do not have to be removed. Title II also authorizes the same appropriations as in title I for the next 2 years.

TITLE III

Title III authorizes landscaping and roadside development as a part of the cost of highway construction. It provides the equivalent of 3 percent of a State's annual apportionment for this purpose, without State matching funds. That means on both interstate and primary roads, as I understand. There could be 3 percent from State funds as a duplication, but the State would get that much less money, when actually it would need more than it is receiving now.

Title III requires the Secretary of Commerce to report to Congress by January 10, 1967, on the implementation of each of the programs and to provide detailed estimates of what they will cost after June 30, 1967.

That is an interesting requirement. No one knows what the program could cost if someone were really sold on the proposition that to make a Great Society, the fundamental thing is to let people travel over beautiful roads, as if they were moving on into heaven over those highways. There is no telling exactly what that could cost in the end.

TITLE III

Title III provides authorization for landscaping in the amount of \$120 million a year for 1966 and 1967.

This makes the total authorization from the Federal Treasury for all three titles for the years 1966 and 1967, \$320 million. That is only a start.

The original bill also contained a title IV, which would have required the States to spend one-third of their apportionment of Federal-aid secondary road funds for the construction of scenic roads and roads leading to recreational areas. But, as the Senator from West Virginia [Mr. RANDOLPH] has said, that title was eliminated.

The committee took note of the fact that many motorists are not satisfied with signs which merely tell them that "fuel, food, and lodging" are available at the next interchange. It was pointed out that many travelers prefer certain brands of fuel, and certain types of food or lodging. To meet this situation, the bill authorizes the Secretary of Commerce, upon consultation with the States, to provide for an area at an appropriate distance from an interchange in which a State could erect and main-

tain signs, including brand names available at the next stop.

That would make possible much logging when Howard Johnson or Holiday Inn, or Esso or Cities Service, or other names are advertised. That is an interesting provision.

The impact of these provisions upon States, some of which would have to change their constitutions in order to comply, was partially provided for in the subcommittee report, later rejected by the full committee.

I understand that the distinguished Senator from Kentucky [Mr. COOPER] will propose three amendments to S. 2084. Two of them were accepted by the subcommittee, but were rejected by the full committee.

The first amendment to be offered by the Senator from Kentucky, as indicated in the report, would provide that the Federal Government shall pay the entire cost of highway beautification under all three titles.

First. Federal Government to pay entire cost of all three titles of highway beautification bill.

Highway beautification, he says, is a national program, but S. 2084 as reported, forces the States to participate under threat of losing all Federal assistance. All other Federal-State programs are voluntary, but this one is not. If the Federal Government wants a highway beautification program, it should pay for it.

Second. Extend the time for removal of advertising and the screening of junkyards from 1970 to 1972.

Under the bill as reported the States have until January 1, 1968 to accept the program and until 1970 to comply. The Senator from Kentucky would extend compliance until 1972, thus giving the States—or the Federal Government, if his first amendment is adopted—2 more years in which to finance the operation. Also, he says most advertising contracts run for 5 years and this would allow time for existing contracts to expire.

Third. Continue interstate standards on advertising control.

The pending bill is less restrictive on advertising along interstate highways than Public Law 85-767 because the pending bill would allow the States to zone additional areas on interstate highways for advertising. The earlier law exempted only rights-of-way acquired before July 1, 1956, and areas subject to municipal control.

Mr. President, the State of Virginia is in favor of beautification in all its ramifications. Virginia is in favor of fine and beautiful highways.

If the Senate agrees to the three Cooper amendments to which I have referred, and this would enable Virginia to go along with the program without taking money from urgently needed construction funds to beautify the roads which we already have, then I shall vote for the bill on passage. Otherwise, I shall be forced to vote against the bill for the reasons that I have indicated.

Mr. President, I ask unanimous consent to have the following telegram inserted at this point in the RECORD.

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

RICHMOND, VA.,
September 15, 1965.

HON. A. WILLIS ROBERTSON,
Senate Office Building,
Washington, D.C.:

Re telephone conversation with Mr. Harwood (director of programing and planning) today while in sympathy with objectives of highway beautification bills seriously question extent of controls on billboards on Federal aid primary system. Would require action by Virginia General Assembly with far-reaching impact to permit us to comply. Understand penalty for noncompliance by January 1, 1968, is loss of Federal aid. Also would mean large expenditure of highway construction funds to purchase rights. Virginia in substantial compliance on interstate routes. Junkyard control not quite as drastic but again requires highway construction funds to screen or relocate.

DOUGLAS B. FUGATE,
Commissioner, Department of Highways.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DIRKSEN. Mr. President, with the consent of the Senator from Kentucky, I ask that his amendment be set aside temporarily so that I may offer an amendment.

Mr. COOPER. Mr. President, I ask unanimous consent that my amendment may be temporarily set aside so that the Senator from Illinois may offer an amendment, with the understanding that when action on his amendment is concluded, my amendment will be the pending question.

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

Mr. DIRKSEN. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert a new title, as follows:

TITLE IV

SEC. 401. There is authorized to be appropriated out of the Treasury in addition to all other sums herein authorized the sum of \$5 million for expenditure by the Secretary of Commerce for research and development of methods, machinery, and processes for the destruction, conversion, and disposition of scrapped, discarded automobiles, trucks, and other motor vehicles. The results of such research and development shall be made available to all persons, firms, and corporations without cost.

Mr. DIRKSEN. Mr. President, it would not settle the problem if we were merely to screen junkyards and automobile graveyards. It would be a little like the experiences of Alexander Potemkin, who was close to Catherine the Second, the Czarina of Russia, who, when he ran out of money and man-power, tried to create a false impression by running ahead of her carriage

and building facades to hide what he had not accomplished.

It is proposed that we merely screen with natural beauty the junkyards, used car and junk car lots, but the cars would still be there.

I wonder if anyone realizes how many cars are scrapped every year. I have some figures which have been obtained from the American Automobile Association. For the past 10 years these figures read as follows:

Passenger cars scrapped yearly (Reported by the American Automobile Association)	
1954	3,840,000
1955	3,773,000
1956	4,327,000
1957	3,703,000
1958	3,639,000
1959	4,644,000
1960	4,223,000
1961	4,326,000
1962	4,768,000
1963	5,200,000
1964 (approximate)	5,300,000

If we were to allow 10 feet for a car and the cars were stacked end to end, they would extend a distance of 10,000 miles.

The cars are here. It has been suggested that they be dumped in abandoned coal mines. There are not enough abandoned coal mines or caves in the country, or perhaps in the whole hemisphere, to take care of the junked cars.

Some method must be devised to process the cars, to separate the metal, to save the important metals in the car, and to dispose of the cars, if we are ever going to do the job. Otherwise, we shall only be hiding the ugliness, so to speak, rather than disposing of it. I have talked with the manager of the bill, the distinguished Senator from West Virginia, and he will accept my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.
Mr. COOPER. Mr. President, the effect of the amendment which I propose would be to impose on the Federal Government the full cost of the program.

The bill, as reported to the Senate, would provide that with respect to the Interstate Highway System of some 41,000 miles, the Federal Government would pay 90 percent of the cost and the States 10 percent. With respect to the 225,000 miles of the primary system, the Federal Government would pay 50 percent of the cost and the States pay 50 percent.

Before I speak on the amendment, I wish to commend the distinguished Senator from West Virginia [Mr. RANDOLPH], who was the chairman of the subcommittee which considered this important bill, for the very fair statement which he has made concerning the work of the subcommittee and the full committee.

I should like also to state that as usual, he conducted the hearings with great fairness, and that he gave to every member of the committee, both those in the majority and those in the minority, full opportunity to express their views, to offer amendments, and to consider the amendments offered. I believe that, as

a result of his work, the bill which was reported is a better bill than the one introduced.

As the ranking member of the committee, I attended the hearings and participated in the consideration of the bill in executive session. Every section of the bill and every amendment offered was discussed thoroughly. It represents, as it came from the committee, the best judgment of the committee.

In the hearings held by the full committee, under the leadership of the distinguished chairman of the committee, the Senator from Michigan [Mr. McNAMARA], the same exhaustive study and consideration was given.

I do not agree with every provision of the bill, as other members do not, but the improvements made are just improvements, and were accepted by the entire committee. The bill, as it came from the administration, would have enabled the States to exercise their police powers and require of advertisers and owners of businesses which are characterized as junkyards that they screen or remove, with respect to junkyards, and remove, with respect to advertising, without compensation.

Because the bill extends controls over advertising, for the first time, to the primary system, a system of 225,000 miles which has been developing since 1921, a system which runs through thousands of municipalities, large and small, and where advertising has been conducted as not only a legitimate business, but as a necessary business, without any prohibition except those exercised by the police powers of the States, we felt that the owners should be paid for their property rights. The Constitution provides that just compensation shall be paid for the taking of a person's property. There is an exception where the State exercises its police powers, but in this case, with the long-established practice of advertising as a legitimate business, the committee felt that as a matter of justice they ought to be paid.

The bill provides that advertisers should be paid for such property rights as they enjoyed in their advertising signs and devices, and the property owners upon whose premises the signs were erected should be paid for whatever their property interest would be by reason of their contracts with the advertisers.

This amendment has been criticized. I believe that the committee acted properly and justly.

Mr. MUSKIE. Will the Senator yield on that point?

Mr. COOPER. I yield.

Mr. MUSKIE. I think it should be emphasized that not only did the committee agree on the principle of compensation, but it agreed unanimously, without any dissent or serious question raised on the point.

Mr. COOPER. The Senator is correct.

Mr. MUSKIE. I agree wholeheartedly with the Senator on the point he is making on just compensation for property rights taken, because the principle of billboard control is being extended to the primary system, a system which, as the Senator has pointed

out, has been growing up since 1921 under a set of rules then extant, which permitted the development of businesses along highways and the development of advertising along highways.

We are now changing those rules. When we change them, I think we must respect the property rights which have developed over that period.

Mr. COOPER. The Senator has expressed most appropriately the considerations which led to the committee's modification of the bill. It is true that every member of the committee agreed to such change, because justice recommended it to us.

A number of changes were made from time to time in the committee, and now before the Senate are a number of amendments which have been recommended, I understand, by the administration since the committee acted upon the bill, which will require full consideration by the Senate.

Another provision of the bill was changed by the committee. The bill as proposed to us would have given to the Secretary of Commerce the authority to regulate what is known as on-premise advertising, that is, advertising by the owner of property concerning the business which he conducts on his own property.

We thought that went too far. Again, the States can, by their police powers, regulate and control the kind of advertising on property, even that advertising of an owner's business. But we did not think it proper that the Federal Government should be given the power to control advertising upon property concerned with the business of the man who owns the property. As the bill came to us, the Secretary could have exercised the control—if he thought proper—of advertising along the main street of a town which happened to be on the primary system, for example a drugstore or motel or hotel, and say to the owners, "I do not like the looks of your advertising sign. You are directed to take it down at your own cost, and if you desire to put up another advertising sign at your own cost, you can do so."

It seemed to us that provision was too great an intrusion into the rights of the property owner advertising his own business. We will all admit that there are many signs on private property which, from an esthetic viewpoint, could be and ought to be improved. Nevertheless, this seems to be too great a Federal intrusion into the business of a property owner. Other proper amendments in other parts of the bill will be discussed as they are brought up.

Now I should like to address myself to the amendment which I have to offer.

Mrs. NEUBERGER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am happy to yield to the Senator from Oregon.

Mrs. NEUBERGER. I have been mulling over the remarks of the Senator regarding police power versus appropriation, or appropriation versus police power. What was the reason for advancing the date to 1970, giving that much time in order to eliminate the billboards?

Mr. COOPER. The bill provides that by January 1, 1968, the States must accede to the program—by legislative action, of course—or suffer the denial of apportionment of all Federal highway funds.

It was considered in the committee that the legislatures, which meet in 1966, or in 1967, could take such action. The States would then have 3 or 2 years to actually remove the advertising from the nonexempt areas and to screen the junkyards, depending on whether their legislatures acted in 1966 or 1967.

The reason, therefore, is to give time to the States to effect removal of advertising or screening of junkyards after January 1, 1968. The date 1970 does not delay the date of compliance, which is January 1968, but, after compliance by State legislatures, additional time of 2 years is given to carry it into effect.

Personally, I thought the time too limited. I proposed an amendment to extend it to 1972, because I do not believe that it will be possible to remove all advertising, or to screen all junkyards, in 2 years. Also those conducting their legitimate businesses deserve reasonable and fair time to adjust their operations.

Mrs. NEUBERGER. The point I was making was regarding the police power to rid the highways of these unsightly billboards. As I look through the testimony, I gather that the signboard industry feels that it can amortize its investments in signboards in 5 years. Thus, if we give them 5 years, from 1965 to 1970, to complete the amortization of their investments, I would say, as one of those who are opposed to billboards—which will be more concretely declared if this bill is enacted into law—Why should we use taxpayers' money to buy them out? Instead of giving them 5 years to know that they must get out, why not use the police power now and save the taxpayers' money?

Mr. COOPER. Whatever interest remains at the particular time the States act to compensate them, they would be paid, but as the amortization period advanced, of course, their property interests would be of less value.

Mr. MUSKIE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MUSKIE. Answering further, let me say that the 5-year period would be cut by whatever time it would take for the States to act to implement the legislation. That could be as long as 3 years, leaving only 2 years. Second, emphasizing the point which the Senator has made, under the bill, all that can be compensated for is whatever remains of the leaseholds or the unamortized values, so that if, in fact, the billboard has been completely amortized or the leasehold has expired, no compensation will be paid under the bill.

Mr. COOPER. That would be correct.

Mr. METCALF. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. METCALF. On the point made by the distinguished Senator from Maine, that we are compensating only for the remaining leasehold, or the remainder of the 5-year period, there are

situations in which a secondary road could be declared to be a primary road, and it would come under the provisions of the bill.

Then, if a State declared that a secondary road was a primary road, on which billboards were located, it should have a reasonable period of time to purchase the billboard rights, or the rights which, as the Senator from Kentucky has pointed out, are long-established rights to billboards on property along those roads.

Mr. COOPER. The Senator is correct. Whatever one's position may be on the bill, we cannot question the fact that advertising is a legitimate business, and one we should not wipe out without compensation.

Mr. MURPHY. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MURPHY. For the benefit of the Senator from Oregon [Mrs. NEUBERGER], I should like to point out that we were told it would require more than a year to find out where all the remaining billboards were, and how they were placed. In spite of the fact that the committee wishes to act as quickly as possible, there are certain practical aspects in making this drastic change in an industry which has existed for a long time. We wish to do it as quickly as practicable, and as completely as possible, and with as little dislocation as possible, either in the overuse of public funds, or in the distress of the people involved.

I concur with the chairman of the committee, the chairman of the subcommittee, and my distinguished colleague, that the committee has done an excellent job. I was pleased to have been a member of the subcommittee. I believe that their unanimity is also a reflection of a great deal of thought and a great deal of conscientious and objective application to the problem, to come forth with a good bill. It is an excellent bill.

Mrs. NEUBERGER. Let me say to the Senator from California that I do not believe we shall have any trouble finding out where the billboards are. We see them everywhere. That is the trouble with them now.

Mr. COOPER. Mr. President, I thank the Senator from California. He participated fully in the discussions and made very valuable suggestions and contributions.

Mr. President, I should like to move along now, because I know that there are other amendments, to be voted on. Of course, I shall be glad to respond to any questions.

Mr. President, the first amendment which I offer is, as I said earlier, to place the cost of this program—title I and title II—upon the Federal Government.

I elaborated my reasons for doing so in the subcommittee, where my amendment was accepted. It was reversed in the full committee.

I have also elaborated my views in support of my amendment in the individual views in the committee report.

Briefly, in the first place, the bill involves a national program. It is so stated in the bill. It has been so proclaimed, and rightfully so, by the President of

the United States. And I am glad to support it—title III provides for the landscaping and scenic enhancement of the Federal-State road system, and places the entire cost upon the Federal Government, this is another indication that the program and all of its integral parts—titles I, II, and III—constitute a national program and should be paid for by the Federal Government.

I know that all the taxpayers must pay for it eventually, but there are different tax systems in different States. Equality would come by payment by the Federal Government.

The second reason I say that it is a national program and should be paid for by the Federal Government, rather than by an allocation of cost between the States, in this:

The division of the cost between the States and Federal Government, as proposed by the administration, is based upon the analogy of division of cost in the construction of the interstate and primary systems. I do not believe it is a true analogy. The States naturally are concerned with the primary system because it is essentially a local system of roads. Its development assists primarily the local and State economy. I would assume, and believe, that the greatest number of users are those who live in the States.

The enhancement of the beauty of these highways, the removal of advertisements and the screening of junkyards, are not immediately related or necessary to the use of the roads. Therefore, I do not think the analogy is correct.

The third reason—and this is the chief reason why I propose the amendment—is that it is essentially mandatory on the States.

More than 100 Federal aid programs have been enacted by the Congress.

The distinguished Senator from Maine [Mr. MUSKIE] has been conducting a study of Federal aid programs to determine among other things, how they can be improved, merged, or eliminated. Existing Federal aid programs are voluntary in the sense that they may be rejected or accepted by the States, and when accepted by the States, the State legislatures—if it is so provided in the program—may appropriate or refuse to appropriate money to support them.

Because many are valuable programs, and because the States need them, in most instances they do accept them, and State legislatures will provide their share of the cost.

The programs envisaged in the bill before us, whose objectives I support, cannot truly be called voluntary programs under the terms of the committee bill. Why do I say this? It can be argued that the States do not have to accept them, but if they do not, such States are faced with a penalty which would deprive them of all Federal highway funds which might be apportioned to them for the construction of highways. The States cannot refuse to accept the program, and legislature could refuse to appropriate funds for them, for to do so would mean the loss of the total Federal-State highway program.

There is a table in my views which illustrates this point. The State of California—I see present the Senator from California [Mr. MURPHY]—would receive, under the Federal aid system, in 1966 and 1967, approximately \$336 million in each year.

I see the Senator from Florida [Mr. HOLLAND] present. Florida would receive in those 2 years, each year, approximately \$80 million.

My State of Kentucky would receive \$74 million, in each year.

The State of Montana—and I see the Senator from Montana [Mr. METCALF] present—would receive \$41 million.

Nevada—I see the Senator from Nevada [Mr. CANNON] present—would receive approximately \$23 million in each of those 2 years. How could any State refuse to accept compliance with this bill?

So, in essence, worthy as the program is, it is not a voluntary program. It is a mandatory program. This being true, the Federal Government should pay the cost.

I doubt if this bill's mandatory features would become a precedent. I hope not. For it would not be good if Congress should use this bill as a precedent, and in later years, should enact a program which is considered essential and worthy, and then placing such penalties on the States for noncompliance that they could not refuse to accept the program, and thus force the States and their legislatures to appropriate money to pay their part of the costs.

We are not members of the State legislatures. We cannot speak for them. We cannot be a substitute for them.

It is because of this penalty, from which States cannot escape, and which in a way makes it a mandatory program imposed by the Federal Government, that I proposed in committee, and have offered an amendment today, that the Federal Government pay the full cost.

An amendment will be offered to reduce both the penalty and the allocation of cost. I am glad such an amendment will be offered, for it illustrates the validity of the amendment, which the subcommittee adopted, and of the same amendment which the Senator from Montana [Mr. METCALF] and I now propose to the Senate.

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

Mr. COOPER. I yield to the Senator from Montana.

Mr. METCALF. I am in complete accord with what the Senator from Kentucky has just stated. I should like to add one particular thought. He has discussed the matter of State legislatures meeting. The amendment of the Senator from Kentucky is an amendment which strengthens the bill. He and I and the distinguished chairman of the subcommittee, the Senator from West Virginia [Mr. RANDOLPH], are anxious to have this program underway as soon as possible. If we adopted the amendment of the Senator from Kentucky, the program could get underway next year. But now, when we must have matching funds—25 percent or 50 percent or 10

percent, or whatever the figure may ultimately be—from the State legislatures, we must wait 2 years or 3 years until the State legislatures meet, appropriate the money, and take care of the matching provisions.

So what we are really doing by agreeing to this provision of 75-25 percent is postponing the operation of the beautification bill for 2 years.

The Senator from Kentucky suggested that we extend it 2 years on the other end, from 1970 to 1972. That proposal was voted down in committee. But his amendment would have provided that we start this program immediately, in 1966, instead of 1967 or 1968, when the State legislatures can appropriate the money.

I read in the newspapers that the amendment weakened it. Actually, it would strengthen it. It would get the program underway next year instead of 2 or 3 years from now, when the State legislatures meet.

Mr. COOPER. I thank the Senator for his valuable contribution.

The PRESIDING OFFICER. The question is on agreeing to the amendment by the Senator from Kentucky [Mr. COOPER].

Mr. RANDOLPH. Mr. President, I yield to the Senator from California.

Mr. MURPHY. My comment had to do with the remarks made earlier when one of the Senators said his State could not afford it.

Here again, it would further possibly delay the development of the beautification, which we want to expedite, and the entire control of the financing, which is one of the great obstacles.

I agree with the Senator from Kentucky. His amendment is a good amendment.

Mr. RANDOLPH. Mr. President, I oppose the amendment now pending, which was offered by the Senator from Kentucky.

I do so because the Cooper amendment, providing for 100-percent Federal payment, violates a basic principle followed for many years in our Federal-aid highway administration. It is the principle of Federal and State cooperation and participation. A 100-percent Federal payment would relieve the States of any responsibility regarding a sound approach to just compensation and would tend to lead toward inflated compensation payments. Lack of State responsibility in supporting the program would also tend to erode State rights in helping to carry out the development of the program.

An amendment which I shall propose for the administration—and I wish to say at this point that the administration opposes the amendment offered by the Senator from Kentucky—would provide 75 percent as a Federal share in both titles I and II. This would relieve the States of undue burden and should meet, I believe, the objection that has been raised.

In addition to payment authorized in subsection (g), the Federal Government will continue the bonus payments to the 25 States which have agreements functioning under Public Law 85-767. It is estimated that these payments will

amount to approximately \$104 million on completion of the interstate mileage in these States, and, of course, reserving control over advertising.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. May I proceed for just a moment?

Under the bill as reported the cost to the 50 States would be approximately \$78 million. And under the amendment that I propose to offer that would be less than that amount of money. The committee bill would mean, of course, approximately \$15 million annually to all 50 States in payment for acquisition of advertising rights until the final compliance date of July 1, 1970.

I do not believe this is an undue burden on the States. Certainly it does not warrant an additional delay of 2 years, and assuming that we would have by 1970 the necessary final compliance.

I yield to the Senator from California.

Mr. MURPHY. In the event the States, for whatever reason, whether because a State might claim it could not afford the 25 percent, or for any other reason, decided not to pay their share of 25 percent, what would happen? Would it be merely the penalty of funds being reallocated?

Mr. RANDOLPH. There would be a penalty of 10 percent withheld from the amounts payable until the State complies.

Mr. MURPHY. In other words, the entire program would suffer in this event, would it not? The conformity which the committee spoke of quite often, and which I enthusiastically think is an important part of this consideration, might be destroyed. Would not this possibly hold up the program, create endless lawsuits and get us into dislocation?

Mr. RANDOLPH. State administration would have that situation to solve and I doubt if it would be unduly difficult or inordinately burdensome.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HOLLAND. Mr. President, I asked several questions of the distinguished Senator from West Virginia a few minutes ago about the program. He suggested that I ask him on the floor of the Senate. It is for that purpose that I ask if he will yield at this time.

Mr. RANDOLPH. I am delighted to yield to the able senior Senator from Florida.

Mr. HOLLAND. My first question is this: Will the Senator indicate for the RECORD the precise mileage of highways proposed to be covered by the bill?

I understand that the present Interstate System is authorized at 41,000 miles. I understand that the whole of that mileage is proposed to be covered, whether presently existing or to be completed in the future. Is that correct?

Mr. RANDOLPH. The Senator is correct. There are 41,000 miles of Interstate Defense System Highways designated that would be covered under the provisions of the pending bill.

Mr. HOLLAND. Secondly, as to the primary system, does the Senator have figures indicating the mileage included

within the primary system within the 50 States?

Mr. RANDOLPH. Yes. There are approximately 225,000 within the primary system. This mileage would also be affected by the provisions of the pending legislation.

Mr. HOLLAND. Is that mileage in the primary system all in being or is some merely projected?

Mr. RANDOLPH. It is in being, although as you know, primary mileage is not fixed at a certain figure by law. It changes as the States designate new mileage.

Mr. HOLLAND. Senators cannot keep up to date with all programs. I, at one time, had the honor of serving on the committee on which the Senator from West Virginia now serves so capably. I have not served on that committee for a while.

I am not sure, from my recollection, that what existed at that time exists now.

My recollection with reference to the primary system was that the sharing between the State and the Federal Government for the cost of construction was on a 50-50 basis.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. My recollection is that at that time the cost of acquiring rights-of-way fell upon the States. Is that still the situation?

Mr. RANDOLPH. Right-of-way acquisition costs are part of the cost of construction, and are shared by the State with the Federal Government.

Mr. HOLLAND. But it was not always that way. It was not always included in the cost of construction. As I understand the answer, it would be under the present law. The cost of acquiring rights-of-way for the primary system is included in the cost of construction, and shared on a 50-50 basis.

Mr. RANDOLPH. The Senator is correct as to the primary system. That sharing would be at the rate of 90-10 on the Interstate and Defense Highway System.

Mr. HOLLAND. I understand that. I hope that this is still the case because I remember it was in the law as it was enacted. Under the interstate system there was a provision with respect to beautification, at least so far as concerns control of the signs for a sizable area on each side of the center of the right-of-way. Am I correct?

Mr. RANDOLPH. The control distance under that law was 660 feet from the edge of the right-of-way, not the center line, and I would point out that 25 States have signed agreements with the Federal Government under Public Law 85-767, to which I have referred in the debate.

Mr. HOLLAND. I thank the Senator. In connection with the Interstate System, it is my understanding that provision was made for wide rights-of-way, and then for much wider areas for the control of signs to be erected adjacent to the Interstate System. Is my understanding correct?

Mr. RANDOLPH. That is true.

I stated that 25 States had signed agreements. Those agreements, as the Senator understands, were made under the law which expired June 30, 1965.

Mr. HOLLAND. I thank the Senator. Is the Senator able to state for the RECORD what the width of the area on each side of the center line of the right-of-way was under the Interstate System legislation, an area which was to be controlled so far as the erection of signs is concerned?

Mr. RANDOLPH. It is 660 feet from the nearest edge of the right-of-way, in the controlled area.

Mr. HOLLAND. From the right-of-way or from the center line of the right-of-way?

Mr. RANDOLPH. The nearest edge of the right-of-way. That is why I have referred to the right-of-way.

Mr. HOLLAND. In other words, under the interstate highway legislation, provision was made for the control of whatever was involved in the way of property rights over areas 660 feet in width on each side of the right-of-way?

Mr. RANDOLPH. Yes. I appreciate having the Senator from Florida carry forward this colloquy because it gives me the opportunity to note that interstate rights-of-way in rural areas are generally about 300 feet wide.

Mr. HOLLAND. The area as to which certain rights for the control of signs or obstructions are to be exercised is 660 feet on each side of the right-of-way?

Mr. RANDOLPH. Yes; that is true.

Mr. HOLLAND. As to the very large mileage in the primary system that is already constructed, some of it was constructed on a basis on which the States paid entirely for the rights-of-way, for 50 percent of the construction cost, and, as I understand, for all the cost of maintenance since the time of construction.

Mr. RANDOLPH. Yes; maintenance is the responsibility of the State.

Mr. HOLLAND. A part of this mileage must be under the new legislation, which the Senator has described, under which the cost of the acquisition of rights-of-way enters into and becomes a part of the cost of the construction of the highway.

Mr. RANDOLPH. That is true.

Mr. HOLLAND. As to that primary system, by what right of law does the proposed legislation seek to require the control of areas 660 feet on each side of the rights-of-way for the purpose of regulating signs? By what legal right can that function be exercised?

Mr. RANDOLPH. It is the right of public interest, the benefit to the public, which I think is the primary consideration in the type of legislation we bring before the Senate today. I believe 20 of the 25 States which signed agreements under Public Law 85-767 have used their police power to acquire these rights.

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

Mr. RANDOLPH. I am glad to yield to the Senator from Kentucky, so that he may respond further to the inquiry of the Senator from Florida.

Mr. COOPER. In discussing the power of the State—the right by which a State can control advertising within

660 feet of a right-of-way—it was considered to be by right of eminent domain.

Mr. HOLLAND. That would involve, then, the payment of compensation for any part of a property right that was taken in a zone 660 feet in width on each side of the right-of-way of all primary-aid roads, would it not?

Mr. RANDOLPH. That is why we included the just compensation provision in the committee bill, substituting that section for the provision authorizing the use of police power in the original draft legislation.

Mr. HOLLAND. The point I am trying to make is this: Does the bill contemplate payment—I think it must and should provide for the payment—of any part of a property right that is taken by interference, which is accomplished when the right-of-way has on it signboards or other obstructions within 660 feet of the edge of the right-of-way?

Mr. RANDOLPH. Yes. That is why the bill contains a provision for just compensation. The committee believed this to be important. The administration legislation did not embody that concept when the bill was originally sent to Congress. We have written into the bill, as the Senator from Kentucky and other members of the committee know, a provision for just compensation.

Mr. HOLLAND. I am merely trying to place in the RECORD a clear picture of what is involved in the proposed legislation. As I understand, the bill has much more application to each mile of the primary system than it does to the interstate system, because in no instance has the Federal Government made such a requirement, so far as I know, with reference to such control of the 660 foot wide strip on each side of the rights-of-way of the primary system prior to this time.

Mr. RANDOLPH. That is true. Until this bill comes to passes, as we hope it will, that has not been done.

Mr. HOLLAND. That relates to the 225,000 miles of the primary system?

Mr. RANDOLPH. It relates to the 225,000 miles of the primary system.

Mr. HOLLAND. The 225,000 miles involved, by all means the major part of the major expenditure, by whomever it is to be made, would be covered and provided for in the proposed legislation?

Mr. RANDOLPH. That is correct.

Mr. HOLLAND. If the Senator from West Virginia will indulge with me for a moment, I should like to make a brief statement. At one time, as the Senator knows, I had the privilege of serving as Governor of my State of Florida. At that time, the same question had arisen. The State enacted legislation which at that time was suggested by the Garden Clubs of Florida—legislation which I think has not proved to be adequate to cover the situation entirely, because speeds have become much greater. Other factors also now make the problem more difficult to solve than it was at the time the legislation was passed.

Under the program which the legislature enacted at that time, and in which I cooperated, it was provided that no signs should be erected on the right-of-way itself, except the required directional signs permitted by law, such as route mark-

ings, directional signs with respect to turns, and the like.

Would that be the case with reference to both segments of the highway system covered by this bill? In other words, would there be a ban on commercial signs entirely on the right-of-way itself, both on the Interstate System and on the primary system right-of-way?

Mr. RANDOLPH. On the highway right-of-way itself—yes.

Mr. HOLLAND. My recollection is—and I may be in error—that when we passed the interstate legislation, we excluded areas within incorporated cities and towns from the coverage of the billboard sign portion of the legislation.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. Is that concept preserved in the pending legislation, or is it departed from?

Mr. RANDOLPH. I would say that, in a sense, it is a departure in the proposed legislation, as applied to towns, municipalities, and cities, because we are stressing the zoning for industrial and commercial purposes.

Mr. HOLLAND. In other words, even though within an incorporated town, and even though the rights-of-way on the adjoining land might belong to the incorporated unit, this law would provide the exemption that is now applicable under the Interstate System to all areas within incorporated towns, and to those portions, whether within or without incorporated towns, that could be designated as zoned for commercial or industrial uses.

Mr. RANDOLPH. Mr. President, I call attention to the language appearing on page 11, which reads as follows: "are used for industrial or commercial activities as determined in accordance with the provisions established by the legislatures of the several States."

Mr. HOLLAND. Does the Senator mean by that—and I assume that he does—that when the zoning legislation of the several States provides that there can be zoning based on commercial or industrial use, and where the zoning legislation of the respective States has been used to designate a certain area for commercial or industrial use, in such case that area would not be covered by the billboard provisions of this legislation?

Mr. RANDOLPH. Off-premise signs in such zoned areas would be subject to control criteria in the pending bill.

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

Mr. HOLLAND. I yield.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, with respect to the requirements of the present law, I think it might be useful to read the language. The exemption would apply to the segments of the interstate system which "transverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities."

Under the present law, to qualify for the exemption, the interstate system must not only be within the existing

boundaries of an incorporated municipality, but must also be zoned commercial or industrial.

Mr. HOLLAND. Mr. President, under that concept, it would be correct to say, would it not, that the proposed law is a little broader than that, in that it would likewise apply the exemption to areas outside incorporated towns, which areas were zoned for commercial and industrial uses and were so used?

Mr. MUSKIE. That would have different application in different States. In my State, all the territory of the State, except the unincorporated wild lands, consists of incorporated municipalities, so that they would qualify, provided those municipalities had commercial and industrial zoning.

In other States, I believe that there are areas through which the Interstate System travels which are not within incorporated municipalities. As to those areas, the current bill would apply by permitting commercial and industrial zoning.

Mr. HOLLAND. Of course, this legislation would apply also to the primary system; and much of that, in my State, at least, would not be found within incorporated towns.

As I understand, the wording of the proposed legislation is such that areas which are not zoned for commercial or industrial use, whether they lie within or without incorporated towns or areas, would be exempt from this provision.

Mr. MUSKIE. The Senator is correct, provided the State legislatures so zoned them.

I believe that it is accurate to say also—and this might be the time to say it—that, in my opinion, the pending legislation operates less strictly on the primary system than on the interstate system.

Mr. HOLLAND. I wish the Senator would elaborate on that. I do not understand by reading the bill and report that it would operate in that manner. It seems to me that it would operate much more heavily, because, with regard to the interstate system, it has been operating from the beginning. There is no change, as I understand it, in the area that would be covered by the billboard requirement along the sides of the right-of-way, whereas this is completely new as to the 225,000 miles of the primary system.

Mr. MUSKIE. To that degree, the Senator is correct. The point I had in mind was that the bill provides for the exemption not only of areas which are zoned commercial and industrial, but also of areas which are not so zoned, but in which areas industrial or commercial activities are conducted, and which the legislature, with the approval of the Secretary, chooses to exempt from the impact of the bill.

In the Interstate System, such areas containing industrial and commercial activities have not grown because of the limited access feature of the Interstate System.

I do not believe that aspect of the bill would be of much consequence on the Interstate System. However, it can be of great consequence on the primary system

in providing such relief as the legislature and the Secretary can agree upon.

Mr. HOLLAND. Mr. President, I call attention to a matter now that I do not believe has been mentioned in the debate thus far.

I have heard nothing about this legislation except what has been in the press, until today. I have not been able to obtain a copy of the committee report until today.

I have had quite a number of calls from people in my State who do not pretend to speak for the entire billboard industry, but who do speak for the segments of the industry in which they have a part.

Their understanding was—and I am asking for a very frank comment about this—that legislation was agreed upon by the national representatives of their industry together with this committee, under date of September 3, and that legislation was included within the terms of the reported bill. They feel that certain amendments, with which I am not familiar, were supposed to be offered today which are very large departures from that legislation.

Mr. MUSKIE. Mr. President, I know of no agreement between the committee and the national billboard industry or any other industry. The billboard industry may have approved of what the committee did. However, there was no agreement. The bill does not represent any agreement between the national billboard industry or any other industry and the committee. I take strong exception to that implication or to that statement by the industry.

Mr. HOLLAND. Mr. President, there is no implication at all. I merely state that I received these calls today and that those people are good citizens. Perhaps they felt that they were right in relying upon what the committee had agreed upon. The individuals were satisfied and felt that they had a right to rely on it. We have not been able to obtain a copy of the report until today.

Mr. MUSKIE. The point at issue concerns the billboard industry, and, more importantly in my judgment, the small businesses in our resort States particularly, which depend upon roadside advertising, and the question of exempting areas in which there are industrial and commercial activities, but which areas are not formally zoned for that purpose.

The committee was concerned that this technique of exemption be used to provide legitimate relief, if the legislatures can justify it, for industries which have grown up in our States, which industries depend upon roadside advertising to call the attention of motorists to the services which they offer.

As the committee worked with the problem, it left the decision in these areas to the legislatures in the respective States. Understandably, the national billboard industry would approve of this, for whatever reasons they may wish to advance. However, the reason that the committee acted as it did was that it felt that the legislatures were the proper forum in which to consider the special problems attached to this kind of industrial and commercial activity.

The amendment which the Senate will be asked to consider and which will be offered, as I understand, by the distinguished Senator in charge of the bill, would give this authority in those areas to the legislatures, subject to the approval of the Secretary, thus making it a shared responsibility instead of the sole responsibility of the State. That is the issue as to which the billboard industry is now concerned.

Mr. HOLLAND. That is a very generous attitude of the amendment, if it is proposed to share the authority on primary roads. It certainly is within the jurisdiction of the States at present, and I cannot help commenting that I could not go along and approve of that kind of approach, because these are State highways, maintained by State money, in my State, and have been rebuilt, some of them two or three times, with much more money expended on them than there was at the time of the original construction.

The thing that makes the matter of particular importance—and I have heard also from the motel industry in my State—is that along the primary highways, the motels are located close to the highways. There are thousands of motels in my State, and many of them are located near or adjoining the rights-of-way of the primary highways, whereas they could not be so located under the Interstate System.

Mr. MUSKIE. May I point out that on-premise signs were totally exempted from the provisions of the bill?

Mr. HOLLAND. When people travel along the highways of Florida at 70 or 75 miles an hour, it is of little aid to them to have a sign stuck up immediately in front of the motel, indicating for the first time that a motel is there, or to have an electric sign which can be seen for only a limited distance. This presents a very real problem, in my State at least.

Mr. MUSKIE. And in mine. The Senator has touched upon a problem which I emphasized in the hearings before the committee, the executive sessions of the committee, and the markup sessions of the committee. It is a problem with which the entire committee was concerned and that is why it took the action it did.

Mr. HOLLAND. Then the committee is not supporting the amendment the Senator mentioned?

Mr. MUSKIE. The committee members will have to speak for themselves. The committee has not met on this amendment.

I point out that under the primary system now, although they are State highways, as the Senator has stated, nevertheless, if the States undertake to take advantage of the Federal programs which are available on primary systems, they must now measure up to certain standards as to construction, imposed by the Federal Administrator and by Federal law.

Mr. HOLLAND. The Senator speaks of new construction on primary roads; and I agree with him completely.

Mr. MUSKIE. Not entirely new construction.

Mr. HOLLAND. But on construction that has long since been completed and subjected to reconstruction at State expense, in some instances time after time, where the right-of-way was paid for by the State, and where the people have invested their money in motels, service stations, and the like, relying upon the existence of the rights-of-way that then existed, and located their property there, there is in our State an immense problem which I would not want the committee to overlook. I do not know how many motels we have, but they number in the thousands. I am sure that is true in other States also. I see the distinguished Senator from Georgia [Mr. TALMADGE] is present. I have the pleasure, about once a year, of traveling over Highway 301 through his State. I believe I would be safe in saying that there are hundreds of motels along that highway, very fine motels, some of which I have been delighted to avail myself from time to time. The same thing is true all up and down the seaboard.

The matter of putting primary system mileage in exactly the same class as interstate mileage is the thing which disturbs me, for the purposes of considering this legislation. If we were merely proceeding a little further than we did before in the Interstate System, with full knowledge that we had taken an approach, at the time that system was established, which gave full notice that we proposed to protect wide belts along the edges of the right-of-way, and also to have very wide rights-of-way, both of which objectives are now being fulfilled, that is one thing. But if we turn to the 225,000 miles of the primary system now existing, as I understand from my distinguished friend from West Virginia [Mr. RANDOLPH], that is of concern to me.

I am not particularly concerned about new mileage on the primary system, yet to be constructed, because, from time to time, it is our right to prescribe conditions for Federal participation if such conditions be reasonable. But I am disturbed about the existing 225,000 miles, when we know that many millions of dollars have been expended by investors in good faith, in building motels, restaurants, filling stations, and other service establishments along primary aid roads, and frequently close to the road, making it impossible to recognize the pending legislation without great harm, it seems to me, to many of the investors.

I thank my distinguished friend, the Senator from West Virginia [Mr. RANDOLPH] for yielding. I have not wished to take undue advantage of his time, but I thought we might as well know exactly what is involved. I understand that some amendments are coming. I am not seeking to go into the details of them, except to say that the complaints I have received from both the signboard interests and the motel and gasoline interests have had to do with the proposed amendments. Perhaps they have received exaggerated reports as to what is involved.

However, they were relying confidently upon the contents of the proposed legislation which was reported by the committee and covered by the report—al-

though the report was not available until this morning—and which, if I understand the amendments at all, would be nullified by the provisions of these amendments.

I thank the Senator for yielding.

Mr. RANDOLPH. I believe that the comments of the Senator from Florida have been helpful in the clarification of the pending legislation as proposed. With regard to certain aspects, we are in disagreement.

I wish the RECORD to show clearly that no sign will necessarily be removed until July 1970. The Secretary will report to Congress on the primary systems in January 1967. It is also important that I read from the report, at page 5:

Therefore, subsection (d) provides that the Secretary shall, in consultation with the States, provide for an area at an appropriate distance from an interchange on the interstate system, on which informational signs, displays and devices may be erected and maintained in accordance with national standards to be promulgated by the Secretary.

Mr. HOLLAND. The Senator is now referring entirely to the interstate system interchanges, as I understand.

Mr. RANDOLPH. At that point.

Mr. HOLLAND. The communications that I have referred to this morning do not refer at all to that subject.

Mr. RANDOLPH. I proceed to read from the report:

It is the committee's intention that the signs shall be erected and maintained by the State highway departments on the public right of way and shall designate by brand names and registered trade styles—

I said this earlier in my statement today—

available facilities for fuel, food, and lodging at or near the interchange.

The committee also emphasizes that such signs shall provide information regarding hospital facilities.

That was a concern of the committee.

The committee notes the problem of extending outdoor advertising controls to the primary system on which roadside businesses and off-premise advertising have long been established.

That is the point that was made by the distinguished Senator from Florida.

It is apparent from the testimony of administration and State highway officials, that there is no clear and determinate knowledge regarding the impact of the proposed controls on the primary system.

Then reference is made to the statement I have just made:

It is expected that the necessary information would be available when the Secretary of Commerce reports to the Congress in January 1967, as required by section 303 of this act.

This is required under section 303.

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

The PRESIDING OFFICER (Mr. MONTANA in the chair). Does the Senator from West Virginia yield to the Senator from Washington?

Mr. RANDOLPH. I yield.

Mr. MAGNUSON. I should like to make my statement now because I may

not have an opportunity later on, during debate on the bill.

I merely wish to take a moment to make my position as clear as possible on the bill.

I compliment the committee on making this step forward. If I had my way, we would be making a great leap forward instead of a step.

Someone has said that there is not too much virtue in consistency. At least I have been consistent on this subject.

Yesterday, I checked and found that 32 years ago, when I was a member of my State legislature, I introduced a bill to take billboards off State highways.

Therefore, if I had my way I would do the same thing 32 years later.

I appreciate that there are many problems involved, but I wish my position to be made clear. Although I shall vote for the bill, I would have gone much further and taken a leap forward instead of only a step.

I hope that someday we shall go further.

I believe that the time has come for the States to take a look at their laws relating to elections in regard to billboards. I am sure that all candidates for election would be profoundly happy if billboards were eliminated. I speak from some experience in campaigns. I am sure that my counterpart, the chairman of the Senate Campaign Committee on the Republican side, the Senator from Kentucky [Mr. MORTON], would agree with me that this would save a great deal of money and would not clutter the highways with the faces of political candidates running for office.

Of course, it is not so bad during election time, but the billboards seem never to be taken down. They seem to be there all the time. It is a terrible thing for the candidate who has been defeated in an election to ride up and down the streets after an election and see his "mug" still on a billboard.

I wish my position to be clear on this matter. This is certainly a step forward and I hope that it will work out the way the committee believes that it will. As I say, I am consistent. For 32 years I have believed in the purposes of the pending bill. Although signs serve a useful purpose usually they are out of proportion.

Signs can be controlled in the cities. The District of Columbia, for instance, does not allow billboards, which makes the city of Washington more beautiful.

Mr. McNAMARA. The Senator from Washington was never beaten.

Mr. MAGNUSON. I should like to ask the chairman if he might agree with me a little further because I took it upon myself—I should have asked the distinguished ranking member, who, I am sure agrees with me, too, as well as the members of my committee—to send a letter, the other day, to the railroads of the United States, suggesting that they might make a great public contribution, and help improve their public image, by doing some cleaning up on their rights-of-way.

The American Association of Railroads will start a campaign which will

dovetail with what we are trying to do in the pending bill.

I wish the RECORD to show my position clearly insofar as this problem is concerned; and I hope that we can even go further, in a shorter period of time, than the dates in the pending bill.

Mr. RANDOLPH. Mr. President, I use 1 minute in response to the Senator from Washington.

First of all, I am grateful for his support of the pending legislation. Secondly, I believe the railroad industry could do a service for itself. And for its customers by bringing in a program of beautification along its trackage.

Mr. MAGNUSON. It will.

Mr. RANDOLPH. I believe also—although I had not thought to interject it—that we can beautify the areas adjacent to airports.

Mr. MAGNUSON. The Senator is correct.

Mr. RANDOLPH. This is a growing problem. The traffic which is generated by the air carriers, and by private and chartered aircraft, brings a new concept to the program of beautification which I believe we must consider in the future.

I am grateful for the remarks of the Senator from Washington. So far as the record indicates, I do not believe that the Senator from Washington has ever lost an election, so perhaps he has never been forced to look at his picture after the election returns have come in.

Mr. MAGNUSON. I do not like to look at it even when I am winning, after the election is over.

Mr. RANDOLPH. Mr. President, we have an amendment—

Mr. FONG. Mr. President, will the Senator from West Virginia yield for clarification at that point?

Mr. RANDOLPH. I yield.

Mr. FONG. For the comfort of some of my constituents who come from a State which has stringent billboard regulations, I should like to inquire whether, if the pending bill is enacted into law, the Federal Government will preempt this field as against State laws?

Mr. RANDOLPH. No. The more stringent State laws will prevail. The laws in the State of Hawaii will prevail.

Mr. FONG. Even if State law is more stringent?

Mr. RANDOLPH. Yes, even if State law is more stringent. During the hearings the Senator from Hawaii stated that Hawaii's laws were more stringent. It was upon that premise that I made this statement.

Mr. FONG. If State laws are more stringent, they will prevail?

Mr. RANDOLPH. The Senator is correct.

Mr. FONG. There are many jurisdictions which have stringent laws on outdoor advertising; is that not correct? There are many jurisdictions which already have strict laws on advertising and display.

Mr. RANDOLPH. Yes. There are some States—I believe Alaska is included with the State of Hawaii—that would have a stricter regulation. And this would apply also to county and municipal zoning regulations which would be

more stringent than the pending measure.

Mr. FONG. Many of the States have either used the police power or have used the power of eminent domain and have expended funds for the beautification of their highways? The proposal which has been placed before the Senate by the distinguished Senator from Kentucky would force the Federal Government to pay all costs of compensation in this matter. As I understand the distinguished Senator from West Virginia, he is now asking that 75 percent be borne by the Federal Government and 25 percent by the State; is that not correct?

Mr. RANDOLPH. That will be proposed later. I have not yet offered the amendment.

Mr. FONG. I wish to state that, if the proposal of the Senator from Kentucky were adopted, I believe that we would be penalizing States such as Hawaii, Alaska, and other States which have already expended funds for the beautification of their highways. We would be asking them to bear a greater share of the Federal costs which would be paid from the general fund of the U.S. Treasury to take care of the portion which the States which have not controlled advertising ought to take care of. Is that not correct?

Mr. RANDOLPH. I am in thorough agreement with what has been said. I am sure that the Senator from Kentucky does not wish me to say that, but I believe it is correct.

Mr. COOPER. Of course, I believe that it would not be correct, because the State of Hawaii and my State have accepted the provisions of the Highway Act, and are now receiving payments under it. The Senator stated a few moments ago, and is arguing, that they would get a windfall, instead of being penalized.

Mr. FONG. There are many States under the primary system and many municipalities have enacted statutes, ordinances, taking care of this problem, which prohibits the displaying of signs and devices on the highways. They have already expended money to beautify their highways; and, now, if we should ask those States and municipalities to pay again for this additional beautification from the general fund—which, after all, they have to pay, because it is their money—we would be asking them to pay twice. We would be saying to them, "If you are a progressive State, we are going to penalize you. If you are not a progressive State, we will take money from the Federal Treasury to take care of you." I believe that the idea is not sound. I believe that there should be State responsibility.

Mr. COOPER. Let me say to the Senator from Hawaii that his State has acceded to the original interstate highway program. My State has also done so. The Senator's State has received bonus payments for having done so. My State has, also. Bonus payments are possibly exceeding the costs which some States have undertaken, and of the States exercising their police powers, they incurred no costs. So no double

cost is imposed upon Hawaii or other States by my amendments.

Mr. FONG. But every State which complies with the requirements set forth in the previous statute came in for the bonus. Any State that desired to receive a bonus could have controlled advertising in accord with the Highway Act, could have entered into agreement with the Secretary of Commerce, and could have qualified for this bonus. This provision of the Highway Act expired June 30, 1965. So far as States which have taken care of the problem of advertising in the primary system are concerned, they have paid for that privilege. To ask them to pay for this privilege again, because States which are not progressive have not done so, is not fair.

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

Mr. FONG. I yield.

Mr. METCALF. The States have not paid for it on primary systems that have been long in existence. In many of the older States, we have had highway advertising. That has been a long-established industry. All we are saying is that we want to compensate for them on the new primary system where no advertising is permitted. Some long-established businesses have had advertising underway since 1920 or 1921. We are saying that on those highways they should not do this. The Senator is fortunate because he says advertising on the primary system in his State is not permitted.

Mr. FONG. The proponents are saying that those who have not taken care of it should be compensated. I am saying that the compensation should not all come from the Federal Government. The compensation should be prorated between the Federal Government and each State that must now control advertising. The amendment to be proposed by the Senator from West Virginia will be on the basis of 75 percent Federal, 25 percent State. There should be a prorating of the compensation.

If we want the States to participate, let us not have the Federal Government compensate altogether those that have not been progressive, when other States have paid for it under eminent domain or have taken care of it under their police powers.

Mr. President, I wholeheartedly concur with the purpose of the pending bill to beautify our Nation's major highways.

In Hawaii, for many years we have controlled outdoor advertising so that the beauty of our islands could shine forth unblemished and unhidden by billboard jungles.

This year our State legislature enacted an even more strict billboard control bill. Hawaii is so far ahead of the national effort in this field that many fear the bill before us would allow billboards along defense and primary highways in Hawaii where State law does not permit.

One organization, the Outdoor Circle, which has been for many years a leader in billboard control, expressed these fears to me.

Counsel advised me that an amendment would not be necessary; but I in-

sisted that one be drafted to insure that where State law controlling billboards is more stringent than Federal, State law would prevail.

In the subcommittee I offered my amendment but was told that the intent of my amendment could be expressed by the committee in its report.

I would like to read the language from the committee report. On page 6, the committee report states:

The committee emphasizes that when State or local law imposes more stringent controls than S. 2084 over outdoor advertising signs, displays, or devices—both on and off premise—the intent is that State or local law shall prevail. It is not the intent of the committee that the provisions of this section shall preempt or weaken State or local laws imposing more rigid requirements.

I wanted to read this so that these statements would be part of this legislative history of Senate debate on this bill.

As introduced, S. 2084 imposed a very severe penalty upon States which did not by January 1, 1968, provide effective controls on outdoor advertising and junkyards. The penalty was loss of all Federal highway construction funds.

At a time when 47,000 people lose their lives every year on our Nation's highways and millions of people are injured, we should not deprive States of funds needed to build safer highways and improve highways in all our States.

I concur with Governor Burns of my State who wrote me in regard to this bill. Governor Burns wrote:

I also feel that jeopardizing Federal highway funds because of the actions of nonhighway users, resulting in junkyards, borrow pits, and other unsightly areas, unfairly penalizes the highway user.

I feel that the pursuit of this phase of the program should be a program in itself and its implementation should not endanger a State's share of the Federal highway funds.

In subcommittee markup of this bill, I expressed my belief that the penalty was too severe, but neither in subcommittee nor full committee was the penalty reduced.

I am glad the manager of the bill, the senior Senator from West Virginia, who is chairman of the Roads Subcommittee, will offer an amendment providing that the penalty for States which do not have effective controls over advertising and junkyards by January 1, 1968, shall be a 10-percent reduction in their Federal highway construction funds.

Another feature of the bill as introduced which was objectionable to me was the reliance on police powers of a State. It is only fair and just that compensation be paid outdoor advertisers, property owners leasing land for outdoor advertising, and junkyard owners who will be forced to comply under terms of this bill.

Under the bill as proposed by the administration, junkyard owners would have to bear the entire cost of screening or removing their yards if they were within 1,000 feet of interstate or primary roads and visible from the road. This would have imposed a very severe burden on these private citizens to conform with a national purpose of beautifying our highways.

I am also in accord with the action of the committee in striking out the manda-

tory requirement that one-third of each State's Federal-aid apportionment for secondary roads be used to build scenic roads. In Hawaii two of our counties receive only secondary road funds. The requirement that one-third of these Federal-aid funds be used only for scenic roads would have a severe impact on these counties. As Governor Burns, of Hawaii, stated in a letter to me:

Any provisions which would jeopardize the funding of our highway program would result in serious economic consequences to this State.

Mr. President, I shall not take the time of the Senate to discuss this bill further.

I would like to emphasize that this bill presents very complex problems and involves important matters of equity.

The Roads Subcommittee, of which I am a member, heard and studied the testimony, and devoted considerable attention to the language of this bill and the problems attendant thereto.

I want to emphasize that the subcommittee and the Public Works Committee are concerned that this legislation should not have an adverse economic impact, driving small businesses to the wall and causing unemployment.

The purpose of beautifying our major highways system is laudable. At the same time, such a program should be equitable to all involved and should not force businesses out of business or force workers out of jobs.

Mr. RANDOLPH. Mr. President, I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I do not want to delay the discussion. States which have complied with the program under the interstate program have not lost anything. They have received a bonus—compensation from the Federal Government for the costs they have incurred. The evidence shows that in some instances, the bonus payment has exceeded the cost. Some of them never paid a dollar, because they brought about removal of billboards by police powers. The Senator's argument that Hawaii is going to be penalized because it paid once does not hold water. Did Hawaii pay compensation to advertisers and owners on the Interstate System or did it use its police powers?

Mr. FONG. It used its police powers. I am sure the doctrine of eminent domain was used, because a State cannot take property without compensation.

Mr. COOPER. Four States have used eminent domain.

Mr. RANDOLPH. Mr. President, I yield now to the Senator from Florida.

Mr. HOLLAND. I thank the Senator.

The Senator realizes that when it comes to condemnation along the primary roads, it involves buying up easements of 660 feet on each side of the roadway; does he not?

Mr. RANDOLPH. Yes, where advertising structures are now maintained under agreements in effect on date of enactment of the pending measure.

Mr. HOLLAND. When it comes to beautification, that goes a good deal further than mere removal of signs. I do not know what the Senator has in mind. I do not find anything in the committee report on it, but I do find in the bill an

estimate of the amount that will be needed, \$20 million for each of the next 2 years. That would be a part of the expenditure—

Mr. RANDOLPH. That would be for purchase of rights, based on the Secretary's estimate of a total cost of \$180 million for implementing section 101.

Mr. HOLLAND. This would cover the committee's hope that the Federal Government's part of the negotiations—

Mr. RANDOLPH. Of course, it is only an estimate.

Mr. HOLLAND. Does the Senator have any estimate whatever of what is involved in the acquisition of the easements over the 225,000 miles of the primary system?

Mr. DOMINICK. Mr. President, will the Senator kindly speak louder?

Mr. HOLLAND. I think I am competing.

Mr. DOMINICK. That is probably true.

Mr. HOLLAND. I shall try to compete a little more loudly.

I was asking the distinguished Senator from West Virginia if he had an estimate that he could give to the Senate as to what might be involved in the acquisition of easements, independent entirely of sign control, 660 feet wide on each side of the rights-of-way of the 225,000 miles of primary roads in the Nation. I had just concluded asking the Senator that question.

Mr. RANDOLPH. It is not intended that rights will be purchased on the entire mileage—only where structures are legally maintained on date of enactment. The pending law provides for payment only under those circumstances. This law and the police power of the States will be used to secure rights, without acquisition costs, in those areas where the rights have not been exercised prior to date of enactment. We have no intention of paying every farmer in the land for not erecting signs.

Mr. HOLLAND. Does my distinguished friend believe that if we embark on as expensive and ambitious a program as this we should have some idea as to what money will be expended out of Federal funds?

Mr. RANDOLPH. That is why the Senator from West Virginia would not go beyond funding for 2 years, 1966 and 1967. He thought it was a concern of the Congress, which has been so very well expressed by the Senator from Florida.

Mr. HOLLAND. Yet the legislation will go beyond 2 years.

Mr. RANDOLPH. Yes; but we can come back with corrections because we will have a report. This is new ground being plowed. I recognize it, and the Senator recognizes it.

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

Mr. HOLLAND. I shall be glad to yield, if I may.

Mr. DOMINICK. If the Senator will permit me, because I could not hear the answer to the question of the Senator from Florida, am I correct that the prohibition on each side of the 660 feet of the primary system applies whether it goes through a town or an incorporated

municipality or unincorporated territory?

Mr. RANDOLPH. It applies overall.

Mr. DOMINICK. It applies to all cities and towns. What is to be the effect on cities and towns if they cannot have any signs in that area?

Mr. RANDOLPH. They will have signs in industrially and commercially zoned areas if they so choose.

Mr. DOMINICK. It was my understanding that the proposed amendment of the administration changed that; is that true?

Mr. RANDOLPH. It is still allowed. I will discuss that later. It is still permissible under the amendments to be proposed.

Mr. HOLLAND. Speaking only for myself, I believe that the provisions of the bill on that point are probably more acceptable than the provisions in the present interstate bill.

Mr. RANDOLPH. Yes.

Mr. HOLLAND. I believe there are many areas that are not incorporated. The Senator knows, for instance, that Bethesda is not incorporated.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. The Senator knows that there are other areas of different populations, heavily settled around the District of Columbia, and around every city, which are not incorporated.

I believe a zoning provision comes nearer getting the facts than the wording in the present bill, although I am not satisfied that it goes far enough yet.

I am concerned that we are asked to embark on a brand-new program that involves the condemnation of easements, 660 feet wide on each side of the 225,000 miles of primary highways in the Nation. That is 1,320 feet, or a quarter of a mile wide through most of the Nation.

Of those easements, some are very valuable and some are less valuable; some belong to those who abut the highway, and many belong to people who do not front on the highway.

We are asked to embark upon a program of tremendous size and cost without much information. I am not blaming my distinguished friend. He has been very frank in what he said. It seems to me we are being asked to embark on a program of great cost, although nobody knows how much, without first trying to ascertain something about the cost involved.

The purchase of that same width of easement along the Interstate Highway System—660 feet wide on each side of the right-of-way—probably is not as valuable as it would be in the case of a primary system because of the great width of the right-of-way in the Interstate System.

As it is now, the Senator from Florida has no real information on which he can base a guess as to how many hundreds of millions of dollars are involved in the acquisition of easements along a quarter of a mile width, divided, on each side of every mile of 225,000 miles of the Nation.

I am sorry we do not have some figures. Mr. RANDOLPH. In my opening statement I referred in part to this subject.

It is estimated that we shall need approximately \$180 million for the advertising rights for the interstate and the primary systems. This means that signs, as well as easements, where the areas have been used for advertising, would be involved.

We do not contemplate the payment for easements over all systems, but only where the rights-of-way have been exercised. We will buy only rights-of-way which have been secured by effective agreement at the date of the enactment of the law.

We have spelled that out in subsection (g) on page 11 of the bill, and in section 101.

I have tried to be as factual as I can with the Senator from Florida. I appreciate the discussion which he brought to the attention of the Senate.

Mr. HOLLAND. I appreciate the candor of the Senator. I am sorry that we do not have greater information.

It seems to me that the last statement would indicate that where advertising exists we are anticipating the acquiring of easements. But in other places, where the property right exists, to resort to advertising at any time that the degree of travel justifies it, we would not be acquiring easements. Is that correct?

Mr. RANDOLPH. The Senator is correct. That is spelled out in the proposed legislation.

Mr. COTTON. Mr. President, will the Senator yield for one moment?

Mr. RANDOLPH. I yield to the Senator from New Hampshire.

Mr. COTTON. I am not asking the Senator to yield for the purpose of making a speech on the proposed bill or the amendment. However, I feel that I should inform the Senator of one thing, before any more time elapses.

Some of us wish to make observations which go to the roots of the proposed bill at sometime during the procedure. I can foresee that what frequently happens is going to here.

The distinguished Senator from West Virginia, who is the soul of courtesy and kindness, has been most generous in yielding for questions, observations, and speeches—which is entirely proper, and I am not reproaching him for that—although if a point of order were raised only questions would be permitted, and we would vote on the amendment and proceed to the consideration of the bill.

The only reason I am raising this point of procedure—and it is no criticism of the Senator—is that I foresee that after we have had colloquy after colloquy, with someone in control of the floor, the majority leader, as is his duty, might propose that the time be limited to so many minutes on each amendment and on the bill.

I serve notice that when that proposal comes before the Senate, much as the Senator from New Hampshire regrets to do it, because he always wants to cooperate in expediting the business of the Senate, he will plan to be here, to object.

Eleven years ago, as a freshman Senator, along with the distinguished late and beloved Richard Neuberger, and as a member of the great Committee on Public Works, I was one of the sponsors

of the original bill, which was defeated the first year but which, in modified form, later passed the Senate. That bill started the crusade for controlling billboard and general outdoor advertising in a legitimate fashion, and, so far as possible, without invading either private rights or the rights of the various States and legislatures, and without forcing the use of the stringent weapon of eminent domain unnecessarily.

Some fundamentals are involved in the pending bill. If we are to have interminable debate on the pending amendment, I serve notice that at some time, somewhere along the line, whether it be this evening, tomorrow, or the day after tomorrow, before we come to limiting time for debate, I hope to have the opportunity to discuss the bill, not at great length, but without being unduly pressed for time.

I felt I should say that, because I feel that the Senator from West Virginia, even though he is reluctant to do so, in his kindness, may be causing us to be deprived of that privilege because of the unanimous-consent agreement that will be propounded later in the debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offer by the Senator from Kentucky [Mr. COOPER].

Mr. RANDOLPH. Mr. President, before we vote on the amendment, I wish to say, with respect to the statement made by the Senator from New Hampshire, that, insofar as I am able to direct the debate, I assure him that he will be given time, which he indicates he desires, in order to discuss the pending amendment.

Mr. COTTON. I reiterate that what I have said is not intended to be critical of the distinguished Senator from West Virginia.

Mr. RANDOLPH. I understand.

Mr. COOPER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

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

Mr. RANDOLPH. I yield.

Mr. JAVITS. I should like to ask a question. I shall be very brief.

I have read with the greatest interest the report on the bill, particularly at pages 9 and 10.

That part of the report deals with a very important question to those of us in major industrial areas concerned with raw material reclamation. I say to the Senator from West Virginia that I am very much in favor of the bill and will do everything I can to help enact it, including the fundamental purpose of the bill, namely, beautification. I am not asking this in any critical way, but only as a factual question.

Many firms, having huge quantities of equipment and large investments, are engaged in scrap metal processing or the reclamation of other materials for industrial use. As I read the report, the committee defines that kind of business and in subsection (g) provides an exemption for industrial uses and uses which are predominantly industrial.

I am merely trying to have this language clarified, because the expression in

the report is perhaps not so clear as I think it could be. On page 10 of the report, a break occurs between the description of the scrap processing activities and a statement with respect to subsection (g) in the second full paragraph on page 10 which reads:

Subsection (g) provided that notwithstanding any provisions of this section, junkyards, auto graveyards, and scrap metal processing facilities may be operated in industrially zoned areas or areas which are used for industrial activities.

Do I correctly understand it to be the committee's purpose to state and find as a fact that scrap metal processing is industrial processing and therefore, generally speaking, is of the nature of an operation that it is expected will fall within the provision of the section referred to, subsection (g), beginning on page 15, line 22, and extending to page 16, line 3?

Mr. RANDOLPH. Yes; it will go to the provisions of subsection (g), which have been discussed by the Senator from New York. The reason why the statement goes to some length in the report is that prevailing legal definitions of such facilities were not satisfactory to the committee for the purposes of this legislation. We wanted to be complete in our coverage. We realized that the point which has been raised by the Senator from New York is valid. It was discussed during the hearings.

The Senator from New York counseled with me and other members of the committee. I assure him that his understanding is the intent of the committee with reference to scrap metal processing facilities which, by their very existence, constitute a large industry. That is the intent of the language.

Mr. JAVITS. I thank the Senator from West Virginia.

Mr. HARRIS. Mr. President, I shall support the amendment of the Senator from Kentucky [Mr. COOPER] to place full cost of the new program, covered by the portion of the bill sought to be amended, on the Federal Government.

To do otherwise would force an unknown financial burden on the States and tend to reduce the funds available to the States for highway construction and maintenance.

Important as beautification of our highways is, much more important is the elimination of death traps from the highways, and the States under duress—the threat of the loss of a portion of their highway funds—should not be forced to use funds for highway beautification instead of highway construction and improvement.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], and the Senator from Mississippi [Mr. STENNIS], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], and the Senator from Oklahoma [Mr. MONRONEY], are necessarily absent.

I further announce that, if present, and voting, the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Wyoming [Mr. MCGEE], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT] is absent on official business of the Joint Committee on Atomic Energy.

The Senator from Vermont [Mr. AIKEN], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS] and the Senator from Iowa [Mr. HICKENLOOPER] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

On this vote, the Senator from Delaware [Mr. Boggs] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Delaware would vote "nay" and the Senator from Nebraska would vote "yea."

The result was announced—yeas 31, nays 54, as follows:

[No. 261 Leg.]

YEAS—31

Allott	Fannin	Murphy
Bayh	Harris	Pearson
Burdick	Hartke	Prouty
Carlson	Holland	Robertson
Case	Hruska	Saltonstall
Cooper	Jordan, N.C.	Simpson
Cotton	Jordan, Idaho	Talmadge
Dirksen	McClellan	Tower
Dodd	Metcalf	Young, N. Dak.
Dominick	Morton	
Ervin	Mundt	

NAYS—54

Bartlett	Inouye	Neuberger
Bass	Jackson	Pastore
Bible	Javits	Pell
Brewster	Kennedy, N.Y.	Proxmire
Byrd, Va.	Kuchel	Randolph
Byrd, W. Va.	Long, Mo.	Ribicoff
Cannon	Long, La.	Russell, Ga.
Church	Magnuson	Russell, S.C.
Clark	Mansfield	Smathers
Douglas	McGovern	Smith
Eastland	McIntyre	Sparkman
Ellender	McNamara	Symington
Fong	Mondale	Thurmond
Fulbright	Montoya	Tydings
Gruening	Morse	Williams, N.J.
Hart	Moss	Williams, Del.
Hayden	Muskie	Yarborough
Hill	Nelson	Young, Ohio

NOT VOTING—15

Aiken	Gore	McGee
Anderson	Hickenlooper	Miller
Bennett	Kennedy, Mass.	Monroney
Boggs	Lausche	Scott
Curtis	McCarthy	Stennis

So Mr. COOPER's amendment was rejected.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MUSKIE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I shall offer certain amendments which

are proposed by the administration. I wish to make that clear in my statement.

I shall send to the desk, one at a time, amendments which go to certain points in the pending bill.

Mr. President, I send to the desk my first amendment and ask that it be stated.

The amendment will be read.

The LEGISLATIVE CLERK. Page 9, delete lines 12 through 24, inclusive and substitute in lieu thereof the following.

Mr. RANDOLPH. Mr. President, I ask unanimous consent, since the amendments have been placed on the desks of the Senators, that further reading of the amendments be dispensed with and that the amendments be printed in the RECORD. I shall explain the purpose of the amendment.

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

The amendment, ordered to be printed in the RECORD, is as follows:

Page 9, delete lines 12-24 inclusive and substitute in lieu thereof the following: "(b) Federal-aid highway funds payable on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be payable to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is thus withheld from any State shall be reapportioned to the other States."

Mr. RANDOLPH. Mr. President, the amendment offered would go to section 131, subsection (b). Whereas the original bill provided that no Federal-aid highway funds should be apportioned after January 1968 to any State which had not made provision for effective control, within the area of 1,000 feet of the nearest edge of the right-of-way, the present proposal limits the possible penalty to 10 percent, and to a requirement of 660 feet from the edge of the right-of-way.

The reasoning which has been advanced to support the change is that a total withdrawal of Federal-aid highway funds is a penalty far too severe for any State to suffer, whereas 10 percent is a reasonable penalty, in view of the requirements placed upon the State, in both its financial and regulatory programs, as envisaged in the remainder of the legislation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia [Mr. RANDOLPH].

The amendment was agreed to.

Mr. RANDOLPH. Mr. President, I call up my second amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and

that the amendment be printed in the RECORD.

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

The amendment is as follows:

Page 11, delete lines 1-13 inclusive and in lieu thereof, the following: "(e) Notwithstanding any provision of this section, signs, displays, and devices conforming to criteria determined by the States subject to concurrence by the Secretary concerning the lighting, size, number of signs, and such other requirements as may be appropriate, may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the interstate and primary systems which are zoned industrial or commercial under authority of State law, or which are not zoned under authority of State law but are used for industrial or commercial activities, which unzoned areas are determined by the several States subject to the approval of the Secretary."

Mr. RANDOLPH. My second amendment is to subsection (e) of section 131.

In the original proposal, subsection (c) provided for the regulation of signs on premises. Such regulations concerned lighting, size, number, and other appropriate requirements to be promulgated by the Secretary.

Subsection (d) exempted those areas adjacent to the interstate and primary systems zoned or used for commercial or industrial purposes, as determined in accordance with national standards established by the Secretary. Only directional and other official signs were authorized, in addition to the category I have just discussed.

The proposed subsection (e) provides for these two programs: First, States shall develop criteria concerning the lighting, size, number, and appropriate requirements of signs to be erected 660 feet of the nearest edge of the right-of-way, within areas adjacent to the interstate and primary systems, which are either zoned or used for commercial or industrial purposes. This requires the initiation of the criteria—I wish to emphasize this point—by the States, the Secretary being required to concur as to whether the criteria developed are reasonable.

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

Mr. RANDOLPH. I am happy to yield to the Senator from Virginia.

Mr. ROBERTSON. If the Secretary says a criterion is unreasonable, he can veto it. In other words, he has the final word?

Mr. RANDOLPH. That is true.

Mr. ROBERTSON. I thank the Senator.

Mr. RANDOLPH. As to the second portion that the amendment seeks to cover areas used but not zoned for commercial or industrial purposes shall be defined by State action, subject to the approval of the Secretary.

The purpose is to provide that where such activity is in fact carried on, the definition should comprehend the area. On the other hand, it should not be possible for any State to designate areas as commercial or industrial solely for the purpose of this act, in order to permit a proliferation of outdoor advertising.

That is the amendment.

Mr. COOPER. Mr. President, I ask the Senator to yield to me for an interpretation of this section. I shall ask several questions for that purpose.

Mr. RANDOLPH. I yield.

Mr. COOPER. It is correct, is it not, that except for this section exempting two specified types of areas from the general provisions of the bill, outdoor advertising would be prohibited along the entire length of the primary system within 660 feet of the nearest edge of the right of way.

Mr. RANDOLPH. That is correct.

Mr. COOPER. The section, then, provides an exemption from the general prohibition of all outdoor advertising on the primary system, in two types of areas. The first type is such areas as have been zoned at the date of the enactment of this bill, or may be zoned in the future under State law as industrial or commercial areas. Am I correct?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. The second type of area upon which outdoor advertising could be established is in areas unzoned by State law, but which are determined now or in the future by legislatures as areas used for industrial or commercial activities.

Mr. RANDOLPH. The Senator is correct—that is, with concurrence of the Secretary.

Mr. COOPER. I wish first to define the areas now open or which may become open in the future for advertising. We have discussed the question many times in the committee.

Mr. RANDOLPH. Yes.

Mr. COOPER. States, under their police power, have the authority to zone, and can authorize the power to municipalities and counties. The amendment would permit advertising, in areas which have been zoned or may be zoned in the future; second, such unzoned area as a State legislature might declare as one used for industrial or commercial activities could be exempt from the general provisions of the bill and used for advertising.

We discussed in the committee the possibility of a situation along a primary road in an unzoned area where a major business activity, such as a steel mill, a lumber mill, a coal mine, was being conducted. Where it might be appropriate to exempt such an area from the prohibition of the bill—if so provided by State legislature. All of the above is contained in the committee bill.

But the amendment which is now proposed, as I understand, adds to the committee amendment as follows: In an area which is zoned under State law, the Secretary would not be able to prohibit advertising, but he would be able to set standards for advertising in such zoned areas?

Mr. RANDOLPH. Mr. President, in reply to the point which is raised, and properly, I call attention to page 12 of the report, which includes a letter from the Secretary of Commerce with respect to this matter. I read:

The purpose of the administration language is to make sure that unzoned commercial or industrial areas along our inter-

state and primary highways will be defined on the same basis as those which are actually zoned. The administration feels that in order to avoid an obvious inequity, those areas which are actually used for commercial or industrial purposes should be treated as if they were zoned for such purposes.

Mr. COOPER. I thank the Senator. Now, looking at the language in the first clause:

Notwithstanding any provision of this section, signs, displays, and devices conforming to criteria determined by a State subject to concurrence by the Secretary concerning lighting, size, number of signs, and such other requirements as may be appropriate, may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the interstate and primary systems which are zoned industrial or commercial under authority of State law.

Do I correctly understand, in referring to this first type of area, an area which is now zoned or may be zoned industrial or commercial under authority of State law, that the Secretary could not prohibit advertising signs? Signs could be erected in such an area; but the Secretary would have authority, under the proposed amendment to determine the standards for such advertising—the lighting, size, and number of signs which could be erected in such an area?

Mr. RANDOLPH. I continue by reading from the letter of the Secretary:

In order to prevent an unchecked proliferation which not only results in a public eyesore but undoubtedly impedes the effectiveness of billboard advertising, reasonable standards pertaining to size, spacing, and number of billboards would be developed.

Mr. COOPER. With respect to signs in a zoned area, it is intended that the States shall develop criteria concerning the lighting, size, and number of signs that are erected in zoned areas; is that not correct?

Mr. RANDOLPH. Yes, it requires the initiation of the criteria by the States.

Mr. COOPER. The actual erection of signs would be accomplished by private business; is that not correct?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Suppose the States develop criteria relating to the lighting, size, and number of signs, and the Secretary then determines that the criteria are unacceptable. Would he have authority to veto the criteria which had been developed and accepted by the State?

Mr. RANDOLPH. Yes; he would have such authority.

Mr. COOPER. Then the effect of the first clause would be to give to the Secretary, in consultation with the States, the authority to develop criteria; but if he should not agree with the criteria, he could exercise a veto until criteria have been developed which would be acceptable to him. Is that correct?

Mr. RANDOLPH. The Senator is correct, but we feel that the States, working with the Secretary, will be able to initiate and administer reasonable regulations in the actual development of these programs.

Mr. COOPER. I refer now to the second type of area which is defined in the proposed amendment in the last

clause: "or (areas) which are not zoned under authority of State law but are used for industrial or commercial activities, which unzoned areas are determined by the several States subject to the approval of the Secretary."

Am I correct in interpreting the language as follows: If there is an area which has not been zoned under authority of State law, by the State legislature itself, or a municipality, or county, and the State legislature should enact legislation asserting that an area along a primary system is an industrial or commercial area, and therefore eligible for the erection of advertising, the Secretary could nevertheless prohibit advertising in the area, if he determined such an area was not in reality an industrial or commercial area?

Mr. RANDOLPH. The Senator is correct. As I stated earlier, the States—I hope they would not, and we believe that they would not designate areas as commercial or industrial solely for the purpose of this act in order to bring about a proliferation of outdoor advertising signs.

Mr. COOPER. Mr. President, as this is a new amendment I desire to obtain a full interpretation of the proposed section as it would modify the section adopted by the committee. I wish to ask two more questions.

Mr. RANDOLPH. Let me say at this point, because it is necessary to bring it out, that the proposed amendment would give the authority to the States, not merely to State legislatures. The Secretary certainly would consult with the States before a determination would be made of the criteria. I believe that this is a reasonable assumption.

Mr. COOPER. This amendment would also be applicable to that part of the primary system which passes through municipalities, whether incorporated or unincorporated.

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Do I correctly understand that this section would give to the Secretary the authority to require the dismantling of advertising in such areas if he found that they did not meet the requirements of the criteria which would be established?

Mr. RANDOLPH. The Senator is correct. He would have that power.

Mr. COOPER. Is it the interpretation of the Senator in charge of the bill that compensation would be paid in such cases?

Mr. RANDOLPH. Compensation would be paid to any injured party.

Mr. COOPER. We know that there has been criticism of the latest amendment proposed by the distinguished Senator, and that questions have been raised concerning it.

Mr. RANDOLPH. Yes.

Mr. COOPER. It is said to be more restrictive than the committee bill. I believe that it is. But, do I correctly understand that it is the Senator's judgment that this section of the bill would authorize State legislatures or municipalities, acting under their authority, to open up additional zoning areas along the

rights-of-way of the primary system upon which advertising could be erected?

Mr. RANDOLPH. That is the reason we have written into this proposal the concurrence of the Secretary; thus, right of local or State authority is subject to approval of the Secretary.

Mr. COOPER. To draw a comparison, under the Interstate System there was a cutoff beyond which advertising could not be erected in commercial areas which might be so established or zoned after the cutoff date. Do I correctly understand that there is no cutoff date with respect to the amendment?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Looking ahead to the future, the legislatures or municipalities, acting under their authority, could zone additional zones of commercial and industrial use, and those areas would be available for the erection of advertising; am I not correct?

Mr. RANDOLPH. The Senator is correct in that statement.

Mr. COOPER. Subject only to the restrictions which are embodied in the amendment which the Senator offered.

Mr. RANDOLPH. That is accurate. The Senator has explained the situation correctly.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. I yield to the Senator from New Hampshire.

Mr. COTTON. In order to make sure I understood the question propounded by the distinguished Senator from Kentucky and the answer given by the distinguished Senator from West Virginia, suppose at the present time there is an area along the interstate system which is not zoned, which is considered as commercial, in which there are hotels, motels, restaurants, gas stations, and other roadside businesses that have been doing business for years and are advertising their business and have not heretofore been covered by existing law; if the bill with this proposed amendment were enacted into law, am I to understand that the States, or the legislatures of the States, might be required to take steps, either directly or through municipalities, to zone such areas and establish criteria?

Mr. RANDOLPH. Yes; it would be intended to allow these provisions to be operative. Of course, there would be the provision "with the approval of the Secretary."

Mr. COTTON. The idea is that if such businesses and their signs are to be continued, the States will be required to take steps to zone the areas and establish proper criteria.

Mr. RANDOLPH. Is the Senator talking about on-premise or off-premise signs?

Mr. COTTON. Signs within the number of feet established in the bill.

Mr. RANDOLPH. If they are on-premise signs, there would be no control over those signs.

Mr. COTTON. And if they are on-premise, the Senator means out of the boundary line?

Mr. RANDOLPH. No; even within the boundary line.

Mr. COTTON. The amendment does not so provide.

Mr. RANDOLPH. That is provided in the bill, on page 10, beginning on line 12, reading "signs advertising the sale or lease of property upon which they are located or activities conducted on such property." They are not subject to control.

I ask the Senator from Kentucky [Mr. COOPER] if that is correct.

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

Mr. COTTON. One moment.

This applies to both interstate and the primary systems. Is that correct?

Mr. RANDOLPH. Yes.

Mr. COTTON. So it extends it to the primary system.

Mr. RANDOLPH. That is correct.

Mr. COTTON. Could any locality adjacent to either the interstate or primary system, where people are now doing business with the public and advertising their business, be shut off by the enactment of the bill with this amendment, if they have heretofore been doing so?

Mr. RANDOLPH. No; they will be allowed to continue.

Mr. COTTON. Then what does the Senator mean by taking down signs?

Mr. RANDOLPH. Off-premise signs. That is why I asked the Senator that question before.

Mr. COTTON. Off-premise. Within the limits of the highway?

Mr. RANDOLPH. It does not specify anything within the zoning.

Mr. COTTON. The Senator is referring to signs half a mile away advertising that "You are approaching X hotel." I am trying to get down to brass tacks. The Senator is referring to a sign apprising a motorist, half a mile before he gets to a hotel, of the fact that X motel is half a mile ahead. Is that what the Senator intends?

Mr. RANDOLPH. We would control that half-mile-away billboard.

Mr. COTTON. Under the bill, the only way the business could be continued would be if the State, or municipality acting under the State, responded to the requirements of the Secretary of Commerce by establishing criteria for such signs. Is that correct?

Mr. RANDOLPH. That is correct.

Mr. COTTON. If those criteria are not approved by the Secretary of Commerce, the State is to try again, and try different criteria and a different size and distance that might be approved by the Secretary of Commerce?

Mr. RANDOLPH. That is correct.

Mr. COTTON. And if the second time the sovereign State and its legislature failed to satisfy the Secretary of Commerce, and if the third time they could not satisfy him, would the result be that the Secretary of Commerce could require the taking down of those signs because the State legislature had not been able to satisfy his opinion or judgment of what would be proper criteria?

Mr. RANDOLPH. Not until after July 1, 1970.

Mr. COTTON. Oh, the gun is loaded.

Mr. RANDOLPH. I do not want the Senator to point at me.

Mr. COTTON. I am not pointing at the Senator from West Virginia. The gun is loaded and placed in the hands of the Secretary of Commerce. It cannot be fired until when—1970?

Mr. RANDOLPH. He is going to report in 1967.

Mr. COTTON. I shall come to that. The gun cannot actually be fired until 1970?

Mr. RANDOLPH. That is correct.

Mr. COTTON. In 1967 he is going to report to Congress at whom he is going to shoot?

Mr. RANDOLPH. No; he is going to report if he has any ammunition.

Mr. COTTON. Then if Congress does not succeed by appropriate action, by an amendment of the law, which may be designed for praiseworthy purposes, by 1970, unless the State complies with the requirements of the man who happens to be Secretary of Commerce, those signs will go down. Is that correct?

Mr. RANDOLPH. That is correct. No sign will be removed until 1970. The State could also elect to take the 10-percent withholding penalty and have no controls.

Mr. COTTON. So it boils down to the fact that we are placing not only the private rights but the rights of the States and their legislatures within the hands of one official to condemn signs and advertising and put people out of business, without any appeal to any court or tribunal, if the Senate passes the bill with this amendment.

Mr. RANDOLPH. The States would lose 10 percent of their funds if they did not comply.

Mr. COTTON. What would the man lose who had the business?

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

Mr. RANDOLPH. I yield to the Senator from Florida.

Mr. HOLLAND. Some of these amendments are helpful. Amendment No. 1 certainly reduces the amount of the penalty to which a State could be subjected. If we are to have any penalties, it is much better than the original bill, and I congratulate the Senator.

Amendment No. 3 is helpful for the same reason. However, I do not believe the States should have to pay for this on the primary system.

But as to amendment No. 2, I call the Senator's attention to it to see if he does not think that amendment should be withdrawn.

If the Senator will look at page 11 of the bill, beginning in line 1, there is a provision in the pending bill, which I greatly prefer to the amendment. It reads:

(e) Notwithstanding any provision of this section, signs, displays, and devices may be erected and maintained within areas adjacent to the Interstate System and the primary system within six hundred and sixty feet of the nearest edge of the right-of-way which are zoned industrial or commercial under authority of State law,

That is very clear, is it not?

Mr. RANDOLPH. Yes. I helped to draft the language.

Mr. HOLLAND. The Senator drafted it clearly. It is provided in the original

bill that if there is a zoning provision—and this is commercial or industrial property, for 660 feet on each side of the primary highway—signs could be used, as State law might describe.

I am going to compare that with the wording in the proposed amendment, because those same lines are deleted. I start with this:

(e) Notwithstanding any provision of this section, signs, displays, and devices conforming to criteria determined by the States subject to concurrence by the Secretary concerning the lighting, size, number of signs, and such other requirements as may be appropriate, may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems.

I will stop at that point. That is as far as I went in the original wording.

The Senator agrees that under this wording the lighting, signs, and so forth could be displayed in that area 660 feet on each side of the primary system, whether industrially or commercially zoned under State law, provided those signs, lights, and the like were approved under the regulations issued by the Secretary of Commerce. Is that correct?

Mr. RANDOLPH. That is our understanding.

Mr. HOLLAND. I invite the attention of the Senator to the situation: Let us use the District of Columbia as an example. I believe it is considered a State under the interstate system. Let us assume that Wisconsin Avenue is a part of the primary system. I believe it is. But whether it is or not, there are hundreds of streets of the same kind throughout this Nation that are.

As I understand the Senator from West Virginia, he would now propose, as to the commercial operation, 660 feet, or two blocks substantially, on each side of Wisconsin Avenue, if Wisconsin Avenue is transversed by primary roads, the signs, the lights, and other indications of ownership, or transaction of business could not be used, even though that area was zoned, unless those signs, lights, and other indication of business activities were approved by the Secretary of Commerce. Is that correct?

Mr. RANDOLPH. That is correct.

Mr. HOLLAND. I would not wish that kind of job on any Secretary of Commerce or anyone else. There are hundreds of miles of streets—

Mr. RANDOLPH. Is the Senator thinking of on-premise or off-premise signs?

Mr. HOLLAND. I am thinking of both, because both are there. As I understand the wording of the bill, they would be permitted within 660 feet.

Mr. RANDOLPH. Are they on-premise or off-premise signs?

Mr. HOLLAND. I was talking about all signs that would not be of the type indicated. They could be used only if the signs, lights, and other business indicia complied with the regulations that had been approved by the Secretary of Commerce. It is that to which I object.

I hope the Senator will permit the wording of the original bill to stand, because I cannot conceive our giving the Secretary of Commerce such a detailed

job and such a horrible enforcement job applicable to every mile of the primary system extending through all the cities in the Nation. It is inconceivable to me that Congress would want to do a thing of that kind.

I hope the distinguished Senator will withdraw this amendment.

I have already said that I believe the first and third amendments are helpful. I have said they met all of my objections and that they are helpful.

I have said that I believe the wording in the original bill is easily understood, easily administered, and in accordance with State law and zoning authorities.

But to have the Secretary of Commerce the final authority on signs for an area a quarter of a mile wide on all primary roads extending through the business section of a city is an unthinkable thing to do. I hope the Senator will reconsider.

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

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

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

Mr. RANDOLPH. I will yield in a moment. I wish to respond to the Senator from Florida.

Mr. DOMINICK. I am sorry.

Mr. RANDOLPH. I thank the Senator from Colorado for his indulgence. To the senior Senator from Florida, I respond that I stated earlier that the purpose of the administration language is to make sure unzoned industrial or commercial would be defined on the same basis.

Mr. HOLLAND. I believe that is fine. That relates to the latter part of the section. But that is not the part that I have been referring to in my discussion. I have been referring to the zoned portions along the primary highways that are commercial or industrial. I believe they ought to be controlled by State and local law under zoning authorities that have been set up by the States. I believe it would be a horrible job to wish it on the Secretary of Commerce to police that sort of situation.

I hope the Senator will withdraw the amendment.

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

Mr. RANDOLPH. I will yield in a moment. I must comment on what the Senator from Florida said.

In the letter from the Secretary of Commerce—I have read a part of the letter—there are these words:

In any event, regulations will not be adopted without thorough consultation with the States, with reasonable provisions for public hearings and with full opportunity for private businesses to express their views and have them taken into account. It is the intention of the administration that the regulations, insofar as they are consistent with the purposes of this act shall be helpful to the advertising industry and that, for instance, standards of size which may be adopted would be insofar as possible consistent with standard size billboards in customary use.

That refers to the 300- and 400-square-foot billboards.

Mr. HOLLAND. If the Senator will yield further, I do not question that his motives are the best. In drafting the language of the original bill he has shown real skill in draftsmanship. I merely question whether Congress would wish to interfere with local zoning in such a way as I have described, as, for example, along Wisconsin Avenue, for an eighth of a mile on each side of the road with respect to signs and lights. I do not believe the Senator would want that to be done.

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

Mr. RANDOLPH. I yield.

Mr. DOMINICK. I wish to comment on the question of whether the language of the amendment covers "on premise" signs. It is my understanding that the Senator from West Virginia referred to line 14 on page 10 as indicating that it would not. That is subsection (c) of section 131.

The problem is that the amendment itself provides: "Notwithstanding any provision of this section, signs, displays and devices," with no alternatives at all, so far as I can see. I believe it applies to "on premise" as well as to "off premise" signs.

Mr. RANDOLPH. That is not the intention of the members of the committee who have discussed the amendment. I believe that the administration has a good intention. I am sure they would not do any violence to this purpose. That is my opinion after discussing it. That is why I have offered the amendment on behalf of the administration.

AMENDMENT OF UNITED NATIONS PARTICIPATION ACT

Mr. CHURCH. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1903.

The PRESIDING OFFICER (Mr. MONTROYA in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1903) to amend the United Nations Participation Act, as amended (63 Stat. 734-736), which were, on page 1, line 1, strike out "That subsections (a), (b), and (d)", and insert "That (a) subsections (a) and (b) of section 2"; on page 3, line 5, strike out "amended," and insert "amended."

(b) Subsection (d) of section 2 of such Act is amended to read as follows: ", and on page 4, line 15, strike out "direct", and insert "direct."

Mr. CHURCH. Mr. President, inasmuch as the amendments are entirely technical in nature and constitute only drafting changes, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems.

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

Mr. RANDOLPH. I yield.

Mr. MURPHY. I do not believe that the amendment under consideration reflects the feelings, the discussions, and the result of the work of the committee. I agree with the distinguished Senator from Florida [Mr. HOLLAND] and other Senators who have spoken that the language in the bill is good language. I believe the objection is a simple one. It was never the intention, nor is it the desire, to give complete control in this area to the Secretary of Commerce. I believe that is as simple and as clear an explanation as could be stated.

In spite of the joy I experience in serving on the committee, my enthusiasm for the bill, and my support of the bill, I shall have to vote against the amendment.

Mr. COOPER. Mr. President, I should like to have the attention of the Senator from West Virginia and the Senator from Colorado. One matter ought to be cleared up precisely before the Senate votes on the amendment.

The question has been raised as to whether the amendment would embrace and bring within control of the Secretary on-premise signs, which we know, from our work on the committee, were determined to be signs on the premises of the property owner and used to advertise his business or legitimate activities on his property.

At first impression, I thought the amendment would not affect on-premise signs. I am not certain that it does. But in reading subsection (e), as it was called to my attention by the Senator from Colorado [Mr. DOMINICK], we find these words:

Notwithstanding any provision of this section.

The section referred to is section 131 of title 23, United States Code. Subsection (c) is the subsection which removes the control of on-premise signs from the jurisdiction of the Secretary of Commerce.

My question is: Would the language in subsection (e), "Notwithstanding any provision of this section," make nugatory subsection (c), which relates to on-premise advertising? I know that that is not the intention of the Senator from West Virginia, because we have discussed the question; but perhaps some modification might be made.

Mr. RANDOLPH. Mr. President, I should like to modify my amendment so as to read:

Subject to the provisions of section 101 (c).

Would that meet the objection of the Senator from Kentucky?

Mr. COOPER. Yes.

The PRESIDING OFFICER (Mr. MONTROYA in the chair). Without objection, the amendment is so modified.

Mr. COTTON. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Senator from West Virginia has a right to modify his amendment.

Mr. COTTON. Mr. President, I seek recognition.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Hampshire.

Mr. COTTON. Mr. President, first, I should like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. COTTON. Is a motion to recommend in order while an amendment is pending?

The PRESIDING OFFICER. Such a motion is in order.

Mr. COTTON. Mr. President, when I came to the Chamber this noon I had no intention of joining in the debate, despite the fact that over a period of 11 years I have, in company with other Senators, when I was a member of the Committee on Public Works, wrestled with the problem of trying to preserve the beauty of our Nation and its highways without riding roughshod over the rights of the people. It is no small problem.

The committee has worked long and hard. Their sincerity is absolutely beyond question. They comprise some of the ablest Members of the Senate on both sides of the aisle. There is no Member of the Senate in whom I would have more complete confidence in his objectivity, fairness, and sincerity than I have in the Senator from West Virginia, the Senator from Kentucky, and the other members of the committee.

Yet after considering this question long and carefully, in a struggle to define the rights of individuals and of the States and to promote the laudable purpose of the bill, the committee reported the bill to the Senate.

It was not until some of us began to read the report that the full vista, magnitude, and complexity of the problem was borne home to us. Now we have had submitted a set of amendments. I urge Senators to believe me that I am not opposing the amendments. Certainly I am not opposing them because they come from the administration, because I share with the administration the laudable purposes of the bill. But all we had to do was to listen to the colloquy between the distinguished Senator from West Virginia and the distinguished Senator from Kentucky, and to the questions that have been propounded, to be absolutely convinced that, able and sincere though the Senators are, they do not know at this minute the exact effect of the several amendments that have been submitted.

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

Mr. COTTON. I yield.

Mr. ROBERTSON. The Senators are to be excused. They did not receive the amendments until 6:30 last evening. They have not had an opportunity to study them.

Mr. COTTON. I apologize to the Senators. But I am sure of one thing: Senators are not confident that they know what the amendments provide. These amendments greatly modify the bill.

Even though we are all interested in adjournment, and even though we are

desirous of cooperating by not throwing roadblocks in the way of the distinguished majority leader and minority leader, and other Senators charged with trying to get the business of the Senate finished, is it good legislation, is it worthy of the Senate, either tonight or early tomorrow morning, to debate a series of amendments that have not been considered by the committee, at least not until a few hours ago?

Is it wise to dress up on the floor of the Senate a bill that reaches into every State and along the borders and boundaries of almost every highway in the Nation, and which can have serious effects on the fortunes of individuals who are earning their living?

We want to have a beautiful nation; but we can have a beautiful graveyard if we are careless with our money and our legislation.

Mr. President, they can bring it in the day after tomorrow, or on Monday. They can present the measure as fast as they wish. However, I honestly believe, in the interest of good, sound legislation, that a motion to recommit would not be a reflection upon the committee in the slightest degree. Usually if the Senate votes to recommit a bill, it is a reflection on the committee which considered it, or a reflection on the bill. In this case, it would not be a reflection on the committee considering this legislation, because the committee has demonstrated its ability. It would not be a reflection on these amendments. They may be very meritorious and may come from the highest source.

It is, in the interest of careful legislation that I move that this bill, together with these amendments, be recommitted to the Committee on Public Works for their consideration.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit.

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RANDOLPH. Mr. President, the Senator from Virginia, who is my cherished friend, would not want the record to reflect something that is untrue. The Senator has said that we had knowledge of these amendments last evening at 6:30. That is incorrect. I believe, as chairman of the Subcommittee of the Committee on Public Works, charged with handling this bill, that I must correct the error which has been made by the Senator from Virginia.

Mr. ROBERTSON. Mr. President, one member of the committee said that he did not know about it until this morning. When did the Senator get them—later than 6:30?

Mr. RANDOLPH. These amendments were considered over a period of 2 days. They were studied yesterday afternoon, and not after 6:30, but earlier in the day. These amendments were discussed with committee members and with the distinguished ranking minority member of the committee.

Mr. ROBERTSON. Then I was misinformed. I was acting under what I thought was reliable information. I shall have to let stand the charge of the dis-

tinguished Senator that Senators who explained these amendments did not explain them properly.

Mr. RANDOLPH. Mr. President, this is a problem area.

Mr. MURPHY. Mr. President, I am a member of that subcommittee. I should like to correct one statement. The first that I knew of the amendments was this morning. I did not get them at 6:30 yesterday evening. The first time that I saw a copy of the amendments was when the copy was placed on my desk in the Senate.

To keep the record straight, so far as the junior Senator from California is concerned, I have just checked with my office. These are the facts: We heard about the amendments this morning from committee counsel. That was the first that I had heard of the amendments. The first time I saw a copy of the amendments was when I came into the Chamber.

The letter of transmittal, signed by the President of the United States, shows that it was endorsed today. Perhaps he did not get them last night, either.

Mr. RANDOLPH. Mr. President, I shall not be embarrassed during this debate.

Mr. MURPHY. I did not make the statement with any intention to embarrass the Senator.

Mr. RANDOLPH. Mr. President, I did not make the statement that every member of the committee had studied these amendments.

Mr. MURPHY. I misunderstood the Senator. I apologize to the Senator. I thought the Senator said that they had been discussed for 2 days by the subcommittee.

Mr. RANDOLPH. I did not say that. I never mentioned the subcommittee.

Mr. MURPHY. There was a misunderstanding. I thought the Senator said that the amendments had been discussed for 2 days.

Mr. RANDOLPH. Mr. President, the second amendment which I have offered is a problem amendment. I shall be frank and say that. The other amendments have been discussed in committee. The second amendment is a problem amendment, and I have so stated. However, the other amendments have long been the subject of discussion within the subcommittee and within the committee.

This is a fact that can be attested to by committee members if they desire to support me in this situation. I am not bringing these amendments here out of a hat, as it were. The substance of all these amendments was considered by the committee at length. They are amendments, as I have said very clearly, which were worked out at the request and suggestion and cooperation of the administration. I have been very frank to make that statement during the debate in the Senate.

The Senator from Florida—and I thank him for his statement—indicated that there are amendments here with which he can agree, and that there are amendments here with which he cannot agree. This would be true of every Senator.

I am not going to be angry when an amendment is voted up or down. I do the very best that I can when I am in charge of a bill. I have explained very carefully at every stage of the debate exactly how these amendments, supplementary in nature, have been brought into the Chamber this afternoon. I believe that it would be an injustice in the legislative process—not a reflection, I do not use that word—to return the bill to committee. I do not agree with the Senator from New Hampshire [Mr. Corron] that it would be in the interest of a better consideration of the proposed legislation.

Mr. COOPER. Mr. President, I wish to speak on the motion to recommit. Statements have been made which I believe should be answered fully.

I would like to say to my colleagues on both sides of the aisle that I participated fully in the consideration of the bill. I was present every day and every minute when discussions were made on the bill. We discussed the amendments proposed and every section of this bill fully.

I did not agree with every section of the bill. I offered amendments in committee; some were agreed to unanimously, and others were rejected by the committee. That amendment related to the allocation of the cost of the program.

As the bill came from the committee, I do not know why anyone cannot understand it. I know of no question that has been asked today—and I shall say this to my colleagues—that cannot be answered, and that has not been answered. The answers may perhaps not have been understood. Perhaps that is the fault of Senators who answered the questions, and I may be one of them. However, I do not believe there is any question relating to the bill reported by the committee which cannot be reasonably answered.

It is another question as to whether one would agree with the answer.

For there are several positions concerning any bill which relate to beautification. One position is opposition to any kind of bill. Others want a very strict bill. Some look toward the middle and hope to get a reasonable bill, one which would be fair, but will make substantial progress toward this goal of beautification.

The Senator from West Virginia has presented five amendments. These amendments were not considered as amendments in the committee. They were not offered in the committee. However, the substance of every one of the amendments was discussed in committee.

Yesterday afternoon some representatives of the administration came to my office, at their request, and discussed with me some of the proposals which they stated they intended to make.

These representatives of the administration discussed the amendment which I offered today to provide that the full cost be paid by the Federal Government. The fact that they discussed the amendment with me, and opposed my amendment did not cause me to withdraw it. I offered the amendment today and it was defeated.

Two of the amendments offered by the Senator are easily understood—to allocate costs on a 75- to 25-percent basis, between the Federal Government and the State, and to reduce the penalty of apportionment from 100 to 10 percent—move toward the position taken by a good many of the committee members, including my friend the Senator from California [Mr. MURPHY].

These gentlemen also discussed with me generally, their interest in providing additional power to the Secretary as now proposed in the pending amendment. I heard them, as was proper, but I made no agreement. I said I would consider and study the proposal.

The Senator from West Virginia has stated very accurately that, with the exception of the amendment we have just been discussing, not a single amendment which he has offered is complete or controversial. I shall read them.

The first amendment which the Senator offered, which was agreed to, was to reduce the penalty for noncompliance from 100 percent of Federal funds to 10 percent. The amendment corrects one of the provisions of the bill some of us complained about in the committee—the penalty to take away all Federal highway aid from a State if it did not comply. The amendment has already been agreed to.

A second amendment provides that instead of the 50-50 cost, for the primary system, and 90-10 for the Interstate System the Federal Government shall pay 75 percent and the States 25 percent. That is not difficult to understand—at least it is not to me. I am very much pleased that the administration moved toward this position.

I never saw these amendments until today but I think them understandable and capable of being voted on.

The third amendment proposed is to that section in the bill which provides that where States have entered into agreements with the Secretary of Commerce respecting controls on the Interstate Highway System they shall continue to receive their bonus payments. The amendment provides that they must maintain the standards that they agreed to maintain when they entered into contracts with the Secretary of Commerce.

The only thing that is added is that the States must maintain the standards they agreed to, to continue to receive their bonus. Of course, that is proper.

The one amendment which is difficult to understand, if I may say so, is the amendment now before us.

A few minutes ago, in a series of questions directed to the manager, I tried to develop, although perhaps not in as understandable a way as was possible—an interpretation of the amendment. The amendment is far reaching, it would provide the Secretary final authority, with respect to zoned areas, whether in a municipality or not, to determine the criteria for the type of sign erected.

I believe we have spent enough time on the amendment, so that we can get to the question. While I believe that part of the amendment protecting against abuse of unzoned areas is good, I would not vote for the amendment as

proposed. But I see no reason for sending the bill back to the committee.

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

Mr. COOPER. I yield.

Mr. ROBERTSON. I am quite sure that the Senator knows how he is going to vote, and that he understands what is in the amendment. I am sure he has offered three good amendments, one of which has been defeated; and the other two will be defeated.

Mr. COOPER. I am afraid so.

Mr. ROBERTSON. Why did not the Senator give us an opportunity to find out for ourselves what is in the bill? When did his report get to us?

Mr. COOPER. Please do not ask me what I do about it. I belong to the minority side. I do not control what happens on the majority side. I finished my supplemental views yesterday. I agreed to have my report ready by Tuesday morning, and it was ready Monday.

Let me say, in my discussions with the chairman as to time for filing, he was very fair. I was given a week to file my views. But I have nothing to do with the scheduling of a bill. That is the decision of the majority side.

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. I do not suppose anybody read my views, but they relate to a great many things we have been discussing here today.

Mr. McNAMARA. Mr. President, I agree with the statement made by the Senator from West Virginia [Mr. RANDOLPH] and the ranking minority member of the committee [Mr. COOPER].

There is no purpose in returning the measure to the committee. While the particular language is new, and was not considered in its exact wording by the committee, the substance of all these amendments was discussed over and over again. It is the substance of the amendments, more than the language, which counts. To send the matter back to the committee would serve no purpose. The committee has considered all these proposals. I compliment the distinguished Senator from West Virginia [Mr. RANDOLPH] and the ranking minority member on the committee [Mr. COOPER], because they have done an excellent job. They have worked hard, and brought out a bill. The problem here is merely a matter of language. The arrangement of the words is completely new.

Mr. RANDOLPH. Mr. President, I remind my colleagues that we have agreed to an amendment offered by the distinguished minority leader [Mr. DIRKSEN] this afternoon. There has been no adamant opposition within the committee to amendments which have been or will be offered from the floor. The amendments which I offer, I have been frank to state, are offered at the request of the administration. I have not attempted to hide behind the committee in any wise. Amendments offered by individual Senators will be considered. One has already been agreed to, as I have indicated, the one offered by the distinguished minority leader.

One of the amendments which I offered at the request of the administration has

been adopted. The amendment which is now being considered has been modified. I believe the modification was in order. It was brought out during the colloquy that it would be preferable to have it apply to the section involved.

There were 4 days of hearings on the proposed legislation. I commend the members of the subcommittee. Most of them gave careful attention to the bill. When members were absent it was because they were at hearings held by other committees, which had an equal call on them, and sometimes a greater call than our subcommittee.

Then we met twice in executive session in our subcommittee and again in our full committee. We come here this afternoon with a bill which has been reported by the committee. The fact that amendments are offered at the suggestion of the administration certainly is not a valid reason to return the bill to the Committee on Public Works.

We should vote the amendments up or down. I will not become angry because certain amendments are voted down. Let us proceed in the orderly way in which we have been proceeding. I believe equities will be served in that way.

Mr. TOWER. Mr. President, let us be quite candid. The basic issue before us is whether Congress is a coordinate branch of Government with the executive branch of the Government, and whether the Senate is an independent, deliberative body, or whether we are merely going to give Pavlovian response to every request that comes to us from the administration, with nothing but the most cursory discussion and consideration. I believe the issue will be resolved when we vote on recommittal tonight.

Mr. RANDOLPH. Let us vote on the question of recommittal.

Mr. FONG. Mr. President, I am a member of the subcommittee which handled this bill. I do not believe the bill should be returned to committee. The members of the committee have performed yeoman service on this bill.

When the original bill first came to the committee, I was quite appalled. I asked my assistant to meet with the assistant of the distinguished Senator from West Virginia [Mr. RANDOLPH], to look over the provisions and to see whether there could be a meeting of minds on amendments to the bill.

I was pleased, after the first subcommittee meeting, at how close we came to a meeting of the minds. We have rendered fine service in the deliberations on the bill.

For example, under title IV, when the bill was first introduced, it was proposed that one-third of the funds allocated for secondary roads must be used for scenic roads. We struck that out. Then it was proposed that 3 percent of each State's Federal-aid highway apportionment must be used for enhancement of highways. Instead of taking these funds from construction funds of the States, we have called upon the Federal Government, out of general revenues, to pay an equivalent 3 percent for landscaping and scenic enhancement.

The administration wished to impose restrictions by use of the police power,

and we said that that was not fair, that we should give just and equitable compensation for the taking away of property rights. That is all now in the bill.

In the original bill, there was no provision for the exemption of junkyards in industrial zones. We included this exemption for junkyards in industrial zones, so that junkyards in industrial zones would be allowed to exist.

We also changed the control zone distance for outdoor advertising which was originally 1,000 feet to 600 feet. Where there were unzoned areas being used for commercial or industrial purposes, the original bill called for the Secretary of Commerce in his discretion to determine which of these areas would be deemed industrial or commercial so that advertising might be permitted there. The committee decided the determination as to what areas are used for industrial or commercial purposes should be left to State legislatures.

Therefore, we have done a great deal of work on the bill. I believe every provision in the bill has been gone into in great detail.

Although I had not seen the amendments which have been proposed by the Senator from West Virginia until this morning, I feel that the subject matter of these proposals has been discussed in committee, and that it would do no good to have the bill recommitted to committee.

Therefore, Mr. President, I will oppose the motion to recommit.

Mr. HOLLAND. Mr. President—

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I believe that the committee is entitled to have an opportunity to go over these proposals. I am looking now at the letter to the able chairman of the committee, signed by the Secretary of Commerce, and dated September 14, particularly the second paragraph of that letter which reads as follows:

It should be kept in mind that under the administration bill the States have full authority under their own zoning laws to zone areas for commercial or industrial purposes, and the action of the States in this regard will, of course, be accepted for the purposes of this act.

Mr. President, the amendment which is now pending, coming from the same source which makes this presumably favorable report on the bill as reported by the committee, takes an entirely different course.

I have no particular feeling concerning this matter. I have no better friend in the Senate than the Senator from West Virginia [Mr. RANDOLPH]. I have gone to bat for him and have spoken on his behalf with political speeches, and, if he will give me an invitation again, to come to those parts of his State where he believes his constituents might listen to me, I will be glad to do so again.

I am sorry that this dilemma has come up, but we have a formal report from the spokesman of the administration, the Secretary of Commerce, which makes a statement completely out of line with what is proposed in the second amendment now being proposed.

The bill would be changed largely in the very field, if it should be adopted—

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. In a moment. The committee is entitled to have an opportunity to see these amendments, which apparently have not been presented to them until recently. Several members of the committee say that they have not seen them until today. I understood the distinguished ranking minority member to say that he had seen them yesterday afternoon—

Mr. COOPER. I have said that I have not seen them—three representatives discussed them with me yesterday. I did not agree or disagree, because I am opposed to—

Mr. HOLLAND. I am sorry to have misquoted the Senator. Apparently he saw it later than I said he saw it. My feeling is that the committee is entitled to measure the effect of the proposed amendments against the bill.

I mentioned the bill coming from the same source, the Department of Commerce. The letter of the Secretary of Commerce makes it plain that it was the intent of that Department, at the time of the writing of the letter on September 14—that was yesterday, was it not?—to have the zoning laws of the States respected and obeyed. Therefore, something has happened lately.

I am now glad to yield to the Senator from Virginia.

Mr. ROBERTSON. Let me point out that of the first five amendments, four amendments have no vital changes buried in them. Amendment No. 2 gives absolute veto power to the Secretary of Commerce, which the committee had never fully considered and never intended to put in there, and is in conflict with the report that we received this morning.

The important thing is not to send it back to committee, but to let the distinguished Senator from New Hampshire withdraw his motion and let the Senate vote on amendment No. 2, and vote it down. Then we shall have disposed of it. Is that satisfactory?

Mr. RANDOLPH. Yes.

Mr. MURPHY. Mr. President—

Mr. CANNON. Mr. President—

Mr. HOLLAND. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. Mr. President, I yield to the Senator from Nevada.

Mr. CANNON. I point out to the distinguished Senator from Florida that in addition to the Secretary's letter, the committee specifically reported on this point and commented on it on page 6 of the report, from which I read as follows:

However, the legislation as originally proposed recommended that unzoned areas used predominantly for industrial and commercial activities be "determined in accordance with national standards to be established by the Secretary."

It is the committee's opinion that this is primarily an issue of land use which should not be left to an administrative decision. It is an extension of the concept of zoning and therefore more appropriately belongs to the same authority—i.e., the legis-

latures of the States. The committee believes that the State legislatures, because of their more detailed knowledge of the topography and land use patterns of the States, are in a better position to define an industrial and commercial area for their respective States than is the Secretary of Commerce.

Part of the fifth paragraph on page 6 states:

The committee is of the opinion that subsections (b) and (c) provide the Secretary with adequate authority to enforce compliance with the purpose of the act.

Therefore, the committee itself recommended opposition in the committee report to the very thing that is asked to be done in amendment No. 2.

Mr. HOLLAND. I thank the distinguished Senator from Nevada for inviting attention to that part of the report.

The trouble is, I do not believe that many Senators have had an opportunity to read the report.

I repeat to my beloved and distinguished friend the Senator from West Virginia that I believe the committee will be more fairly treated if it has an opportunity to reexamine this law as proposed, to reexamine it in connection with the proposed changes, because the report of the Secretary of Commerce is at variance with the amendments, and the report of the committee is at variance with the amendments, as was so ably pointed out by the Senator from Nevada.

The fact is that the legislative record will look terrible if it depends upon this report and debate on the floor, unless we have a more coherent handling of the matter.

I very much dislike to have the Senate return a bill to committee, but I believe that the committee itself will be fairly treated only by having an opportunity to reexamine the proposed legislation in the light of the changed recommendations made by the same authority which recommended the original bill.

Mr. MURPHY, Mr. COOPER, and Mr. COTTON addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, perhaps it is possible to save the time of the Senate and resolve this problem. Therefore, let me say to the Senate that I made this motion in complete good faith. It was not a delaying tactic.

It was not an attempt to throw a monkey wrench into the machinery. It was not a reflection on the committee. I believe that was plain. I thank the Senator from Florida [Mr. HOLLAND] for what he has said about the wisdom of further consideration by the committee. But, Mr. President, I was a trial lawyer for a great number of years—a country lawyer, a jury trial lawyer. I believe I know enough to know when I have a packed jury. I have listened to member after member of the committee say he does not want the bill back. They know all about it from A to Z, from Alpha to Omega. There is nothing wrong with it, in spite of the fact that the Senate did not have the advantage of the consideration of last minute amendments referred to in the report of the committee.

It is said there is nothing wrong with the amendment, except that there is dynamite in the second one.

I think we could probably recommit the bill 15 times, but all it would do would be to irritate the members of the committee, and they would report it back. I hope I was not speaking too highly of my colleagues when I praised them. I cannot conceive of this committee having the bill recommitted to it, and then bringing out this particular No. 2 amendment, which is perhaps the most drastic and unprecedented step that has ever been taken in the history of this country. I cannot conceive that the committee would bring it back in the form it is in now or anywhere near its present form.

If we could have some assurance that this particular amendment would not be brought to a vote tonight, if every Senator could have an opportunity to realize fully the implications of it, and there would be ample time, when the Senate reconvened tomorrow, to thrash out the No. 2 amendment, I would gladly withdraw my motion to recommit. I have no pride of authorship in that. But I regret that the committee does not feel it should be committed to the committee for further consideration. But I suppose that amendment No. 2, even if I were not able to understand the explanation of the Senator from Kentucky, is the real meat in the coconut.

I would not want to withdraw the motion to commit, I would even think of some other motions to make, if we could not get some agreement that this amendment was to have more consideration. If we can get that assurance, I will agree to withdraw the motion.

Mr. COOPER. Mr. President, may I say, to make my position clear that this is the amendment that is in question. Let me say to my colleagues that I intend to vote against it, but I would prefer, rather than recommit, that the suggestion of the Senator from New Hampshire be followed and that time be given to Senators who have not had an opportunity to consider or study it.

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

Mr. COTTON. I yield to the majority leader.

Mr. MANSFIELD. The distinguished Senator from Kentucky has taken the words out of my mouth. I am glad our minds are running in the same direction. I wonder, if it is agreeable to the Senator from West Virginia and other Members of the Senate, if we could consider the suggestion of the Senator from New Hampshire.

Mr. RANDOLPH. Yes, Mr. President. I think it should be discussed further. There may be reason to modify the amendment further. I have done it in one instance. I am not going to say now that the amendment will be withdrawn, but I believe that Members of the Senate should have an opportunity to study the amendment and then, after studying it, vote it either up or down if it is not withdrawn.

Mr. COTTON. How much time?

Mr. RANDOLPH. I would want adequate time on this amendment.

Mr. COTTON. Mr. President, with the assurance—and I hope I am not letting down any of my colleagues—and with the statement of members of the committee that they think it would come back with the same recommendations, I ask unanimous consent to withdraw my motion to recommit.

The PRESIDING OFFICER. Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object, first I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. If the distinguished Senator from New Hampshire withdraws his motion to recommit, would a motion to recommit made by any other Senator with respect to this particular section be in order?

The PRESIDING OFFICER. There is no limitation on the number of motions to commit that can be made.

Mr. ALLOTT. I thank the Chair. Then, I would like to say this by way of reservation, and I would like to have the attention of the distinguished Senator from West Virginia. This section has caused me no little anguish and pain. Even as it is modified, I do not believe there is any lawyer who would say that the meaning is clear and precise. There may be a hundred interpretations of it. But, more than that—and this is the important thing, and this is why I hoped the committee would take it back into its bosom and work on it—the amendment, even as modified, is inconsistent with the rest of the bill. The Senator from Nevada [Mr. CANNON] pointed that out a few minutes ago, as did the Senator from Florida [Mr. HOLLAND].

The amendment as modified is inconsistent with the language of the report of the committee, and it is inconsistent with the language of the Secretary of Commerce. What in the world are we to assume that it means? I do not believe it can be clarified through the kind of round robin that we have been having here this afternoon. These provisions are too technical and too far reaching to be acted upon without the benefit of committee analysis. How in the world are we in the Senate to assume what the action of the committee is? If the committee wants to rescind the thoughts it has written into the report, that is one thing. At least we would know how the committee felt about it. But as matters now stand, we do not know how the committee as a whole stands. We do not know what its members think.

It may be true that it has been discussed, but as to the most technical part of the bill brought in today, the report on the bill is quite conflicting. As the distinguished Senator from New Hampshire [Mr. CORRON] has said, it would have a more far-reaching effect upon the rights of private property than any bill the Senate has ever considered. Yet with all the conflict in various areas, we are asked to act on it.

I would hope the committee would take this amendment back to the committee and, if it did not do anything else, would sit down and talk about it and try

to write a clear and precise section that we could vote either up or down in the Senate. I think I know what the provision means, but I am not sure. I have a few remarks to make at a later time about the substance of the bill.

I am reluctant to see the Senator from New Hampshire withdraw his motion. In view of the contradiction and the paradox in the position of the Department and the committee as stated in the report, I particularly regret that the distinguished chairman states that he feels he does not want to take it back to committee and write some precise language.

I will not object to the withdrawal of the motion to recommit if this is the wish of the distinguished Senator from New Hampshire. But I believe that the distinguished chairman of the committee, in view of all that has transpired, should take it to committee and sit down and try to work it out.

The PRESIDING OFFICER. Is there objection?

Mr. COTTON. I ask unanimous consent to withdraw the motion to recommit.

The PRESIDING OFFICER. Without objection, the motion to recommit is withdrawn.

Mr. RANDLOPH. Mr. President, I withdraw the amendment temporarily.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn temporarily.

Mr. RANDOLPH. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Page 12, lines 1 and 2: On line 1 after the word "pay" delete "the Federal pro rata share" and substitute in lieu thereof "75 per centum".

Page 16, line 15 delete "the Federal pro rata share" and substitute in lieu thereof "75 per centum", and on line 24 delete "the Federal pro rata share" and insert in lieu thereof "75 per centum".

Mr. RANDOLPH. Mr. President, I am a little concerned about the noise in the Chamber.

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. RANDOLPH. Has the amendment been stated?

The PRESIDING OFFICER. The amendment has been stated, and it is pending.

Mr. RANDOLPH. Mr. President, this amendment applies to the just compensation provisions for advertising structures and junkyards. It substitutes a straight 75-percent Federal aid rather than the 90-10 for the Interstate System and 50-50 for the primary system.

It is estimated that this would relieve the States of the payment of approximately \$30 million for outdoor advertising and approximately \$10 million for junkyards, as to compensation and screening.

I believe this is a good amendment. I have discussed it with the Senator from Kentucky [Mr. COOPER]. I hope that it will be approved.

Mr. COOPER. I hope Senators will understand what the amendment is. I hope we shall know exactly what the amendment would accomplish.

As the Senator stated, it changes the committee bill and provides that for allocation of cost under both systems, interstate, and primary, the Federal Government bearing 75 percent of the cost and the States bearing 25 percent of the cost.

This is similar to the objective I sought earlier in the day. That is not the important thing. It is my understanding that the amendment would reduce the costs to the States by about \$30 million.

Mr. ERVIN. I would like to ask a question.

What provision is made for payment to a person for the power to prevent his using his land for advertising purposes where he is not now using it?

Mr. RANDOLPH. There would be no payment.

Mr. ERVIN. Would he not be entitled to pay?

Mr. COOPER. That question was asked earlier by the Senator from Florida.

Mr. ERVIN. Yes.

Mr. COOPER. The provision for compensation found in both title I and title II applies to areas where advertising and junkyards are already established. There would be compensation to the advertiser who is required to look to the landowner for whatever interest he has in the contract.

The Senator is talking about areas where there is no advertising.

The adoption of this proposal by a State would mean that the State legislature would immediately prohibit the establishment of signs in prohibited areas in the State under its police powers.

Mr. ERVIN. In other words, the Senator from Kentucky is telling me that where I own land on Federal aid highways, the State legislature can pass a law and say that I cannot use that land for the purpose of putting a sign on it, and I would not be entitled to compensation?

Mr. COOPER. More than 22 States did it under the Interstate Highway law.

Mr. ERVIN. Yes, but they had to condemn easements to do it.

Mr. COOPER. All but four States did it under police power, and there was no compensation. Four States provided compensation. This would still be within the decision of the State legislature.

As to areas where there is no advertising, they could either provide that it would be taken without compensation under the police powers or they could pay for it.

Mr. ERVIN. If the State legislature can pass a law to prevent a person from using his land for advertising without just compensation, it can pass laws providing that a person cannot use his land for any purpose, can it not?

Mr. COOPER. There is no question that it would have this power—

Mr. ERVIN. The right of a person to use his land includes the right to use it for all lawful purposes.

How can it be said that they cannot use their land in the State for advertising

purposes, to the extent of 660 feet on each side of the Federal aid highway, and get no compensation for it?

I would say to the Senator from Kentucky that I appreciate very much his effort to be of help to me, but he has not removed my misgivings on this point.

Mr. COOPER. If the States could not do this, the whole bill would fall down.

Mr. ERVIN. The bill would deprive my State of over \$4.6 million as a penalty if it did not pass a law denying citizens the right to use property, which use is protected by the due process clause.

I believe we would be enacting a law that would provide that a person cannot advertise on his land, cannot build a house on it, or build a barn on it.

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

Mr. COOPER. The Senator from North Carolina is one of the great lawyers of the Senate.

Mr. ERVIN. Property cannot be taken for public purposes without just compensation. When the right of a person to enjoy his property is taken away, property is taken without compensation, unless provisions is made therefor.

Mr. HOLLAND. Mr. President, I understood the Senator to say that if States did not exercise this police power the whole bill would fall through.

Does that mean a 10-percent penalty against States on their participation in the interstate highway program would fall through?

Mr. COOPER. Yes. But that is a separate question.

The Senator was asking me a question that was asked of the Senator from West Virginia earlier. Under what powers could the State act, either with respect to areas which are designated in the bill or for all the other right-of-way along the primary system? The Senator remembers asking the question.

Mr. HOLLAND. I remember that, but if I heard the Senator correctly, if the police power of the State could not be exercised in this way, to take without compensation, the whole bill would fail.

Would the 10-percent penalty against that State—the 10-percent reduction of its pro rata share of the Federal-aid program—also fall? I see no words in the bill that cover it.

Mr. COOPER. There is a provision in the bill that provides a grace period. If it turns out the State cannot exercise their constitutional power the penalty provision could be suspended by the Secretary, I so stated earlier today.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH].

The amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. COOPER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SIMPSON. Mr. President, on August 12, I appeared before the Subcommittee on Public Roads and urged that they eliminate title IV and portions of title III. I was pleased that the com-

mittee did agree with my views on this matter and did amend the bill as I had recommended.

It is important that we protect our State Highway Commissions and the Bureau of Public Roads in this matter. We should let no one through the use of emotionalism or pressure reinstate title IV.

Mr. President, I am not opposed to the concept of beautification—and, of course, neither are the people of Wyoming—but I am opposed to S. 2084 as proposed by the administration.

Let me address myself first to the assumptions which apparently are being made by the administration and the implications which stem from these assumptions. Later, I will address myself to the specifics of the bill and the application of the bill, as it is now written, to the State of Wyoming. It has become a truism, at least during the days of this administration, that political power seeks a void. It appears that the administration is attempting, under S. 2084, to extend the power of the Federal Government. The question before this subcommittee and before the Nation is whether there is truly a void in the field of beautification. The issue raised by this bill is a broad one. Indeed, it is the most basic issue of the day. The question is State versus Federal control.

Before Federal control should be exercised, there must be a showing of need for such control. After the needs have been defined, history has shown us that the wisest course is to first allow local and State Governments the opportunity to take care of these needs. If, and only if, local government fails to assume its responsibilities, then the Federal Government can act. There are areas in our lives today where a need has been shown and where local government has fallen short in its responsibilities. But my basic argument here today, Mr. President, is that beautification is not one of those areas.

Let me now turn to the specific proposals of S. 2084 and my specific objections to that bill. In the first place, the bill under title IV has made no effort to define what is meant by "scenic roads." The lack of definition in title IV can be strongly contrasted to the obvious attempt at definition in title II of the bill, section 135, subsection (c), wherein the term junkyard is defined in elaborate detail. The problem of definition is far reaching, for what constitutes a "scenic road" is really a matter of esthetic judgment. It is a matter which is best left to the people of the areas in which secondary roads will be built. It is a matter which cannot and never will be satisfactorily determined by a Washington bureaucrat.

If beautification really is the aim of the administration, then I maintain that the worst possible way to accomplish this would be under the direction of a Federal administrative agency. To attempt to apply a national formula to the many roads of our country would be to rob the local areas of their character and, at the same time, rob the people of those areas of any incentive to create with their own imagination a more

pleasing environment. S. 2084 would rob the States of the opportunity to meet their varied economic needs just as it would keep them from making their own esthetic judgments. Worse yet the costs to the Federal Government would be astronomical.

The priorities for road construction within any State will vary greatly according to the area and according to time. While the State of Massachusetts may have completed a network of roads which by this time serve well its farm-to-market needs, the State of Alaska may be only beginning to construct roadways through its great wilderness.

As you know, the scenic wonders of Wyoming are perhaps its greatest asset. The people and the government of Wyoming are not unmindful of the need for developing these scenic and recreational resources. In fact, at the present time much of the road construction in Wyoming is being done to further the development of these scenic and recreational resources. However, the State is also looking to its future and is attempting to make itself attractive for industrial, mining, and agricultural development.

The State is aware of its needs. It is in its own best interest to develop these needs on a planned and responsible basis. It is not necessary for the Federal Government to say to Wyoming that now and hereafter a certain amount of money will be spent for a certain purpose. In the State of Wyoming the total mileage under our secondary highway system is 1,920 miles. The total approved mileage eligible for secondary road construction funds is 582 miles. Under the present plan, as approved by the Bureau of Public Roads, the next 12 years will be devoted to completing the planned secondary system in Wyoming.

Mr. President, it is a matter of great concern to me and to the people of my State that the administration should presume to interrupt the State's long-range planning for road construction and should attempt to impose a mandatory restriction upon all States regardless of their individual needs. Because Wyoming is one of the most beautiful States in the Nation, and because Wyoming is aware of this and is building roads to our scenic and recreational areas, I believe we can meet this need without Federal intervention. I urge my colleagues to oppose this bill as now amended.

Mr. DODD. Mr. President, no legislative proposal which the Senate has considered this year is more important to the future of America and its people than the Highway Beautification Act which we are dealing with today.

In the half century since the Federal Aid Highway Act of 1916, almost a million miles of highways have been constructed with Federal funds.

The total length of the U.S. road network now exceeds 3½ million miles.

This nearly incredible roadbuilding program has opened every corner of our country to its people.

Running through the spectacular American countryside, our road system should be a source of inspiration, education, and recreation for every traveler.

But too many of our roads are not pathways bordered by the panorama of America's magnificent natural beauty.

Frequently our highways have been reduced to blighted corridors between billboards which obstruct the traveler's view and mock the glory of the countryside.

The creeping cancer of roadside advertising has made a huge and garish wasteland of many of our Nation's highways.

My own State of Connecticut has been a leader in taking action to preserve the beauty along its roads and to further the safety of its motorists by preventing the erection of distracting roadside signs.

Prominent both in Connecticut and in the Nation in championing the cause of the motorist for safety and beauty has been Connecticut's highway commissioner, Mr. Howard S. Ives. The State of Connecticut and the entire Nation owes him a debt of gratitude for his constant efforts to secure safer and more beautiful highways.

In Connecticut's Legislature this year, Representative William Shea, minority leader of the house of representatives, introduced a bill to authorize the highway commissioner to acquire real estate along State highways to preserve the natural beauty of the Connecticut countryside.

In view of Connecticut's progress in highway beautification and my own long-standing concern, I was very pleased this spring when the President's Conference on National Beauty recommended legislation which represented a dynamic and bold step forward to preserve America's beauty for ourselves and for our posterity. That Conference proposed legislation to stem the creation of new roadside blights and to reduce the existing obstructions and hazards created along many of our Nation's highways by signs and billboards.

Many of the Conference's proposals were incorporated in the bill which the distinguished junior Senator from West Virginia [Mr. RANDOLPH] introduced on June 3 of this year and which we are considering today.

But a funny thing happened to that bill on its way to the Senate floor. To my great dismay, many of the suggestions of the President's conference were deleted by the committees which considered the Randolph bill.

I consider the form of the bill which was reported to the Senate for action to be totally inadequate to answer the problems the Nation faces, if we are to preserve at least a part of the beauty along our national highways.

And were I not assured that a number of amendments will be added to the bill today to strengthen it, I could not vote for the bill.

I will vote for every amendment which will strengthen this bill and make it more effective.

I want to serve notice, however, that even if this bill is strengthened, I intend to give its final form the closest scrutiny.

If it does not meet the crying need for effective control of advertising along our highways, I will introduce a brand-new bill in the next session of Congress to see that such control is created.

An essential part of our national heritage is the beauty with which God endowed this continent. For too long we have stood aside while the manmade blights along our road system have become the vicious destroyers of this heritage.

It is very late in the day for us to begin, by passing this legislation, to preserve at least a portion of the national landscape for the millions who are born each year in America.

The only people who oppose this legislation are the few commercial interests who have a stake in plowing up and scarring the roadside of America to plant their advertising posters.

The only people who will benefit by this legislation are the other 190 million Americans and the hundreds of millions who will come after us.

The public deserves protection of America's beauty.

The public demands an end to roadside blight.

I intend to see that they have it.

Mr. MANSFIELD. Mr. President, that concludes the consideration of the pending business for today.

Mr. WILLIAMS of Delaware. Mr. President, I offer the amendment which I send to the desk. I ask that it be read and that it be made the pending business for tomorrow.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 13, between lines 17 and 18, insert the following:

"(k) (1) For the purposes of this section effective control also means that notwithstanding the provisions of subsection (f), after January 1, 1968, no sign or display shall be allowed if such sign or display may be construed as promoting the Federal Government or any of its departments, agencies, programs, projects, or expenditures.

"(2) The Secretary shall immediately request all States to remove as soon as practicable all signs and displays which will be in violation of this subsection after January 1, 1968."

On page 13, line 18, strike out "(k)" and insert in lieu thereof "(1)".

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this evening, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SYMINGTON ON THURSDAY MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning prayer tomorrow, the distinguished Senator from Missouri [Mr. SYMINGTON] be recognized for 20 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF THE FEDERAL AID HIGHWAY SYSTEMS

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal aid highway systems.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks which will be delivered tomorrow morning by the distinguished Senator from Missouri on the subject of the dollar outflow, there be a time limitation on the highway beautification bill as follows: 2 hours on each amendment, to be equally divided between the sponsor of the amendment and the manager of the bill or some Senator whom he may designate; and 4 hours on the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, September 16, 1965, during the further consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from West Virginia [Mr. RANDOLPH]: *Provided*, That in the event that he is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 4 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.

ASSATEAGUE ISLAND NATIONAL SEASHORE, MARYLAND AND VIRGINIA

Mr. BIBLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 20.

The PRESIDING OFFICER (Mr. MONDALE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 20) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia and for other purposes, which was, to strike out all after the enacting clause and insert:

That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent

thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A, November, 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

Sec. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal, and which is located in Maryland or Virginia. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes or for hunting purposes, as hereinafter provided, for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner: *Provided*, That such use and occupancy shall be subject to general rules and regulations established by the Secretary with respect to the outward appearance of any buildings on the lands involved. The term "improved property" as used in this Act shall mean (1) any single-family residence the construction of which

was begun before January 1, 1964, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxent Bay, including the offshore bay islands adjacent thereto, that is used chiefly for hunting and continues in such use: *Provided*, That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

Sec. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than \$1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such lands, or interests therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such lands, or interests therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interests therein, and upon payments of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost of the United States of such protection work.

Sec. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

Sec. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore: *Provided further*, That nothing in this Act shall add

to or limit the authority of the Federal Government in its administration of Federal laws regulating migratory waterfowl. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87-714; 76 Stat. 653).

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each privately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

SEC. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protec-

tive works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.

SEC. 10. The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore and shall pay for such facilities an amount to the cost of constructing such facilities less depreciation.

SEC. 11. There are hereby authorized to be appropriated the sum of not more than \$16,250,000 for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under this Act.

Mr. BIBLE. Mr. President, the matter under consideration is whether or not the Senate should concur in the House amendments to S. 20, the bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

Most of the amendments are minor in character, but there are two that should be commented on. The first has to do with the construction of a road through the seashore area. The Senate-passed bill provides for construction through wildlife area on the Virginia end of the island and continuing through the seashore to connect with the Sandy Point-Assateague Bridge in Maryland. The House amended this section by providing for two separate roads and leaves the selection of the route to the Secretary of the Interior. This could very well mean that the ultimate recommendation will be for a very expensive bridge, road, and causeway running north from the town of Chincoteague. When funds are requested for construction of the road, I expect, as a member of the Appropriations Committee, to examine carefully into the proposal. I trust that the Park Service will be able to substantially justify whatever their recommendation may be.

Following its usual custom, the Senate Committee on Interior and Insular Affairs wrote into the bill an authorization limitation on both land acquisition and development costs. Both bodies agree that \$16,250,000 should be sufficient to acquire the properties. The House did, however, remove the \$7,765,000 that was authorized for development and provided an open authorization for this purpose. The reasoning behind the deletion was that no one had made a study of the cost of the road and this expenditure had

not been included in the \$7,765,000. This, too, is a matter that the Appropriations Committee should and will give careful consideration.

It is rather obvious that it is impossible to give an estimate at this early date of the ultimate cost, so it seems to me that the House position on the deletion of the development ceiling is a correct one, because the subject will be under constant survey by the Committees on Appropriations as appropriations are made from year to year during the 5-year development program.

Mr. President, after conferring with Senator ROBERTSON, of Virginia and Senators BREWSTER and TYDINGS, of Maryland, and finding that they are satisfied with the measure that passed the House, I move that the Senate concur in the House amendment to S. 20, the bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia.

The motion was agreed to.

Mr. TYDINGS. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. TYDINGS. I commend the distinguished Senator from Nevada for the diligence and expertise which he has brought to bear in assisting my senior colleague from Maryland [Mr. Brewster] and myself and the other members of the Maryland delegation in steering to successful final passage the bill which the Senate has just passed, to create the Assateague Island National Seashore Park.

This is highly important legislation. The preservation of this beautiful natural seashore will mean much to all who live in the eastern section of the United States. The manner in which the Senator from Nevada persevered in the consideration of this piece of legislation, even though the area to be benefited by the Assateague Seashore Park will be far from his native State, is deeply appreciated by my distinguished senior colleague from Maryland, by me, and by every other Marylander. We wish to thank the Senator from Nevada for his efforts in obtaining the passage of the bill, for his most valuable assistance in preserving Assateague Island from spoliation, for his assistance in making the dream of an Assateague Island National Seashore Park a living reality?

Mr. BIBLE. Mr. President, I appreciate those sentiments. I am happy that the committee of which I am honored to be the chairman was unanimous in reporting the bill.

We all recognize the great need to preserve some of these beautiful areas, particularly in the great population centers, where it is more difficult and expensive to preserve them.

The creation of this seashore park has really been too long delayed, and I am delighted that we have been able to make the progress that we have accomplished.

Mr. BREWSTER. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. BREWSTER. Mr. President, on September 10, 1963, I introduced a bill

to establish a national seashore on Assateague Island, Md. Today, September 15, 1965, that bill has just come before the Senate for final action prior to Presidential signature.

In testimony before the House and Senate committees, and in many speeches here on the floor of the Senate, I have, over the past 2 years, described the recreational potential of this barrier reef. I have pointed out that Assateague's wide, sloping beach, clear water, mild climate, and extensive marshland, rank it among the finest places in the world for swimming, surfing, boating, camping, fishing, and hunting.

I have emphasized that Assateague's accessibility to the great population centers of Baltimore, Washington, Wilmington, and Philadelphia, make the development of Assateague for the recreational needs of these great urban centers, a prudent investment of the public money.

Mr. President, the bill which is before us for final action today is the embodiment and distillation of the most careful study by a host of governmental and private groups, officials, and citizens. It has been the subject of hearings at the local, State, and Federal level. It has been amended and improved upon at every stage.

Just a few weeks ago, the House Committee on the Interior added the final touches, making language changes and clarifications which met with the wholehearted approval of the bill's congressional sponsors and the members of the Senate committee.

The prompt reporting of the final version of this bill to the floor of the Senate is the work of the distinguished chairman of the subcommittee on parks and recreation, the senior Senator from Nevada [Mr. BIBLE].

Mr. President, on behalf of my colleagues in the House and Senate who sponsored this legislation, on behalf of the State of Maryland; on behalf of hundreds of thousands of Maryland citizens, the citizens of States adjacent to my own, and the millions of Americans the length and breadth of this land, let me say "thank you" to the senior Senator from Nevada [Mr. BIBLE] and to the other Members of his subcommittee, who have so nobly spearheaded recent efforts to preserve and protect the natural beauties of our land.

The record of dedicated service, sincere interest, and forthright action which the Senator from Nevada and the other Members of the committee have made in recent years in the conservation of priceless American resources is a record which will remain for all to see. Every American living today and every American which follows will have reason to be grateful and appreciative of their statesman-like conduct in discharging the responsibilities of your high office.

Mr. President, the public acquisition of Assateague Island, now authorized by the Congress, guarantees that each resident of Worcester County and every American, will be forever free to enjoy the beauties or profit from the proximity of this new park.

Today, Assateague is the largest undeveloped seashore between Cape Cod and Cape Hatteras. Tomorrow, it will rival both in attracting visitors from every State.

Mr. President, this island has been a precious, but neglected, possession. Its preservation and protection required bold thinking and bold action. Final approval today represents the culmination of years of effort by many of us to preserve this wild island for our citizens.

I am confident that every American, caught up in a growing megalopolis, will appreciate the foresight and determination of the many citizens and officials who have devoted themselves to this cause.

Mr. President, it is appropriate that the record bear the names of Secretary Udall; Governor Tawes; every Member of the Maryland congressional delegation; Mr. Joseph Kaylor of the Bureau of Outdoor Recreation; my legislative assistant, Ellery Woodworth; Mr. Claude Callegary, and Mr. Porter Hopkins, of the Citizens Committee for the Preservation of Assateague Island.

In the effort which we have been making as individuals, we enjoyed the support of distinguished conservationists and conservation groups—of the Maryland Wildlife Federation, the Maryland Farm Bureau, the Maryland State Division of the Izaak Walton League, the General Federation of Women's Clubs, and the National Council of State Garden Clubs. We have also had the unswerving support of newspapers, television, and radio stations who sought to assist us in the protection of the public interest.

To these people and to the thousands of Maryland citizens who have helped us, I want to say a deep and sincere "thank you." We have all worked hard for this day, but I am confident that our children and our children's children—this generation and the next—will be grateful for our thoughtful and timely action.

Mr. BIBLE. Mr. President, I thank the Senator from Maryland. It was a worthwhile project, and the hearings were most helpful.

Mr. President, I yield the floor.

AMENDMENT TO THE RAILROAD RETIREMENT ACT OF 1937

Mr. PELL. Mr. President, I ask unanimous consent that House bill 10874, an amendment to the Railroad Retirement Act of 1937, be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a bill (H.R. 10874) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce spouses' annuities by the amount of certain monthly benefits, to increase the base on which railroad retirement benefits and taxes are computed, and to change the rates of tax under the Railroad Retirement Tax Act, which, without objection, will be read twice by title.

The bill was read twice by its title.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. PELL. Mr. President, the House passed a bill, H.R. 3157, on June 7, 1965, which would have eliminated the restriction placed on railroad retiree's spouses denying them the right to collect their full spouse's benefits under the Railroad Retirement Act in addition to any benefits under social security due them in their own right.

In light of a provision in the recently enacted Social Security Amendments of 1965 relating to the administration of the hospital insurance program, it was necessary to amend H.R. 3157 to increase the taxable wage base under railroad retirement from \$5,400 to \$6,600 per year. The Senate debated this proposal fully and passed the bill as amended by a vote of 88 to 0, on September 1, 1965.

During the course of the Senate debate, the Senator from Louisiana [Mr. Long] raised a point of order with regard to the constitutionality of the amendment to H.R. 3157. His view was that the amendment was a revenue-raising measure originating in the Senate and thus violative of article I, section 7 of the U.S. Constitution which delegates such authority to the House.

It was pointed out by myself and the Senator from Oregon [Mr. Morse] that the Senate clearly has the constitutional authority to initiate measures which may incidentally raise revenue in pursuit of some broader objective. There is ample precedent for such action by the Senate, and the U.S. Supreme Court has upheld this authority in two cases which I cited during the course of that debate—*Twin City Bank v. Nebeker*, 167 U.S. 196, and *Millard v. Roberts*, 202 U.S. 429.

The Senate sustained our position by rejecting the point of order, 41 to 44.

Now we have before us H.R. 10874, a clean bill introduced after the Senate's action on H.R. 3157, which embodies all of the provisions of the latter plus provisions to reduce the tax rate assessed against railroad employers and employees. This would reduce the financial impact on both parties of raising the taxable wage base. In fact, reducing the tax rate by the amount this new bill does, will save both parties \$10.7 million in the last quarter of 1965—before the wage base raise becomes effective. This is a sound compromise which will benefit all concerned, and as such, I urge its adoption in this body. I am particularly concerned, because of the time factor, that we act quickly so as to meet the statutory deadline of October 1 in order to allow the Railroad Retirement Board to administer the hospital insurance program with regard to railroad retirees.

Mr. President, my desire to act favorably on H.R. 10874 at this time, should in no way be construed as a change in my position respecting the authority in the Senate to initiate measures which may incidentally raise revenue in the furtherance of their main purpose. We do have that authority, and any action that we may take on H.R. 10874, does not have any bearing upon that issue. As the then majority leader, Mr. John-

son, of Texas, stated with regard to a similar measure on May 5, 1959:

In my mind there is no doubt about the constitutional power of the Senate to initiate such a measure. The Supreme Court has long held that the Senate can initiate and can pass general legislation which contains, as an incidental feature, a revenue provision.

I am in complete accord with that view.

Mr. President, I urge passage of this measure.

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

Mr. PELL. I yield.

Mr. DOMINICK. Mr. President, I shall be very brief. I took the position during the process of debate on the point of order about whether a point of order was legitimate, that the bill itself was dead unless that point of order was sustained.

Having served in the House, I know how jealous Representatives are of their prerogative on these tax-raising and tax-lowering measures. At least to that effect, I am proved right.

The point as to whether it is constitutional or unconstitutional because it originated in the Senate has not yet been decided. The bill was rejected by the House and the House sent back to the Senate a new bill.

I am delighted that the bill will pass shortly.

I introduced a companion bill in the Senate originally. I have worked on it and fought for it. The measure is designed to try to take care of the particular needs and deficits in the law regarding spouses of railroad employees.

The measure will cure the defect. It will also do, as I understand it, what the railway labor association wants, which is to raise the taxable base sufficiently so that the administration of the medicare provisions will be under its jurisdiction.

We have a rather reasonable compromise, even though the tax rate over a period of 4 years will go back to where it is now and the burden on the employee and the employer will be much higher at that point.

During the interim period, there will be opportunity for adjustment. I am happy that the bill will pass in this manner. I thank the Senator.

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

Mr. PELL. I yield.

Mr. MORSE. Mr. President, I extend once more to the Senator from Rhode Island [Mr. PELL] my compliments for the manner in which he has carried this legislation through to the point of final enactment tonight. He has done an exceptionally fine job.

As a result of his perseverance, we are now about to pass a bill that will greatly improve the retirement benefits for railroad workers and for their spouses.

Mr. President, what we are doing tonight is, in effect, somewhat similar to what we did back in 1959 when I was chairman of the Subcommittee on Railroad Retirement. We then passed a bill in the Senate. Some question was raised as to whether we had the constitutional

power to pass the bill. Some of us pointed out then that the so-called revenue features were incidental and subsidiary, and we made our constitutional argument then.

The Senator from Rhode Island has already pointed out that the now President of the United States, who has been the majority leader of the Senate of the United States, took the position that there was no transgression on the constitutional prerogative of the House of Representatives so far as the revenue-raising legislative features in article I, section 7, of the Constitution are concerned.

A few days ago the constitutional issue was raised again in the Senate in connection with the bill that was passed by the Senate. I joined the Senator from Rhode Island [Mr. PELL] and others in taking the position that we had the constitutional authority to pass the legislation in the form in which we passed it. That question was put to the Senate for a vote by the Presiding Officer of the Senate. The Senate sustained the position that those of us took who held that we had the constitutional authority to pass the bill.

The House has now done pretty much what it did back in 1959, analogously, and now it sends to us a new bill, in effect, with some modifications of the Senate bill. However, the modifications do not in any way detract from the objectives of the original Pell bill.

I believe that it is a fair adjustment of the differences between the two bodies in regard to the substantive legislative features of the two bills.

I am very much in support of our agreeing, as the Senator from Rhode Island now proposes, to accept the substance of the House bill.

Mr. President, the pages of the CONGRESSIONAL RECORD that we are now making in this debate will be read for some years to come. They will be read whenever there is raised again the question as to whether a bill that is passed by the Senate has, as an incidental characteristic or provision thereof, some revenue feature that might conceivably be in violation of the Constitution of the United States and an encroachment upon the prerogatives of the House of Representatives.

The Supreme Court in the cases that I cited the other day made perfectly clear what the answer to the constitutional question really is. Neither the Morse bill of 1959 nor the Pell bill of 1965 violates that section of the Constitution. Therefore, I would have the legislative history on this bill tonight be crystal clear that, when we adopt the bill now offered to the Senate by the House and recommended by the chairman of our Subcommittee on Railroad Retirement, we establish no precedent that would estop the Senate from passing similar bills in the future, as the Morse bill of 1959 or the Pell bill of 1965. I believe that this is very important from the standpoint of legislative history.

All we are voting on tonight is the substantive features of the House bill as it compares with the substantive features

of the Senate bill, which has come to be known as the Pell bill. Our vote does not represent, to any degree whatsoever any concession on the part of the Senate as to its jurisdictional right to pass such legislation as the Morse bill of 1959 and the Pell bill of 1965, insofar as the constitutional provisions are concerned in respect to the requirement that revenue raising bills shall originate in the House of Representatives.

When we have a bill of which the major characteristic is not revenue raising, but the so-called revenue aspects are subsidiary, incidental, and subordinate thereto, there is no violation of the constitutional prerogatives of the House. I wish that made crystal clear so far as the senior Senator from Oregon is concerned, who is a member of the subcommittee that is so ably presided over by the Senator from Rhode Island [Mr. PELL].

I have made this argument before, citing the precedents and the cases in support of the position which I have now again enunciated. In order to save the time of the Senate, I ask unanimous consent that the debate of the other day on the Pell bill, prior to the vote of the Senate on the constitutional question, be printed in the RECORD at this point.

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

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD RETIREMENT TAX ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate that unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is H.R. 3157.

The Senate resumed the consideration of the bill (H.R. 3157) amending the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act.

Mr. PELL. Mr. President—

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. MANSFIELD. Mr. President, if the Senator will yield without losing his right to the floor, I suggest the absence of a quorum.

Mr. PELL. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LONG of Louisiana. Mr. President, I feel it necessary to make the point of order that the pending Senate amendment is a tax amendment on a nonrevenue bill. Since the Constitution requires that all revenue measures must originate in the House of Representatives, and since Senators by their oaths are sworn to uphold the Constitution, the Senate is clearly forbidden to originate a tax measure.

As the ranking majority member of the Committee on Finance, I am well aware—and it has been the experience of the committee—that the House of Representatives has consistently refused even to consider a tax measure that originated in this body, so much so that I do not recall an instance, during the period of my membership, when the Senate has even made an effort to originate a tax bill.

The pending measure is a House bill, but is not a revenue bill.

Mr. PELL. The bill is not yet before the Senate.

Mr. LONG of Louisiana. I am sorry; I thought the bill was before the Senate.

Mr. President, I ask that the bill be laid before the Senate.

The PRESIDING OFFICER. The bill is before the Senate.

Mr. PELL. The bill is before the Senate? I misspoke.

Mr. LONG of Louisiana. Then, Mr. President, I wish to make the point of order that the bill came to the Senate as a bill which was not a tax bill. The pending Senate amendment to the bill is a major tax amendment, and it is clearly unconstitutional for the Senate to attach a tax provision to a bill which is not a tax bill. To do so would be in violation of our oaths.

Mr. President, this question has been considered before in both the House of Representatives and the Senate. From my study of the precedents, it is clear—and I have discussed the question with the Parliamentarians of both the House of Representatives and the Senate—that inasmuch as revenue bills must originate in the House of Representatives, a bill providing for a tax must be a revenue bill when it comes to the Senate, and the Senate cannot convert a nonrevenue bill to a revenue bill. For the Senate to attach a tax provision to simple legislation that has nothing to do with revenue when it comes from the House of Representatives is not condoned.

Therefore, I am constrained to make the point of order that this amendment is unconstitutional.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. Is the point of order subject to discussion?

The PRESIDING OFFICER. Under the uniform practices of the Senate for more than 100 years, the Chair has no authority to pass upon points of order as to the constitutionality of a proposal. Those are questions for the Senate to determine. Therefore, the Chair submits to the Senate the question whether or not, under the Constitution, the Senate has a right to consider this amendment, or whether the point of order is well taken. The question, of course, is debatable.

Mr. PELL. Mr. President, first I ask unanimous consent that during the consideration of H.R. 3157, Mr. David Schreiber and Mr. Charles McLaughlin, of the office of the General Counsel of the Railroad Retirement Board, be granted the privilege of the floor, as has been the custom in previous years.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PELL. Mr. President, I recognize, as the Senator from Louisiana [Mr. Long] has pointed out, that article I, section 7, of the Constitution of the United States provides:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills."

First, I submit that the amendment to H.R. 3157, which would raise the taxable wage base under the Railroad Retirement Act from \$450 to \$550 a month, is incidental to the main purpose of the bill, which is to grant benefits to the spouses of railroad retirees.

In fact, in the annotated copy of the Constitution, which all Senators have, and which was prepared by the legislative reference service, I note the statement that only bills to levy taxes in the strict sense of the word are comprehended by the phrase "all bills raising revenue." Bills for other purposes which incidentally create revenues are not included. As an example, a case is cited wherein a bill which provided that the District of Columbia should raise by taxation and pay to designated railroad companies a

specific sum for the elimination of grade crossings and the construction of the union railroad station did not have to originate in the House of Representatives.

Other cases decided by the Supreme Court are in point: In *Twin City Bank v. Nebeker*, a case dealing with a tax on bonds used to secure the national currency, the Court held that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.

The purpose of this amendment is corollary to the purpose of the bill, and my principal objective is to provide some method for maintaining the deficit in the Railroad Retirement Fund at a tolerable level. Without this amendment, the deficit will rise to approximately \$62 million per year; with it, we can reduce the deficit to about \$24 million.

Mr. President, at this point, I ask unanimous consent to have printed in the RECORD a brief concerning the case I have already cited, *Twin City Bank v. Nebeker*. Another case, too, is cited; that of *Millard v. Roberts*.

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

"EXCERPT FROM THE DECISION OF THE U.S. SUPREME COURT IN THE CASE OF TWIN CITY BANK V. NEBEKER, 167 U.S. 196

"The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that 'all bills for raising revenues shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills' (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.

"The case is not one that requires either an extended examination of precedents, or a full discussion as to the meaning of the words in the Constitution, 'bills for raising revenue.' What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word and are not bills for other purposes which may incidentally create revenue. (P. 202.)"

"EXCERPT FROM THE DECISION OF THE U.S. SUPREME COURT IN THE CASE OF MILLARD V. ROBERTS, 202 U.S. 429

"The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the

House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention the case of *Twin City Bank v. Nebeker*, 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bill shall be said to be 'bills for raising revenue' within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, 'that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.' (1 Story on Constitution, sec. 880.) And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:

"The tax was a means of effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government."

"This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act (pp. 436-437)."

Mr. PELL. Mr. President, a further point I wish to raise is that any money raised by this amendment does not go into the General Treasury, but rather goes to a special railroad retirement fund. Revenue is defined in Webster's New International Dictionary as:

"The annual or periodical yield of taxes, excise, customs, duties, rents, etc., which a nation, State, or municipality collects and receives into the treasury for public use; public income of whatever kind."

Insofar as the funds that would be raised by this amendment are for a private pension fund, I do not see any constitutional prohibition against its origination in the Senate.

Finally, I submit that from the viewpoint of precedent, we have already passed legislation similar to this; that in 1959 the Senate originated a raise in the base of the taxable income, passed it, and sent it to the House, which changed it to a House number but passed a bill in identical form, including a misplaced comma, and sent it back to the Senate.

At that point, various Senators rose to deplore the action of the House, and to defend the constitutionality of the original action of the Senate, including the then majority leader, Senator Johnson, of Texas, and including the present majority whip, the Senator from Louisiana [Mr. Long] and other Senators.

For these reasons, Mr. President, I submit that we are within our rights in passing this amendment as a method to keep the system fiscally sound, which it certainly is not at this time.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President—

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, in view of the fact that the chairman of the Subcommittee on Railroad Retirement—on which I am privileged to be a member—has made reference to the action in this body of May 5, 1959, in regard to the railroad retirement bill of that year, S. 226, I wish to discuss that precedent briefly.

Enactment by the Senate on May 5, 1959, of S. 226, provided for increases in tax rates under the Railroad Retirement Tax Act to cover the additional benefits provided by the bill. A House companion bill had been reported to, but not enacted by the House. The House reported bill was approved by the House Committee on Interstate and Foreign Commerce, but was unacceptable to railroad labor because the House approved bill failed to provide sufficient revenue and contained other unacceptable provisions. When the satisfactory Senate bill S. 226 reached the House floor, it was adopted by the House in substitution for the House reported bill. No constitutional question was raised by the House, at that time.

It was known, however, that President Eisenhower would veto the bill; and it was also known that if the bill were vetoed on its merits, the veto would be overridden by both Houses of Congress—at least, that was the belief.

It was feared, however, that if the President were to veto the bill because it had a Senate number, some Members of the House might be inclined into following the position of accepting the veto. To avoid this, a Member of the House moved, a few days later, to vacate the previous House action, and then moved to strike from the House-reported bill all after the enacting clause and insert in lieu thereof the Senate provision. This was done, and the enacted bill with a House number was reenacted by the Senate on May 5, 1959.

At that time I was chairman of the subcommittee of the Senate on railroad retirement occupying the same position which the Senator from Rhode Island [Mr. PELL] occupies today.

The majority leader was the Senator from Texas, Mr. JOHNSON. The majority leader and I thought that the whole procedure was unnecessary from the standpoint of parliamentary requirement. Nevertheless, we agreed to go along with it, because our objective was to get the bill passed.

I believe it is important that there be read into the RECORD at this time—because I believe it is of controlling and precedential value—the discussion which took place at that time, because in my judgment, if S. 226 on May 5, 1959, was not unconstitutional, the bill before us today is not unconstitutional.

For all intents and purposes, the substantive objectives are the same.

I read from the RECORD of May 5, 1959, starting on page 7472:

"AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937

"Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 5610, to amend the Railroad Retirement Act.

"The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

"The LEGISLATIVE CLERK. A bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

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

"The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, which was read the first time by title and the second time at length.

"Mr. JOHNSON of Texas. Mr. President, if I may have the attention of the Senator from Oregon [Mr. MORSE], let me say that the House passed, on May 4, H.R. 5610, which

amends the Railroad Retirement Act. H.R. 5610 is identical with Senate bill 226, which was passed by the Senate on April 29, and which had been reported by the Senator from Oregon [Mr. MORSE].

"The House adopted every line, every word, every punctuation mark in the Senate bill—including a misplaced quotation mark.

"I am informed that the House took that action because the bill contained a revenue feature, inasmuch as the bill increases the rate of tax on employers and employees under the railroad retirement system. However, the tax-increase provision is only one of many changes effected by the bill in the railroad retirement law.

"Senate bill 226, as passed by the Senate, is not primarily a tax measure. The increase in tax is only part of a bill which is designed to provide much-needed increases in the benefits under the act. In my mind, there is no doubt about the constitutional power of the Senate to initiate such a measure. The Supreme Court has long held that the Senate can initiate and can pass general legislation which contains, as an incidental feature, a revenue provision. The case of *Millard v. Roberts*, decided in 1906, is specific on this point. The annotated constitution, compiled by Professor Corwin, contains numerous citations in support of this view.

"I have conferred with the distinguished chairman of the subcommittee who handled the bill, the Senator from Oregon [Mr. MORSE]. It is our conclusion that we do not wish to quibble over the matter; we are primarily concerned with sending this proposed legislation to the President at an early date. In our judgment, the power of the Senate to initiate and to dispose of proposed legislation such as Senate bill 226 is clear and beyond any doubt; and we do not intend to delay the taking of final action on this matter by arguing the procedural question. It is far more important to the railroad workers that such a bill be passed and go to the President and be signed by him into law, rather than that there be long argument over the question of whether the bill bear a House bill number or a Senate bill number.

"So, Mr. President, after conferring with the Senator from Oregon and other members of the committee, I urge immediate Senate consideration of House bill 5610, which is identical in every respect with Senate bill 226, which was passed by the Senate on April 29, I believe, by unanimous vote.

"Mr. President, I yield now to the Senator from Oregon, so that he may make whatever comments he desires to make, and that then the Senate may perhaps take action on the bill.

"Mr. MORSE. Mr. President, the majority leader has explained the reason why there has been some confusion in regard to railroad retirement legislation. In my judgment, he has stated the law accurately. There is no question about the fact that it was within the province of the Senate to initiate such proposed legislation and to pass it. I quite agree with the Senator from Texas that we should proceed to re-pass the bill, this time in the form of House bill 5610.

"In making legislative history on the bill, our obligation is to make sure that no question at all in regard to the legislative process can be raised successfully by anyone in any future litigation.

"Mr. President, until yesterday we had thought a conference would be necessary in order to resolve a difference between the bill which was passed by the Senate—Senate bill 226, the Morse bill—and the bill which was passed last Wednesday by the House—House bill 5610.

"Yesterday, however, the House passed a new bill, numbered H.R. 5610, with language identical to that of the Morse bill, Senate bill 226, as passed by the Senate.

"It is much to be desired that the Senate now pass House bill 5610, and thus permit a railroad retirement bill to reach the White House as soon as possible. In urging that the Senate take this action, I assure this body that such action by it will merely reaffirm the action the Senate took last week in passing Senate bill 226.

"Mr. JOHNSON of Texas. Mr. President, I yield to the minority leader first. Then I shall yield to the Senator from Louisiana [Mr. LONG].

"Mr. DIRKSEN. Mr. President, I think we had some discussion of this matter when the bill first came up in the Committee on Labor and Public Welfare. I did not feel there was any doubt whatsoever that the Senate had authority to consider this bill originally and send it to the House. I do indeed concur in the opinion expressed by the majority leader; but, in the interest of felicity as between the two Houses, if this is what it takes in order to expedite action, certainly I have no objection.

"Mr. LONG. Mr. President—
"Mr. JOHNSON of Texas. I yield now to my friend from Louisiana.

"Mr. LONG. Mr. President, as one of those who greatly admire the majority leader, I hope he is not going to permit the House, in matters of this sort, continually to downgrade the Senate. This type of procedure can hardly be more than an excuse for the House to claim to be the author of legislation by acting first. If the House had proceeded expeditiously, it could have acted first on this measure, rather than second, as it has. Then the Senate might properly be denied credit for being the body of Congress to act first on this bill. The Senate is already bound in a number of ways when the House insists, unreasonably in some instances, on having its way. For example, the Senator from Louisiana has several times sponsored legislation involving veterans insurance, which the House has failed to consider because of objection on the part of a single Member of the House.

"I urge the majority leader to see that the responsibilities, duties, and powers of the Senate are maintained. I hope he will try to do something about it, as time goes on, so that the House will act reasonably in such matters.

"Mr. JOHNSON of Texas. I appreciate the remarks of the Senator from Louisiana. I shall do all I can, in a constructive manner, to see that the responsibilities of the Senate are recognized. In this instance I do not agree with the way the House has acted, but I do not see that there is any good purpose to be served by further quibbling and delay, and I certainly do not want to emulate the action of the House in this instance.

"Mr. President, if we can get action on this bill—

"The PRESIDING OFFICER. The bill is open to amendment.

"If there be no amendment to be offered the question is on the third reading of the bill.

"The bill was ordered to a third reading and was read the third time.

"The PRESIDING OFFICER. The question is, Shall the bill pass?

"The bill was passed.

"Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

"Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

"The motion to lay on the table was agreed to."

That is chapter No. 1 in my argument, Mr. President. I now turn to chapter No. 2.

We now deal directly with the constitutional question raised in 1959 and raised today, in 1965. The chairman of the subcommittee has already referred to the short legal brief that has been prepared in support of the position that the bill before the Senate

is constitutional, and that it does not violate the Constitution in the sense that it violates the provision that requires that revenue-raising measures must originate in the House.

The chairman of the subcommittee, in citing this brief, calls attention to the U.S. Supreme Court case of *Twin City Bank v. Nebeker*, 167 U.S. 196. I read these excerpts from the decision of the Supreme Court. The Court said:

"The contention in this case is that the section of the act of June 3, 1864, providing a national currency secured by a pledge of U.S. bonds, and for the circulation, and redemption thereof, so far as it imposed a tax upon the average amount of the notes of a national banking association in circulation, was a revenue bill within the clause of the Constitution declaring that 'all bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills,' (art. 1, sec. 7); that it appeared from the official Journals of the two Houses of Congress that while the act of 1864 originated in the House of Representatives, the provision imposing this tax was not in the bill as it passed that body, but originated in the Senate by amendment, and, being accepted by the House, became a part of the statute; that such tax was, therefore, unconstitutional and void, and that, consequently, the statute did not justify the action of the defendant.

"The case is not one that requires either an extended examination of precedents, or a full discussion as to the meaning of the words in the Constitution, 'bills for raising revenue.' What bills belong to that class is a question of such magnitude and importance that it is the part of wisdom not to attempt, by any general statement, to cover every possible phase of the subject. It is sufficient in the present case to say that an act of Congress providing a national currency secured by a pledge of bonds of the United States, and which, in the furtherance of that object, and also to meet the expenses attending the execution of the act, imposed a tax on the notes in circulation of the banking associations organized under the statute, is clearly not a revenue bill which the Constitution declares must originate in the House of Representatives. Mr. Justice Story has well said that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue."

Continuing, Mr. President, I call the attention of the Senate to an excerpt from the decision of the U.S. Supreme Court in the case of *Millard v. Roberts*, 202 U.S. 429. It is a case that the majority leader of the Senate in 1959, Mr. Johnson, alluded to. The Court said:

"The first contention of appellant is that the acts of Congress are revenue measures, and therefore, should have originated in the House of Representatives and not in the Senate, and to sustain the contention appellant submits an elaborate argument. In answer to the contention, the case of *Twin City Bank v. Nebeker*, 167 U.S. 196, need only be cited. It was observed there that it was a part of wisdom not to attempt to cover by a general statement what bills shall be said to 'bills for raising revenue' within the meaning of those words in the Constitution, but it was said, quoting Mr. Justice Story, 'that the practical construction of the Constitution and the history of the origin of the constitutional provision in question proves that revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue' (1 Story on Constitution, sec.

880). And the act of Congress which was there passed on illustrates the meaning of the language used. The act involved was one providing a national currency, and imposed a tax upon the average amount of the notes of a national banking association in circulation. The provision was assailed for unconstitutionality because it originated in the Senate. The provision was sustained, this Court saying:

"The tax was a means for effectually accomplishing the great object of giving to the people a currency that would rest, primarily, upon the honor of the United States and be available in every part of the country. There was no purpose, by the act or by any of its provisions, to raise revenue to be applied in meeting the expenses or obligations of the Government."

"This language is applicable to the acts of Congress in the case at bar. Whatever taxes are imposed are but means to the purposes provided by the act."

Without taking the time to read the memorandum, I ask unanimous consent that another memorandum be inserted in the RECORD which discusses this constitutional question, citing additional cases, not only the *Nebeker* case and the *Roberts* case, but citing also the House of Representatives in regard to this matter.

There is a series of precedents, even from the House, which recognize that in a situation such as this, it is not a revenue bill, because the so-called tax or revenue features are not controlling, but incidental thereto.

I have no doubt that the Senator from Rhode Island is right when, as chairman of the subcommittee, he asks the Senate to sustain the bill on constitutional grounds.

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

"MEMORANDUM: THE SENATE COMMITTEE'S AMENDMENT TO H.R. 3157 DOES NOT INFRINGE ON THE PREROGATIVE OF THE HOUSE TO ORIGINATE REVENUE MEASURES

"It is well established by both judicial and legislative precedents that measures originating in the Senate whose general purpose is within the jurisdiction of the Senate do not violate the prerogative of the House if they incidentally raise revenue, especially if the revenue raised is not for the general support of the Government but for a specific purpose related to the general purpose of the measure.

"Article 1, section 7 of the Constitution provides: 'All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.'

"Justice Story, in his 'Commentaries on the Constitution,' traced the origin of article 1, section 7 to the British Parliamentary system where tax revenue measures, there known as 'money bills,' could originate only in the House of Commons. The House of Lords could only oppose or concur with tax legislation initiated in the House of Commons.

"In defining the term 'bills for raising revenue,' Justice Story states: '... the practical construction of the Constitution * * * [a]nd, indeed the history of the origin of the power already suggested abundantly proves that it has been confined to bills to levy taxes in the strict sense of the words, and has not been understood to extend to bills for other purposes, which may incidentally create revenue' (1 Story on the Constitution, sec. 880).

"Precedents of the Supreme Court

"Justice Story's definition of a 'bill for raising revenue' under article 1, section 7 of the Constitution has been adopted by the Supreme Court and has been used by it as the measuring stick in each of the cases coming before the Court involving an interpretation of that constitutional provision.

"For example, in *United States v. Norton*, 91 U.S. 569, 23 L. ed. 454 (1876), the issue arose as to whether the act creating the postal money order system was a bill to raise revenue, under article 1, section 7. The contention was made that it was a bill to raise revenue since it provided that the Postmaster General was authorized to use a part of the moneys collected to pay post office employees.

"The Supreme Court, however, applying Justice Story's definition of what constituted a bill for raising revenue, rejected the contention. The Court reasoned that since the primary purpose of the act was not to raise revenue, indeed Congress showed 'a willingness to sink money, if necessary, to accomplish that purpose,' the act was not 'made for the direct and avowed purpose of creating revenue or public funds for the service of the Government,' and was, therefore, not a bill to raise revenue within the meaning of article 1, section 7.

"In *Twin City National Bank v. Nebeker*, 167 U.S. 196, 42 L. ed. 134 (1897), a contention was made that the act providing for a national currency was unconstitutional since that part of the act which imposed a tax upon the amount of notes held by a national banking association was originated in the Senate and the tax amounted to a bill to raise revenue under article 1, section 7.

"The Court, however, after setting forth Justice Story's definition of a revenue bill, found that the act in question was not a bill to raise revenue despite the provision for the levying of a tax. The Court stated (167 U.S. at 202):

"The main purpose that Congress had in view was to provide a national currency based upon U.S. bonds, and to that end it was deemed wise to impose the tax in question. The tax was a means of effectually accomplishing the great object of giving the people a currency that would rest, primarily, upon the honor of the United States, and be available to every part of the country. There was no purpose by the act or by any part of its provisions to raise revenue to be applied in meeting expenses or obligations of the Government."

"In *Millard v. Roberts*, 202 U.S. 429, 50 L. ed. 1090 (1906), the Senate initiated an act which required certain railroads to eliminate grade crossings and to construct a railroad depot. A sum of money was to be paid to the railroads to be raised by the levy of a tax on the property of area residents. The Court, relying on its decision in *Twin City National Bank v. Nebeker*, *supra*, held that the tax did not convert the act into a bill to raise revenue. The Court concluded, 'Whatever taxes are imposed are but means to the purposes provided by the act' (202 U.S. at 437).

"Precedents of the House of Representatives

"1. On March 29, 1922, a motion was made on the floor of the House that a bill authorizing the extension of time for payment of a debt incurred by Austria be sent to the Ways and Means Committee on the ground that it was a bill to raise revenue.

"The Speaker decided that the bill was not one to raise revenue as defined in article 1, section 7, and stated:

"The best definition the Chair has seen is in the 13th of Blatchford, where the court says:

"... 'Certain legislative measures are unmistakably bills for raising revenue. These impose taxes upon the people either directly or indirectly, or lay duties, imports, or excise for the use of the Government, and to give to the persons from whom the money is exacted no equivalent in return, unless in the enjoyment in common with the rest of the citizens of the benefit of good government.'"
(8 Cannon's Precedents of the House of Representatives, sec. 2278 (1936)).

"2. On May 4, 1922, the Speaker was called upon to decide whether a bill banning the importation of narcotics was a revenue bill since it also had provision for the raising of revenue. The Speaker decided that the bill was not a revenue bill stating:

"The Chair concludes that it is not privileged; that while [the bill] relates to revenues, yet that that is incidental; that the main purpose of the bill is not to raise revenue; and that therefore it is not privileged' (8 Cannon's Precedents of the House of Representatives, sec. 2279 (1936)).

"3. On December 18, 1920, the Speaker was called upon to decide whether a Senate resolution reviving the activities of the War Finance Corporation constituted a revenue bill. During the ensuing debate a Member of the House stated:

"[Article I, section 7 of the Constitution] provides that bills for the purpose of raising revenue shall originate in the House of Representatives. It does not provide that laws which take the effect and which will have the effect either of raising revenue or producing a deficit shall originate in the House * * * No one can tell whether the passage of this resolution, if it shall be carried out in the spirit of the resolution, will produce revenue or produce a deficit. But everyone knows that the purpose of the law is not to produce revenue' (6 Cannon's Precedents of the House of Representatives, sec. 315 (1936)).

"The Speaker decided that such questions were for the House rather than the Speaker, and the House voted that the bill was one which the Senate could originate.

"Applying these precedents specifically to the Senate committee's amendment to H.R. 3157, it would appear that no serious question arises concerning the infringement of the House prerogative to originate revenue measures.

"Although the Railroad Retirement Tax Act is a part of the Internal Revenue Code, the proceeds derived from it are devoted exclusively to the payment of benefits under and the expenses of administering the Railroad Retirement Act; no part of the proceeds is devoted to general revenue purposes.

"In the early years of the railroad retirement system it was the practice to appropriate annually to the railroad retirement account the estimated proceeds of the Railroad Retirement Tax Act, and to make adjustments in subsequent appropriations to correct any inaccuracy in the estimates.

"However, by title V of Public Law 452, 82d Congress, 2d session, 1952, it was provided that there is appropriated:

"For annual premiums after June 30, 1952, to provide for the payment of all annuities, pensions, and death benefits, in accordance with the provisions of the Railroad Retirement Acts of 1935 and 1937, as amended (45 U.S.C. 228-228s), and for expenses necessary for the Railroad Retirement Board in the administration of said acts as may be specifically authorized annually in appropriation acts, for crediting to the railroad retirement account, an amount equal to amounts covered into the Treasury (minus refunds) during each fiscal year under the Railroad Retirement Tax Act (28 U.S.C. 1500-1538)."

"This is a standing appropriation to the railroad retirement account that operates in each subsequent fiscal year; annual appropriations are then made from the account (not from general funds) for administrative expenses.

"Thus it has been established by law that the Railroad Retirement Act and the Railroad Retirement Tax Act are integral parts of a single insurance system. They are as closely related as the premium clauses and the benefit clauses of an insurance policy. When the House passes a bill that enlarges the insurance protection it necessarily opens up for consideration the question of the

adequacy of the premium to cover the insurance benefits as so enlarged. In this instance the House chose to enlarge the deficit by enlarging the benefits without enlarging the premium. It would be indefensibly restrictive of the jurisdiction of the Senate to say that it is foreclosed from giving consideration to and possibly making amendments of the premium provisions to deal with the deficit in a different way.

"The indefensibility of such a restriction upon the Senate is well illustrated by the facts before the Senate Committee on Labor and Public Welfare in its consideration of H.R. 3157. That these facts motivated the amendment adopted by the committee appears clearly from the committee report (S. Rept. 645, 89th Cong., 1st sess.). These facts are:

"1. The enlargement of benefits provided by the bill introduced an additional cost estimated at \$14 million per year without any premium to cover these costs;

"2. The railroad retirement system was already currently incurring an actuarial deficit equivalent to a level of about \$20 million per year.

"3. After the passage of H.R. 3157 by the House and before its consideration by the Senate committee, Congress had enacted the social security amendments of 1965 (Public Law 89-97). The social security amendments had a far-reaching effect on the financing of the railroad retirement system:

"a. By reason of certain minimum and maximum provisions in the Railroad Retirement Act that are contingent upon the provisions of the Social Security Act, many railroad retirement benefits were automatically increased;

"b. By reason of the railroad retirement tax rates being contingent upon the social security tax rates the scheduled railroad retirement tax rates prior to 1973 were reduced with a consequent reduction in income;

"c. By reason of the increase in the social security maximum taxable wage base to \$6,600 per year the railroad retirement account would be adversely affected in the interchange of funds between the two systems so long as the railroad retirement maximum taxable wage base remained at \$450 per month (\$5,400 per year);

"d. Congress made provision for the administration of the medicare program so far as railroad employees are concerned by the Railroad Retirement Board, but to become effective only if and when the railroad retirement monthly tax base should be the equivalent of one-twelfth of the social security annual tax base.

"Financially, the effect of the social security amendments was to enlarge the pre-existing deficit and the additional deficit to be created by H.R. 3157 by an additional \$28 million per year.

"To deny to the Senate the jurisdiction to consider and legislate in light of these events, largely supervening House passage of the bill, is to deny to the Senate jurisdiction to legislate intelligently.

"Under any such restrictive jurisdiction the only courses open to the Senate in its consideration of H.R. 3157 would be to accept the enlargement of the deficit, even though it might consider the enlargement of the deficit unwise, or to reject the enlargement of benefits because it was unwilling to enlarge the deficit.

"Furthermore, it is inherent in the structure of the railroad retirement system that the maximum limit of taxable compensation is also the maximum limit of creditable compensation for benefit purposes. Certainly no one can deny that the Senate has jurisdiction to originate increases in the maximum compensation creditable for benefit purposes. But that jurisdiction would as a practical matter be also effectively negated if it lacked jurisdiction to increase the corre-

sponding base in the Railroad Retirement Tax Act."

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD another memorandum dealing with the facts of the bill itself.

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

"MEMORANDUM: COMPARISON OF CARRIERS' INCREASED RAILROAD RETIREMENT TAX LIABILITIES UNDER H.R. 3157, AS AMENDED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, WITH SCHEDULED INCREASES IN TAX LIABILITY PRIOR TO 1965 LEGISLATION

"Under the present maximum taxable and creditable compensation base of \$450 per month (\$5,400 per year) in the railroad retirement system the level projected taxable payroll is \$4.3 billion per year. If the monthly maximum base is increased to \$550 (\$6,600 per year), as proposed in H.R. 3157 as amended by the Senate committee, the level projected taxable payroll becomes \$4.775 billion per year, an increase of \$475 million.

"Under present provisions of the Railroad Retirement Taxing Act scheduled increases in the tax rate are contingent upon increases in the social security tax rate. By reason of scheduled increases in the social security tax rate in effect prior to the 1965 amendments of the Social Security Act (Public Law 89-97) the railroad retirement tax rate was scheduled to increase by one-half of 1 percent each on carriers and employees on January 1, 1966, and by another one-half of 1 percent on each beginning January 1, 1968. These scheduled increases in tax rates would have increased the carrier tax obligations, based on a \$4.3 billion taxable payroll, by \$21.5 million per year in 1966 and another \$21.5 million in 1968, or a total of \$43 million.

"However, the Social Security Amendments of 1965 have reduced the 1966 and 1968 scheduled increases in the social security tax rate, and thereby automatically reduced the increases in the scheduled railroad retirement tax rate, with the consequence that the railroad retirement tax rate in 1966 will be 8.35 percent each on carriers and employees as compared with the previously scheduled 8.625 percent, and in 1967 and 1968 will be 8.4 percent as compared with the previously scheduled 9.125 percent in 1968.

"If the tax rate increases scheduled under the law as it stood at the beginning of this year had not been changed by the social security amendments, and the present \$450 monthly base were also retained the carrier tax liability for 1968 would be \$392.375 million. The carriers, by seeking to retain the present base despite the reduction in scheduled rates are trying to reduce that liability to \$361.2 million, and thus pay \$31.175 million less than they had been scheduled to pay.

"By contrast, if the new reduced rate is applied to the increased taxable payroll that would result from increasing the base to \$550 per month their liability in 1968 would be \$401.1 million, i.e., only \$8.725 million over the \$392.375 million they were already scheduled to pay.

"The decrease in scheduled social security tax rates, and the consequent decrease in scheduled railroad retirement tax rates, was made possible only by the fact that the social security tax base was increased to \$6,600 per year. In objecting to an increase in the railroad retirement tax base to the same level as the social security base, the carriers are seeking to avail themselves of the lower rate made possible by an increased base without paying on the increased base.

"The foregoing figures are exclusive of the cost of medicare. In this connection it

should be observed that during the last preceding Congress, and without change of position during the present Congress, the railroad managements agreed with the railway labor organizations that railroad employees should participate equally with other employees in the benefits of whatever medicare program might be enacted. At the time of this agreement it was generally believed that the medicare program would cost employers and employees each one-half to three-quarters of 1 percent of taxable payroll. The actual scheduled cost under Public Law 89-97 is 0.35 percent of payroll in 1966 and will not exceed three-quarters of 1 percent until 1987. This reduction below anticipated rates is likewise made possible by increasing the taxable wage base to \$6,600 per year."

Mr. Morse. Mr. President, one who has those memoranda, he has all that is needed to support my argument that we are dealing with a matter which, under the precedents of the Supreme Court and the precedents of the House itself, raises no constitutional question.

Mr. Long of Louisiana. Mr. President, the Senator from Oregon made reference to arguments I made myself involving this general problem. I made that argument after hearing the statement by the then majority leader, Mr. Johnson, in the very case the Senator from Oregon is citing as a precedent, but said that where the Senate originated a bill inserting a tax, the House declined to send the bill back to the Senate, but, instead, passed its own bill, sent that bill to the Senate, and the Senate passed that bill. The very case the Senator from Oregon cites, including my statement, shows that the House should act first.

If the Senator from Oregon is right in what he says, the Finance Committee would have had a right to originate the social security bill and the medicare bill. The Senate Finance Committee agreed so strongly to the contrary that our chairman and the committee declined to hold hearings on that bill until the House acted and sent the Senate a bill.

This year, in this session, the Senate sent to the House a bill, S. 1734, to conserve and protect domestic fisheries. In connection with that bill the Senate imposed a 50 percent tax to protect fisheries.

The House sent the Senate back a blue sheet, which in polite language stated that the bill "in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States, and is an infringement of the privileges of this House, and that the said bill be respectfully returned to the Senate." That is what happened.

The Senate sent back a polite message to the effect that this was not correct procedure and "here is your bill back." The House returned the bill, which it had a perfect right to do.

This particular measure imposes a tax of about \$90 million. In my opinion, that involves much more than incidental revenue.

I am not arguing about the necessity of the tax. It may well be necessary to have it, and that we will do it in due course.

When revenues are to be raised, those measures should originate in the House. The Senate Committee on Finance sometimes has to wait 3 months for the House to send to the Senate revenue bills so the Senate may act on them. Religiously and respectfully, the Finance Committee respects the House of Representatives in respect to the Constitution; and circumspect as we are, we feel we should show the same consideration and insist on the same consideration for others who have the same responsibility we have.

Mr. President, this matter was discussed with the policy committee. After we discussed it, it was agreed that a point of order would be made by the policy committee on this side of the aisle.

This Senator, as a ranking member of the Finance Committee, as well as being a member of the policy committee, believes it to be his responsibility and duty to do so, but I do not stand alone.

I hope the Senate will stand with those of us who take this view on revenue bills, in connection with a bill which is not a revenue bill, both in connection with the precedents laid down, which have already been mentioned—and even the Senator's case which he cites as a precedent sustains that position—and will consider the House's point of view that this is a tax on a nonrevenue bill.

Mr. Morse. Mr. President, I wish to reply briefly to the point made by my friend the Senator from Louisiana. I am completely lost in his maze of comments concerning the action taken on May 5, 1959, as being a precedent for his present position. I read every word spoken on the floor of the Senate on May 5, 1959. It was perfectly obvious that the Senate did not take the position that the House had a constitutional right to originate this particular measure. The language of the Senator from Louisiana makes it crystal clear that that was not the position he took on May 5, 1959. On the contrary, the Senator was for leaving the Senate bill. He suggested to the majority leader that we should not go along with the objections because, in the view of the Senator from Louisiana, that would be downgrading the Senate.

In May 5, 1959, the Senator from Louisiana thought the railroad retirement bill was set out in the proper framework of a Senate bill and he was for passing the Senate bill, not the House bill.

The point was raised in that debate very clearly that the Senate did not recognize any constitutional right of the House to originate all those bills in the first instance. It was perfectly clear from the statements of the then majority leader, Mr. Johnson, the chairman of the subcommittee which handled the railroad retirement bill, the senior Senator from Oregon, and the minority leader, that we were not going to take the House bill on any constitutional right of the House, but because we recognized the parliamentary realities that confronted the Senate, and that we had a better chance of getting the bill on the books. But there is no precedent, by the slightest stretch of the imagination, in the May 5, 1959, case, that there was any admission on the part of the Senate that the House had the constitutional right to originate the bill. This was what we call accommodation between the two Houses. There was no waiver of the right of the Senate to originate the legislation. That is perfectly clear.

Let me say if that action is a precedent—it does not have the slightest relevancy, but if the Senate did agree in May 1959, to do that—it does not rewrite the Constitution of the United States.

We cannot amend the Constitution of the United States by decreeing on the floor of the Senate that a bill is a revenue bill. That is a question of law.

All the Senate did was to parliamentarily accommodate the House of Representatives on May 5, 1959, in order to have a railroad retirement bill passed. The chairman of the Railroad Retirement Committee and Mr. Johnson, the then-majority leader of the Senate, and Mr. Dirksen, as the minority leader of the Senate agreed among themselves that that would be an appropriate parliamentary procedure to follow.

Let the senior Senator from Oregon state again for the Record, because it will be read 10, 15, 20 years from now, that not a word can be found in the May 5, 1959, Record of any admission on the part of the Senate that it had encroached upon the power of the House of Representatives in that it had initiated a revenue bill.

To the contrary, it was our position that it was not a revenue bill within the meaning of

article I, section 7 of the Constitution of the United States, referred to by Justice Story in the Nebeker case, from which I have already quoted at length.

There is before the Senate the clear issue of whether or not the Senate is going to send the bill back to committee, or to some other committee, or refuse to take action on it because of a point of order, because we have said once again, acting as "Justices of the U.S. Supreme Court" that article I, section 7 of the Constitution of the United States would be violated thereby.

Let us face up to the issue. If there is any real question about the constitutionality of the bill, let us pass it and let the Supreme Court decide it. I tell Senators, in my judgment, the decision that will be rendered. There will be an even briefer decision than Justice Story rendered in the Nebeker case. The Court will dismiss it in a paragraph or two, unless it recites the Nebeker case and also the Roberts case, at the time the leader of the Senate referred to when the position was taken on May 5, 1955, that a constitutional question was not involved.

It is my opinion—and every Senator is entitled to his opinion—that this adds up to a parliamentary maneuver to avoid a decision on the substantive merits of the amendment. I am ready to vote on the substantive merits of the amendment. I am perfectly willing to vote on the substantive merits because I am satisfied the bill is constitutional.

I have great respect for my colleagues in the Senate, but I prefer to walk a few steps from the Senate of the United States to that great cathedral of justice, the U.S. Supreme Court building, for constitutional rulings.

I am satisfied what that ruling would be if the bill were passed, and whether or not the Senate, in passing it, acted constitutionally.

The Supreme Court will render a decision that the so-called tax features of the bill are incidental thereto and do not constitute a revenue measure in the sense that a revenue measure must originate in the House.

Mr. Long of Louisiana. I do not quarrel with the Senator on this matter.

If he had a different interpretation of the Constitution than I hold, when it says revenue bills shall originate in the House, so far as I am concerned, that applies to the \$90 million tax. He is entitled to his opinion, and I am entitled to my opinion. A Senator should vote to uphold the Constitution of the United States. I do not have to vote for something I think is unconstitutional and rely upon the Supreme Court to tell me I did an unconstitutional act and save me from my own mischief.

If I believe it is wrong I should abide by my oath. That is my judgment.

The Senator said that it did not create a precedent for what we are doing here. I heard the majority leader say that we had not done an unconstitutional act. The House took the attitude that we had. Having proceeded to say that we had not done anything unconstitutional, we then proceeded to act as though we had. We passed the House bill. The House bill was enacted into law and signed by the President. We went along with the argument of the House on the House contention that we had done something unconstitutional. We said, in effect, that we had not done something unconstitutional, but said to the House, in effect, "Even so, we will do it your way."

So far as the merits of the amendment are concerned, what we are talking about here is a matter of increasing the tax base and increasing the tax on the working people and on the railroads. It means that the average workingman would have to pay \$10 a month more to get the benefits of the medicare proposal that we added to the

social security bill, which was passed recently. Am I stating the situation correctly?

Mr. PELL. That is not completely correct. The tax would be paid half and half by the railroad industry and by those workers who earn more than \$450 a month. It would not cover hospital care through railroad retirement or social security. There would be, however, other benefits.

Mr. LONG of Louisiana. Would it cover medical benefits?

Mr. PELL. It would not.

Mr. LONG of Louisiana. In any event, this is a major tax increase. It is something that we can take care of later in the session or next year. It ought to be considered in connection with a revenue bill. The bill before us is not a revenue bill. I hold in my hand another bill, which the House in all propriety, in my judgment, based on the precedents that have been in effect in the time that I have been a Senator, declined to consider. The bill concerns fisheries. We imposed a tax, and the House politely sent the bill back to us.

I am sure the Senator would not say that the House took the wrong attitude. The House of Representatives has consistently acted in this fashion, at least while I have been a Member of the Senate. There is that precedent even in the 1959 debate, to which reference has been made. The House sent S. 1734 back to us with a polite note, rejecting it.

Mr. PELL. In this connection there should be printed in the RECORD a letter from the Executive Office of the President, Bureau of the Budget, addressed to the committee which says:

"We are opposed to this measure, as is the Railroad Retirement Board. However, we understand that you have introduced an amendment to this bill which would equate the wage base of the railroad retirement system to that of the social security system. We believe this provision is desirable not only because it will assist in keeping the railroad retirement and social security systems in step but because it will assist in maintaining the financial soundness of the railroad retirement system. We hope that this provision will receive favorable consideration by your committee."

I ask unanimous consent to have printed in the RECORD at this point the entire letter from the Bureau of the Budget.

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

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,

Washington, D.C., August 31, 1965.

HON. CLAYBORNE PELL,
Chairman, Subcommittee on Railroad Retirement, Committee on Labor and Public Welfare, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Your committee has under consideration H.R. 3157, a bill "To amend the Railroad Retirement Act of 1937, to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits."

We are opposed to this measure, as is the Railroad Retirement Board. However, we understand that you have introduced an amendment to this bill which would equate the wage base of the railroad retirement system to that of the social security system. We believe this provision is desirable not only because it will assist in keeping the railroad retirement and social security systems in step but because it will assist in maintaining the financial soundness of the railroad retirement system. We hope that this provision will receive favorable consideration by your committee.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for
Legislative Reference.

Mr. PELL. That is the administration's views on the merits. Why would it not be appropriate to let the bill be passed, without our being the judge of its constitutionality, and let the House politely decide the question?

Mr. LONG of Louisiana. We ought to pass on the question ourselves. We ought to exercise our own best judgment. We have a responsibility, just as the House has its responsibility. We should discharge our own responsibility.

The PRESIDING OFFICER. The Chair submits the question to the Senate as to whether the Senate, under the Constitution, has the right to consider this amendment, or whether the point of order is well taken on H.R. 3157, an act to amend the Railroad Retirement Act.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LONG of Louisiana. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. The pending question, as I understand, is the point of order raised by the Senator from Louisiana [Mr. LONG], that the pending legislation is unconstitutional because of the allegation that it violates article I, section 7 of the Constitution, which prescribes that revenue measures shall originate in the House.

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Therefore, a vote of "nay" against the point of order will be a vote to sustain the constitutionality of the pending proposal offered by the Senator from Rhode Island [Mr. PELL]. Is that correct?

The PRESIDING OFFICER. A vote of "nay" would dispose of the point of order, and the amendment would continue to be before the Senate for action. A vote of "yea" would sustain the point of order, and the proposal would be removed from the Senate.

Mr. MORSE. I respect the Chair's language, but I respectfully say it means the same thing that I said.

Mr. MILLER. I point out that in the committee report on page 2, the committee states:

"There is now an actuarial deficit in the financing of the railroad retirement system of about \$20 million a year, and Public Law 89-97 (approved July 30, 1965) will add about \$28 million to the deficit, bringing it to a total of about \$48 million a year on a level basis. The enactment of the bill H.R. 3157 would add to this deficit about \$14 million a year, bringing the total deficit to about \$62 million a year on a level basis."

On page 3 of the committee report this statement appears:

"By reason of such increase in the taxable compensation base, the railroad retirement taxable payroll would be about \$4.8 billion a year, and the additional tax income to the system would be about \$87 million a year. About \$39 million of this amount would be applied to reducing the \$62 million deficit to about \$23 million."

Mr. President, in view of that language, it seems to me that to say the financing features or the tax features of the bill are incidental is not being realistic at all. They are very substantial. I shall support the point of order made by the distinguished Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. MCGEE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Minnesota [Mr. MCCARTHY], the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], and the Senator from New York [Mr. KENNEDY] are necessarily absent.

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Ohio [Mr. YOUNG]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Ohio would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Wyoming would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORRISON] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Utah [Mr. BENNETT] and the Senator from Nebraska [Mr. HRUSKA] are detained on official business.

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Maryland [Mr. BREWSTER]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Maryland would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Kentucky [Mr. MORRISON]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Kentucky would vote "nay."

The yeas and nays resulted—yeas 41, nays 44, as follows:

[No. 246 Leg.]

YEAS—41

Allott, Bartlett, Bass, Byrd of West Virginia, Carlson, Cotton, Curtis, Dirksen, Dominick, Eastland, Ellender, Ervin, Fannin, Fong, Hickenlooper, Hill, Holland, Inouye, Jordan of North Carolina, Jordan of Idaho, Long, of Louisiana, Mansfield, McClellan, Miller, Mundt, Murphy, Pearson, Prouty, Randolph, Russell of South Carolina, Russell of Georgia, Scott, Simpson, Smathers, Smith, Sparkman, Stennis, Symington, Talmadge, Tower, Williams, of Delaware.

NAYS—44

Alken, Anderson, Bayh, Bible, Boggs, Burdick, Cannon, Case, Clark, Cooper, Dodd, Douglas, Gruening, Harris, Hart, Hartke, Hayden, Jackson, Javits, Kennedy of Massachusetts, Kuchel, Long of Missouri, Magnuson, McGovern, McIntyre, McNamara, Metcalf, Mondale, Monroney, Montoya, Morse, Moss, Muskie, Nelson, Neuberger, Pastore, Pell, Proxmire, Ribicoff, Thurmond, Tydings, Williams of New Jersey, Yarborough, Young of North Dakota.

NOT VOTING—15

Bennett, Brewster, Byrd of Virginia, Church, Fulbright, Gore, Hruska, Kennedy

of New York, Lausche, McCarthy, McGee, Morton, Robertson, Saltonstall, Young of Ohio.

The PRESIDING OFFICER (Mr. MOSS in the chair). The point of order is not well taken and is dismissed.

Mr. PELL. Mr. President, I move that the vote by which the point of order was not well taken and was dismissed be reconsidered.

Mr. PASTORE and Mr. MANSFIELD moved that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President—

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, the bill H.R. 3157, now under consideration by this body, would change the Railroad Retirement Act so that payment of an annuity to a spouse of a retired railroad employee could be made in the full amount even though she is at the same time entitled to monthly benefits under the Railroad Retirement Act or Social Security Act derived from her own employment. The present law requires a reduction in the spouse's annuity by the amount of benefits derived from her own employment, as well as by the amount of certain other benefits to which she may be entitled. The spouse's annuity is the only benefit under the Railroad Retirement Act which cannot now be paid in full concurrently with other benefits under the Social Security and Railroad Retirement Acts, although in the past there were others. The discriminatory provisions against spouses should be removed.

The change in the law as to spouse's annuities would, of course, increase the costs of the railroad retirement system. It is estimated that the added costs of this change would be about \$14 million a year on a level basis. When H.R. 3157 passed the House in June of this year, there was a deficit on a long-range actuarial basis in the financing of the system of about \$20 million a year. A deficit in this amount is considered to be within the range of actuarial tolerance, and the system was regarded as being in a satisfactory financial condition. Since that time, Public Law 89-97, the Social Security Amendments of 1965, has been enacted. The changes in the Social Security Act will have the effect of increasing certain direct financial benefits under the Railroad Retirement Act and will add an estimated \$28 million a year to the costs of the system, increasing the deficit to about \$48 million a year.

With a deficit of this amount, the railroad retirement system is now in an unsatisfactory financial condition and the additional costs of the effect of this bill on spouse's annuities would cause the financial conditions to be considerably worse. The deficit would then be approximately \$62 million a year. The system cannot, of course, endure in an unsatisfactory financial condition.

The committee is cognizant of the fact that the situation cannot be corrected unless additional revenue is obtained. It, therefore, amended the bill to change the limit on creditable and taxable compensation for the railroad retirement system from the present flat \$450 a month to an amount equal to one-twelfth of the limit on annual taxable wages for the social security system. As we know, the annual taxable wage base for social security has been raised to \$6,600 from \$4,800, an increase of \$1,800 a year. The effect of the amendment would be to raise the base for the railroad retirement system to \$550 a month from the present \$450, an increase of the equivalent of only \$1,200 a year.

The increase in the base will provide additional benefits for those railroad employees

whose earnings exceed \$450 a month and who will have to pay additional tax amounts. Those employees, who do not earn over \$450 a month, will pay no additional taxes and will gain no credits toward higher benefits.

The increase in the compensation base will reduce the deficit from the projected \$62 million a year to approximately \$24 million a year. The railroad retirement system would then be in a satisfactory financial condition. It is estimated that the change in base would produce an additional \$87 million a year in the tax income. Over one-half of this amount, \$48 million, would be required to pay the additional benefit amounts and the remainder, \$39 million, would apply to the reduction of the deficit.

As I have indicated, the problem cannot be solved without legislative action. Tax revenue to the system can be increased only by increasing the taxable wage base, or by raising tax rates. A rate increase would have a harsh impact, particularly on employees with low earnings. Their tax amounts would be increased and they would get no additional benefits; Congress, to my knowledge, has never increased social insurance taxes without an accompanying increase in benefit amounts.

In the financing of the recent improvement of social security benefits, the Congress has relied principally on an increase in the wage base for the increase in tax rates was relatively slight.

Tax rates for the railroad retirement system are, under existing law, automatically geared to the tax rates for the social security system, although the railroad rates are approximately twice as large. Therefore, the increases in the social security tax rates will be reflected in the railroad retirement rates. There is not now a coordination as to the earnings base. Historically, the railroad retirement base has always, except for a few months in the late 1950's, equaled or exceeded the social security base. It is also significant that even with the change, a substantially lower percentage of gross railroad earnings would be taxable than was the case when the system was first established, and the monthly base was only \$300.

The increase in the railroad retirement tax base will, of course, add to the taxes of railroad companies, but the larger increase in the social security tax base will also add to the taxes for companies in industry covered by the social security system.

Finally, it is to be noted that if there is a difference in the taxable wage law, those under railroad retirement or compared with those under social security, then the hospital insurance program would be administered by the Social Security Administration rather than by the Railroad Retirement Board as would be the case if this amendment were adopted.

In reporting this bill, it is recognized that benefits will accrue to those workers who pay the additional tax. Under the heading of "Conclusion," on page 5 of the report, it is stated:

"It is further recognized, because of the matching contribution of industry and labor, that those workers earning more than \$450 per month and living more than 5 years after retirement will receive more than they have paid into the railroad retirement fund. This will naturally be a factor bearing on any future decisions in labor-management negotiations."

Mr. DOMINICK. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I appreciate the courtesy of the Senator from Rhode Island in yielding to me. As he well knows, the original bill on this proposal was introduced by me, so far as the Senate is concerned. It was a companion bill to one introduced by Representative HARRIS, of Arkansas, in the House

of Representatives, which passed without this amendment.

My interest, at the time I introduced the bill, was to try to do something about the existing inequities so far as a specific class of railroad employees' spouses are concerned, in that they have their railroad retirement reduced by social security while their spouse is still alive, and yet they get both amounts when one of them has died.

It seems to me that this is wrong. This is the reason we included it in the bill. The bill passed the House, as I recall, almost unanimously, in a form without any taxation being added to it at all.

Mr. President, I suggest that the action which has just been taken by the Senate may easily result in the defeat of the entire bill, because I am positive that the House will not absorb this degree of autonomy by the Senate over what the House considers to be its private reserve.

Therefore, I believe that serious trouble lies ahead, so far as the future of the bill is concerned.

I intend to vote for it, because this was my original bill. I voted against the Pell amendment in subcommittee. I voted against it again on the floor. I am still going to vote for the bill, in the hope that we can get something out of conference. Perhaps, if the House remains adamant, we can show the Senate that if it is going to do anything for the spouses, it had better take the bill in the original draft as it was first introduced.

Mr. President, we are dealing with economic benefits which will accrue to 41,000 persons. Many of them will disappear as time goes on, which is inevitable to all of life, so that the drain on the retirement fund, which has been mentioned over and over again, will progressively decrease as time goes on.

It has already been stated that it would be 4 years before we really had to worry about retirement funds in any way whatsoever. Therefore, it seems to me, for us to take the position that we must move now, so far as railroad retirement funds are concerned is quite premature.

This assumes that Congress would not do anything after full hearings before the proper committee, in order to take care of the problem, if we presented it to them.

Thus, we are taking an action with the wrong committee, insofar as revenues are concerned, even within the Senate, not speaking of the fact that it comes from the wrong House.

I appreciate the Senator from Rhode Island yielding to me so that I may make these points, which I believe are important. They should be included in the RECORD. All Senators should know that the action taken in the Senate today may easily result in the inevitable defeat of the bill, if the Senate is refusing to move, and if the House will refuse to move—as I am sure it will.

AMENDMENT NO. 388

Mr. HARTKE. Mr. President, I call up my amendment No. 388, and ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment is as follows:

"On page 1, line 8, strike out 'Sec. 2. This Act' and insert '(b) This section'.

"At the end of the bill, add the following:

"TITLE III COVERAGE OF TIPS

"Sec. 301. (a)(1) Subsection (a) of section 3202 of the Internal Revenue Code of 1954 (relating to deduction of tax from compensation) is amended by adding at the end thereof the following new sentence: "An employer who is furnished by an employee a written statement of tips (received in a

calendar month) pursuant to section 6053(a) to which paragraph (3)(B) of section 3231 (e) is applicable may deduct an amount equivalent to such tax with respect to such tips from any compensation of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than \$20."

"(2) Such section 3202 is amended by adding at the end thereof the following new subsection:

"SPECIAL RULE FOR TIPS.—

"(1) In the case of tips which constitute compensation, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month (or, if paragraph (3) applies, the 30th day following the quarter) in which the tips were deemed paid, by deducting the amount of the tax from such compensation of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2) as are under control of the employer.

"(2) If the tax imposed by section 3201, with respect to tips which are included in written statements furnished in any month to the employer pursuant to section 6053(a), exceeds the compensation of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee may furnish to the employer on or before the 10th day of the following month (or, if paragraph (3) applies, on or before the 30th day of the following quarter (an amount of money equal to the amount of the excess.

"(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

"(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053(a) in any quarter of the calendar year,

"(B) to determine the amount to be deducted upon each payment of compensation (exclusive of tips) during such quarter as if the tips so estimated constituted actual tips so reported, and

"(C) to deduct upon any payment of compensation (other than tips), but including funds turned over by the employee to the employer pursuant to paragraph (2) to such employee during such quarter (and within 30 days thereafter) such amount as may be necessary to adjust the amount actually deducted upon such compensation of the employee during the quarter to the amount required to be deducted in respect of tips included in written statements furnished to the employer during the quarter.

"(4) If the tax imposed by section 3201 with respect to tips which constitute compensation exceeds the portion of such tax which can be collected by the employer from the compensation of the employee pursuant to paragraph (1) or paragraph (3), such excess shall be paid by the employee."

"(b) (1) The second sentence of subsection (e) (1) of section 3231 of the Internal Revenue Code of 1954 (relating to definition of compensation for purposes of the Railroad Retirement Tax Act) is amended by inserting "(except as is provided under paragraph (3))" after "tips".

"(2) Subsection (e) of such section 3231 is further amended by adding at the end thereof the following new paragraph:

"(3) Solely for purposes of the tax imposed by section 3201 and other provisions

of this chapter insofar as they relate to such tax, the term 'compensation' also includes cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than \$20."

"(3) Such section 3231 is further amended by adding at the end thereof the following new subsection:

"(h) TIPS CONSTITUTING COMPENSATION, TIME DEEMED PAID.—For purposes of this chapter, tips which constitute compensation for purposes of the tax imposed under section 3201 shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received."

"(c) Section 3402(k) of such Code is amended (A) by inserting "or section 3202(c) (2)" after "section 3102(c) (2)" wherever it appears therein and (B) by inserting "or section 3202(a)" after "section 3102(a)" wherever it appears therein.

"(d) Section 6053(b) of such Code (relating to reporting of tips) is amended (1) by inserting "or section 3201 (as the case may be)" after "section 3101", and (2) by inserting "or section 3202 (as the case may be)" after "section 3102".

"(e) Section 6652(c) of such Code (relating to failure to report tips) is amended (1) by inserting "or which are compensation (as defined in section 3231(e))" after "which are wages (as defined in section 3121(a))", and (2) by inserting "or section 3201 (as the case may be)" after "section 3101".

"(f) (1) Subsection (h) of section 1 of the Railroad Retirement Act of 1937 is amended (A) by inserting "(1)" after "(h)", (B) by inserting in the second sentence thereof "(except as is provided under paragraph (2))" after "tips", and (C) by adding at the end thereof the following new paragraphs:

"(2) Solely for purposes of determining amounts to be included in the compensation of an individual who is an employee (as defined in subsection (b)) the term 'compensation' shall (subject to section 3(c)) also include cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is less than \$20.

"(3) Tips included as compensation by reason of the provisions of paragraph (2) shall be deemed to be paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received."

"302. The amendments made by this title shall apply only with respect to tips received by employees after 1965."

Mr. HARTKE. Mr. President, this amendment is one which came to my attention as a need in order to maintain the parallels between social security and railroad retirement. It came to my attention too late for consideration by the committee in connection with H.R. 3157, but I believe it is a worthy change and one which is needed in the light of action taken in the Social Security Amendments Act. It does just one thing; namely, secures for tip employees of the railroads the same treatment of their tips for retirement purposes as that which is now accorded tip employees in the social security law. That is, it allows dining car employees, porters, and those relatively few employees of the railroads who receive tips to furnish the employer with a statement of those sums thus received in a calendar month. The employer then deducts the tax required, and the employee receives credit in his payments for the additional earnings represented by the tips. As in the case of the social security law, there is no payment made by the employer.

The numbers of persons thus affected is small in relation to total railroad employment, but for each of them the opportunity to count tips as wages for retirement purposes should be extended just as we have done to hotel and restaurant workers and others under social security.

I have talked with the Associate General Counsel of the Railroad Retirement Board, and he informs me that the Board has no objections. Neither do the railroad unions as represented by the Railway Labor Executives Association, and since the employers do not under this bill acquire additional financial obligations, I do not believe they have objections.

Consequently, Mr. President, I would like to ask that the committee accept this amendment, so that equity may be maintained in this small area of employment where tips are received.

Mr. PELL. Mr. President, I congratulate the Senator from Indiana on his amendment. It is excellent. I accept the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

Mr. MORSE. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

The committee amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

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

The VICE PRESIDENT. The bill having been read the third time the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll. The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. MCGEE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from New York [Mr. KENNEDY], and the Senator from Minnesota [Mr. MCCARTHY] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. MORTON] and the Senator from Massachusetts [Mr. SALTONSTALL] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 247 Leg.]

YEAS—88

Aiken, Allott, Anderson, Bartlett, Bass, Bayh, Bennett, Bible, Boggs, Brewster, Burdick, Byrd of Virginia, Byrd of West Virginia, Cannon, Carlson, Case, Clark, Cooper, Cotton,

Curtis, Dirksen, Dodd, Dominick, Douglas, Eastland, Ellender, Ervin, Fannin, Fong, Gruening, Harris, Hart, Hartke, Hayden, Hickenlooper, Hill, Holland, Hruska, Inouye, Jackson, Javits, Jordan of North Carolina, Jordan of Idaho, Kennedy of Massachusetts, Kuchel, Long of Missouri, Long of Louisiana, Magnuson, Mansfield, McClellan, McGovern, McIntyre, McNamara, Metcalf, Miller, Mondale, Monroney, Montoya, Morse, Moss, Mundt, Murphy, Muskie, Nelson, Neuberger, Pastore, Pearson, Pell, Prouty, Proxmire, Randolph, Ribicoff, Russell of South Carolina, Russell of Georgia, Scott, Simpson, Smathers, Smith, Sparkman, Symington, Talmadge, Thurmond, Tower, Tydings, Williams of New Jersey, Williams of Delaware, Yarborough, and Young of North Dakota.

NAYS—0

NOT VOTING—12

Church, Fulbright, Gore, Kennedy of New York, Lausche, McCarthy, McGee, Morton, Robertson, Saltonstall, Stennis, and Young of Ohio.

So the bill (H.R. 3157) was passed.

The title was amended, so as to read: "An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits, to amend the Railroad Retirement Tax Act and for other purposes."

Mr. PELL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I voted for the bill which was just passed because, in common with all Senators, I believe it should have been passed, and I am in sympathy with the humanitarian objectives of the bill; but I want to make it very clear that if the amendment which was attached to this bill that would tend to make the Railroad Retirement Fund solvent is eliminated from the bill by the House and it comes back in that form without the revenue provisions which would allow the Railroad Retirement Fund to remain solvent, I shall vote against it.

Mr. PELL. I quite understand. I sympathize with the view of the Senator.

Mr. MANSFIELD. Mr. President, we have just completed action on H.R. 8469, a bill to amend the Railroad Retirement Act of 1937. The main and most spirited issue involved was the constitutional question raised by the junior Senator from Louisiana [Mr. LONG] by his point of order. I want to commend him and the junior Senator from Rhode Island [Mr. PELL] and the senior Senator from Oregon [Mr. MORSE] for the articulate presentations of their respective points of view. The junior Senator from Rhode Island [Mr. PELL] demonstrated not only his persuasiveness, but also his mastery of the constitutional questions involved and the parliamentary precedents as was evidenced by the vote sustaining his position.

Again the Senate has demonstrated that a thorough presentation of legislation can be accomplished in a relatively short period of time when a genuine spirit of cooperation exists.

For this I thank every Member of the Senate.

Mr. MORSE. I thank the Senator from Rhode Island again for his leadership in the passage of a piece of legislation that I think is highly desirable.

We have in the House bill a good bill. I believe that it is in the interests of the railroad companies and in the interests of the railroad brotherhoods, and also in the interests of the Railway Retirement Board and its jurisdiction, and the con-

tinuation of its prerogatives, that this bill be passed. Therefore I shall vote for it.

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

Mr. PELL. I am happy to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I wish to join the other Senators who have risen to speak about the measure and about its able manager. I commend the distinguished Senator from Rhode Island [Mr. PELL] for the skill he has shown in handling the measure, not only here in the Senate, where it passed originally, but also in the acceptance of the House measure. Mr. President, this skillful management of the bill demonstrate the Senator's understanding of the problem. He has amply evidenced that he is a veteran of this body.

I also wish to commend and compliment the distinguished Senator from Colorado [Mr. DOMINICK], who has shown his interest and his desire to be helpful in this particular bill, and who has indicated his support of it, now that some of the questions which he previously had in mind have been eradicated or overcome. This is proof of the constructive and bipartisan effort which has made this session of Congress a success. I commend and thank the Senator from Colorado.

In closing, let me add that I think this is another illustration of the humanness of the distinguished Senator from Rhode Island, who has done much for the railroad industry. They need the type of help which the distinguished Senator from Rhode Island has so willingly offered.

The Senator from Rhode Island has recognized, through this legislation, the needs of labor. To me it is another indication of the warmheartedness, the tolerance, and the understanding he has for the various segments that make up our population, which we are honored to represent in this body. I commend the distinguished Senator from Rhode Island.

Mr. PELL. I thank the majority leader very much indeed for those kind remarks.

I gladly underscore the remarks of the senior Senator from Oregon, because the action I am suggesting in voting on this bill now in no way indicates agreement with the view that the basic bill the Senate passed was unconstitutional.

What we are voting on now is a bill which seeks a compromise between the various views that have been advanced, and we are voting on it on its merits. I continue to believe that the Senate was correct in its view and its wisdom in voting the original measure to be constitutional. The Senator from Oregon knows how grateful I am to him for his help and support the other day, and for the good advice and counsel he gave me at that time.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

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

CONTRIBUTION TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MORSE. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHURCH, Mr. CLARK, and Mr. CASE conferees on the part of the Senate.

TRIBUTE TO MORRIS FORGASH OF U.S. FREIGHT CO.

Mr. BREWSTER. Mr. President, one of the most vital segments of the American economy is transportation. The U.S. transportation system may be viewed, in fact, as the key to the entire future development of our economy.

For this reason, innovation and progress in this area is of vital importance. One of the greatest and most successful innovators in the transportation field has been Morris Forgash, of the U.S. Freight Co. He has made several major contributions in this respect during the past decade.

A most interesting article describing Mr. Forgash's achievements appeared in a recent issue of Business Week magazine. This is more than a success story; it is a story of important contributions to the continued economic growth of this Nation. 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:

ONE BIG PACKAGE FOR THE SHIPPERS

Morris Forgash built up U.S. Freight by piggybacking and a new price policy. Now he wants to extend these ideas still further, revolutionizing the industry.

Outside the transportation industry, few people have ever heard of Morris Forgash, a fact that seems surprising to anyone who has watched this furious bundle of energy at work.

Forgash, the president of U.S. Freight Co., is a gadfly in an industry that is particularly set in its ways. It is filled with people who immerse themselves in the operating problems—and joys—of running trains, barges, ships, and trucks pretty much as they exist today. To most of these people, Forgash is a meddling nuisance.

But to Forgash, and his supporters, he is a miracle worker sweeping away cobwebs.

INNOVATOR

What he would like to do is to revolutionize transportation for the benefit of the economy, the shipping and traveling public, and, incidentally, U.S. Freight. The trouble is, lots of powerful people don't want it revolutionized—at any rate, not his way.

Whether or not the 64-year-old executive will succeed, at least in the manner or degree to which he aspires, is in doubt. But

whatever happens, transportation will never be the same again.

EXPANDING BASE

The base from which he operates is a holding company that owns 39 subsidiaries—including domestic and international freight forwarding companies, local pickup and delivery trucking companies, equipment leasing, public warehousing, and Caribbean shipping and trucking companies—plus one division making pipe and steel.

Freight forwarding is the core of the operation. Most big freight forwarding companies were started and often controlled by railroad men, to do the job of making a few big shipments out of a lot of little ones. Even today Forcash's proposals are railroad oriented.

U.S. Freight was controlled by the New York Central Railroad until 1955. At that time, its stock was spun off to Central shareholders after U.S. Freight's management had bought a large block of stock. Forcash, in the meantime, had worked his way up in U.S. Freight from the shipping dock to the presidency, educating himself in rates and law as he went along.

In the years since, U.S. Freight has grown from revenues of \$146 million to \$245 million last year. Part of this growth has been internal, but much has come from acquiring small, family-owned forwarders, most of whom specialized in one geographical area or in one specific type of merchandise.

SPRINGBOARD

Spectacular as this 10-year growth has been, this is not what makes Forcash important or frightening to the transportation industry. What he is best known for—and the thing he is using for a springboard in his attempt to streamline transportation—is piggybacking, the practice of putting highway trailers on railroad cars.

Forgash did not invent piggybacking. It was started more than 100 years ago when Long Island vegetable farmers put their farm wagons on Long Island Railroad flatcars to carry the produce to Brooklyn.

But Forcash has become totally identified with piggybacking. Thanks to it, he is now the railroads' biggest single private customer—and second only to the Defense Department.

NEW PRICING CONCEPT

What Forcash did invent is a concept of pricing and service that strikes at the very roots of the traditional American transportation philosophy. Instead of charging a rate based on the value of the transportation service, he has created a rate based on the carriers' costs.

This one step, seemingly logical and innocuous to the uninitiated, has changed the practice of putting trailers on flatcars from a relatively little-used gimmick in 1958 into a massive and rapidly growing custom today. This year for the first time, U.S. railroads will load more than 1-million piggyback flatcars, and the end is nowhere in sight.

He looks forward to the day when a shipper almost anywhere in the world will be able to load a standard container and send it to any other point in the world. The shipper will neither know nor care how it gets there, so long as it arrives at the appointed hour, undamaged, and for the cheapest possible price.

The container may travel by rail, water, highway, air, or a combination of these. It will fit on or in anything. Instead of truckers, railroads, bargelines, and even airlines fighting each other for traffic, each will carry the traffic for which it is best suited.

Finally, in Forcash's millenium, there won't be warring railroads, truckers, and bargelines at all, but total service, "one-step" transportation companies. "We have shied away from the means of coordination that holds the greatest promise—diversification through common ownership," he says.

WHAT IS U.S. FREIGHT?

Obviously, Forcash expects one of the surviving all-purpose transportation companies to be U.S. Freight. That is the aim he has had in mind in the buildup of the company in the last 10 years.

The structure he has erected for the company is enough to give a textbook management consultant a nightmare. Yet, at least one official calmly compares the fundamental concept to General Motors.

Each subsidiary is wholly owned—but almost wholly independent. The head of each is rewarded, in addition to salary, through profit sharing—from the profits of his own operation alone. If his profits are increased by dealing with another U.S. Freight subsidiary, well and good. But if he can get a better deal outside the family, he is expected and encouraged to do so. All he must worry about is the bottom line on his own income account.

That is one reason why U.S. Freight is still so little known, since shippers, carriers, and consignees rarely deal with it directly.

CONSOLIDATORS

To understand why such a loosely controlled company makes sense, it is necessary to take a look at the forwarding business.

Its underlying premise is that transportation companies can carry big shipments more efficiently and economically than little ones—and charges less per pound for them. But a forwarder, in theory, can handle lots of little shipments more cheaply. He consolidates them into truckload and carload lots, then buys the transportation from the carrier. His profit comes from the spread between what he charges the shipper and pays the carrier.

A shipper can gain by dealing with him, because often the forwarder's rates are lower than the carrier's and his service better. U.S. Freight companies routinely have 40 or 50 freight cars a night leaving New York for the west coast alone. With this assured business, railroads would be insane not to expedite those cars; often they move in a single block in the fastest trains. A small shipper couldn't get anything like this service.

TIES THAT BIND

A forwarder's business is built on his reputation for honesty, service, price, perhaps a special knowledge in handling certain merchandise—fashions, textiles, furniture, machine tools. Loyalties between shipper and forwarder are carefully nurtured.

This is the most compelling reason for keeping U.S. Freight splintered. In one giant company, the expertise, loyalties, and personal relationships might vanish.

This is often cited as a reason why Republic Carloading, until recently a formidable U.S. Freight competitor, lost so much business and eventually dragged its purchaser, Yale Express System, into bankruptcy, when Yale consolidated broadly with Republic.

FIRM HAND

Yet, while U.S. Freight appears to be a loose confederation, all the equity is still owned by the parent company. Forcash, Executive Vice President G. R. Moir, or Vice President and Secretary F. N. Melius, Jr., are top ranking officers and directors of all subsidiaries. Since all subsidiaries are in the same kind of business, if costs get out of line in one it's easy to pinpoint the trouble by comparison with others.

In fact, loose as it seems, one of the things Wall Street admirers of U.S. Freight like best about it is its management.

Because the components are set up in a delicate system of checks and balances, U.S. Freight practically runs itself on a day-to-day basis. Occasionally Forcash or another officer will have to referee an intercompany squabble. But to a large extent, Forcash's

agile if somewhat undisciplined mind is free to roam the broad transportation scene.

THE IDEA MAN AT WORK

It is just when this mind is roaming that friend and foe alike must look out.

Forgash literally thrives on ideas. If someone mentions something that interests him, he is on the phone in a flash, calling one associate to test out a certain angle, another to look up an applicable law. The U.S. Freight chief executive, in fact, spends most of the day and half the night on the phone.

Company executives wouldn't think of going anywhere without leaving word where they can be reached—days, nights, and weekends.

It's tough enough for them when Forcash is in the office, worse when he is in his telephone-equipped car or yacht, or in Europe on business (Forgash doesn't take vacations in the normal sense of the word). Then he can't waste time or money going through channels; he calls anyone deep within any of his companies directly, without warning—and wants an immediate answer.

CONTRADICTIONS

Forgash is full of strange contradictions. Under a deadline, his talk is sharp, to the point, brilliantly logical. When he sits back and ruminates, it is almost impossible to follow his train of thought.

He loves to speak in public, is quite proud of his speeches—but rarely talks to a large audience. He is also at his best speaking off the cuff in a question period afterward. Some of his speeches have such rolling titles as "Transportation Equation: Apathy Plus Inaction Divided by Talk Equals Crisis and Nationalization."

PIGGYBACKER'S PROGRESS

This is the kind of thinking that Forcash brought to bear on the advancement of piggybacking, and on the incredibly complicated world of freight rates he had to grapple with in order to push it.

Today's intricate structure began fairly simply when railroads had a monopoly and could charge what the traffic would bear. They carried low-value raw materials at a low rate, even a loss, and got their money back by charging high rates for high-value finished goods.

But when the truck came, motor carriers charged less and provided faster, more flexible service on manufactured goods, which they are ideally suited to carry. They took them from the rails its most profitable business.

Then, one by one, major companies discovered that where even truck rates were high on certain commodities, they could haul the goods themselves for less.

This led to the dramatic growth in private hauling—which Forcash finds particularly upsetting, and "repugnant to basic economics."

NEW IDEA

Piggybacking came into vogue in a small way in the early 1950's. Either truckers contracted with railroads to haul their trailers, or railroads carried their own. Either way, rates for goods in the trailer were still based on the old commodity classification system.

Forgash's basic idea was to forget what was in the trailer, except for the rule that it must carry a mixed load. A shipper, he figured, should be allowed to present his own or a leased trailer at the railroad siding, and have it hauled for a flat fee based on mileage. This, he reasoned, would be "pure rail service," priced on exactly known rail costs, and both profitable to rails and economical to shippers.

The plan went into effect in 1958, and obviously drew some rail freight out of boxcars to the cheaper piggyback. But it also brought back to the rails some of the 30 million tons of such freight they had lost to trucks in the previous 10 years.

The plan was thus an immediate boon to the railroads, and an equal boon to shippers.

BATTLE

After the Interstate Commerce Commission approved the plan, truckers sought to use rail service the same way, and the ICC agreed. Thus, the trucking industry would become a shipper on the railroads.

This aroused Forghash. Since the law apparently won't let U.S. Freight acquire a long-haul carrier, he didn't see why a long-haul carrier should perform a forwarder's services. The railroads went to Federal court in Chicago, and only 3 weeks ago the court upheld their position. Now truckers and ICC may go to the Supreme Court.

ACQUISITION BENT

Forghash did try unsuccessfully to get the law changed to allow forwarders to acquire carriers. Then believing the law to be ambiguous, he sought approval to buy Seatrain Lines, Inc.—and still wants an ICC ruling, though someone else has acquired control of it in the meantime.

He has also tried to buy control of the railway-owned Railway Express Agency, had an option on American Export Lines but let it drop, and last year sought to buy Matson Navigation Co. Convinced that he will soon be allowed to break out of the forwarder field, Forghash had U.S. Freight keep plenty of money on hand for acquisitions. The latest annual report shows over \$29 million in cash and marketable securities.

RISING NET

As a moneymaker, U.S. Freight sets no track records. Last year, on sales of almost \$245 million, it netted under \$6.6 million. But net grows steadily and consistently; it was up 17 percent in the first half of 1965. And because the investment needed in the forwarder business is small, U.S. Freight's 1964 net on invested capital less treasury stock was a remarkable 19.4 percent.

Speaking of investment, New York Central spun off U.S. Freight not because of dissatisfaction with it, but as a stock dividend to Central holders to keep the late Robert R. Young's promise to them of increased dividends. In view of what happened to U.S. Freight since, it may have been one of Young's biggest mistakes.

THE NATIONAL LABOR RELATIONS BOARD

Mr. TOWER. Mr. President, in the September issue of Nation's Business magazine there appears an informative and interesting article on the National Labor Relations Board and how it is operating today.

Among those whose views are featured is the junior Senator from Arizona, who is serving with distinction on the Committee on Labor and Public Welfare. He has ably outlined some aspects of the current labor-management scene which merit the serious attention of the American people.

Mr. President, I commend the article to my colleagues in the Senate, and in order that it may receive wider distribution, I ask unanimous consent to have the text of the article printed in the RECORD.

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

[From Nation's Business, September 1965]

WHO RUNS THE LABOR BOARD

(Employers feel that this Federal agency favors unions instead of being impartial.)

Businessmen are becoming convinced that the cards are stacked against them when

they go before the National Labor Relations Board, the Federal agency charged with protecting the rights of employers, of unions, and of individual workers.

And with good reason. Growing union and other liberal influence on the agency and shifts in board policies in favor of unions began in the Kennedy administration and continue at an alarming rate today. This was found in a survey by Nation's Business.

The problem employers face was pinpointed in dozens of lengthy interviews with experts in labor law.

Says Theodore I. Iserman, a New York labor-management attorney: "Many union lawyers make no bones that they have the inside track with the Labor Board as now constituted, and even boast of it. Scores of the Board's decisions fully justify this view."

A member of the labor law section of the American Bar Association, Mr. Iserman is the author of two books on basic labor law.

Frank A. O'Connell, director of labor relations of Olin Mathieson Chemical Corp., says the Board "conceives its mission to be not merely to protect the right to organize, as the law says, but actively to promote unionization.

"I don't believe the Board members are consciously guilty of bias. The problem is not that simple. The problem is one of a philosophy which because it is sincerely (however mistakenly) espoused, is far more pervasive and dangerous than prejudice on the part of any individuals."

Senator PAUL J. FANNIN, of Arizona, a member of the Senate Labor Committee, accuses the Board of emasculating the Taft-Hartley law and undermining the rights of employees, employers, and the general public. By abandoning precedents and overturning previous decisions, he says the Board is legislating rather than applying the law as intended by Congress.

"It is my opinion, and that of many others," he told Nation's Business, "that the Board is reverting to the role it played during its early days—that of crusader for union officials."

The Senator cites specific examples which he says illustrate "this disquieting trend":

1. The Board has liberalized picketing restrictions so as to permit it at the premises of a neutral employer.
2. It has legalized picketing of a neutral secondary employer with signs asking the public not to buy goods made by the primary employer against whom the union may have a grievance.
3. The Board now permits a union which has lost a representation election to charge an employer with refusing to bargain.
4. The Board requires an employer to bargain with a union before deciding whether to close an unprofitable department.
5. Congress has outlawed hot-cargo contracts. But the Board has circumvented this by permitting a work-standard clause under which a union may forbid an employer to do business with others whose work standards are not up to his.
6. An employer who moved his business from New York to Miami was required by the Board to bargain at the new location with the union he had in New York even though the union was unable to show that the Miami employees wanted a union.

"These and many other rulings," the Senator asserts, "are cause for legitimate concern over how well the Board is performing its functions."

The Board has swung over so far in favor of big unions that the handling of unfair labor practice charges should be taken away from it and turned over to the Federal district courts, in the opinion of the coauthors of the 1959 labor reform law—Representatives PHIL M. LANDRUM, Georgia, Democrat, and Representative ROBERT P. GRIFFIN, Michigan, Republican. Under their plan the Board

would be limited to the handling of union representation questions.

NLRB decisions on secondary boycotts, blackball picketing, free speech, and other important areas have carved wide loopholes in the law in favor of unions and ignored the intent of Congress, according to Representative LANDRUM.

He says: "The Board has produced a series of decisions which, in their total impact, pose a serious threat to the free enterprise system itself as well as to the institution of collective bargaining."

CLIMATE FAVORS UNIONS

Many employers dealing with the NLRB feel that a pronoun climate, reminiscent of the Wagner Act days when the Board was widely believed to be prejudiced against employers, pervades the agency from the staff on up through the trial examiners, to the five-man Board and even beyond—to the White House.

Although the Board has equal responsibility to labor, management and individual workers, the White House feels that major appointments, surely those to the Board itself, must have AFL-CIO approval.

George Meany, president of the labor federation, has been given a virtual veto power. His opposition blocked the reappointment to a third 5-year term last December of Boyd Leedom, former presiding judge of the Supreme Court of South Dakota, who had been chairman of the Board until deposed by the Kennedy administration in 1961.

The AFL-CIO wanted someone more friendly to the union's view than Judge Leedom and suggested names of possible replacements to the White House.

Before appointing Sam Zagoria, former newspaperman and president of the Washington Newspaper Guild, the President asked for the views of Mr. Meany and some management spokesmen. Labor's top leader considered Mr. Zagoria, who was administrative assistant to Senator CLIFFORD P. CASE, liberal New Jersey Republican, acceptable. Management spokesmen, however, objected largely because of his former connection with an AFL-CIO affiliate. They also felt that Judge Leedom deserved reappointment.

For months after the Leedom term expired efforts were made to find a Republican replacement who was acceptable to both sides. The President wanted to retain two Republicans on the Board, presumably on the theory that this would give it balance.

Finally, the President appointed Mr. Zagoria, who was a Republican and acceptable to Mr. Meany, although not to employer representatives.

Employer sources feel that if any balance is to be given to the Board, it should be on a labor and management basis, not that of political party, because the agency administers a labor-management law and political affiliation is not necessarily indicative of one's views in this field.

The President last month reappointed Chairman Frank W. McCulloch to a second term, although employer representatives have felt they have two strikes against them with regard to him because of his labor-liberal background—however fair he may try to be.

Those in management who know the chairman agree there is no question of his sincerity and honest intentions, but feel that he cannot be impartial because of his orientation toward labor and liberal objectives.

Here's a quick look at Mr. McCulloch's background.

A former aide to Senator PAUL DOUGLAS, Illinois Democrat, he was a member of the Teachers Union, director of the Labor Education Division of Roosevelt University, secretary of the Illinois Labor Party, and a founder of the ultraliberal Americans for Democratic Action. He once sought nomination for the U.S. Senate on the ticket of the Illinois Labor Party.

In the ADA leadership, Mr. McCulloch was associated with Walter P. Reuther, president of the United Automobile Workers, and Joseph L. Rauh, Jr., former ADA president. About 2 years ago Mr. Rauh became general counsel for Mr. Reuther's union and is responsible for pressing its cases before the Board.

Last April an associate general counsel of the UAW, Lowell M. Goerlich of Detroit, was appointed to the Board's staff of trial examiners. He had been on Mr. Reuther's legal staff for 19 years.

Board members John H. Fanning and Gerald A. Brown are viewed by some management representatives as being most partial to unions, and, with the chairman, as comprising an antiemployer majority.

The fifth board member, Howard Jenkins, Jr., the other Republican, had been for 7 years in the Department of Labor when he was appointed to the Board 2 years ago.

He brought with him to head up his 20-man legal staff Harry M. Leet, who for 17 years had been an attorney in the Department of Labor, whose function is to improve the welfare of workers.

The General Electric Co. is challenging Member Fanning's impartiality in the much publicized decision which said that the company was unfair to the International Union of Electrical Workers in its method of bargaining and communicating with employees.

In its appeal of the Board's decision in the courts, General Electric is citing, among other things, Mr. Fanning's refusal to disqualify himself from the case on grounds of bias. The company contends that he evidenced bias and prejudice in a speech made while the case was pending in which he described the company's policy as hard bargaining and no bargaining.

Mr. Brown is a former school teacher and career board employee of almost 25 years' service. He is criticized as still being imbued with the philosophy of the Wagner Act, which preceded the Taft-Hartley law and was partial to unions. He was NLRB regional director in San Francisco when appointed to the Board by President Kennedy.

Earle K. Shawe, a member of the American Bar Association's committee on NLRB practices, told Nation's Business that the recent trend of board decisions in favor of unions was prophesied for those not already expecting it by Mr. Brown almost 4 years ago. This, he said, was in a speech in which Mr. Brown developed the view that the Board is unquestionably a policymaking tribunal, charged with encouraging collective bargaining.

Mr. Shawe, a former regional attorney for the Board in Baltimore, contends that when Congress in the Federal labor law declared a policy of protecting the rights of workers it was not encouraging unionization or directing the Board to decide cases in favor of unions.

He charges that since 1960 nearly every change in Board rulings permits unions to do something they were not able to do before, although Congress has made no change in the law.

T. C. Kammholz, of Chicago, former NLRB general counsel, agrees that changes in Board policies in recent years almost without exception have benefited unions.

"I disagree with these changes," he declared. "I believe they violate the law as Congress has written it. I believe they are bad for the country."

Thomas E. Shroyer, Washington attorney and chief counsel to the Senate Labor Committee which approved the Taft-Hartley law in 1947, cites the Supreme Court's view in reversing two NLRB decisions last spring as examples of how the Board substitutes its judgment for that of Congress.

The highest court, in the American Ship Building and Brown Food cases, criticized the Board for construing its functions too

expansively when it claims general authority to define national labor policy.

The court also admonished lower reviewing courts not to rubber stamp decisions, stating, "The deference owed to an expert tribunal (the Board) cannot be allowed to slip into judicial inertia, which results in the unauthorized assumption by an agency of major policy decisions properly made by Congress."

Senator FANNIN told this magazine that he is "deeply disturbed by the trend of NLRB decisions away from legislative intent with an apparent trend toward domination by union officials."

In the opinion of Gerard D. Reilly, Washington attorney and himself a member of the Board during World War II, "Management is justified in thinking that in union representation questions the Board has weighted the scales in favor of union organizers to the detriment of employer rights and the real sentiments of rank-and-file workers."

A member of the late Senator Robert A. Taft's law firm, J. Mack Swigert, accuses the NLRB of failing to protect nonunion employees from union coercion as zealously as it protects union members.

"The nonunion employee today is the Board's forgotten man, a second-class citizen," the Cincinnati attorney said.

"If the Board finds that an employer influenced a representation election through some unfair labor practice, it punishes the employer by forcing him to recognize the union even though the employees may have voted against it.

"This makes the employees the whipping boy, forcing them to have a union representative even though they may not have wanted one and did nothing wrong."

Stanley R. Strauss, former chief counsel to a former Board member, points to new decisions on organizational picketing, free speech and size of bargaining unit as being particularly helpful to unions in new organizing drives.

A former chairman, Guy Farmer, believes that the Board's decisions tend to favor unions because of the members' backgrounds, their beliefs as to what is social justice and their lack of firsthand experience in labor-management relations."

UNIONISTS ON STAFF

Employers are disturbed by the growing number of staff members with union backgrounds or inclinations.

Lawyers and other professional employees at the nonsupervisory level in Washington organized the NLRB Professional Association, which the NLRB recognizes as bargaining agent for two groups—about 100 on General Counsel Arnold Ordman's staff and about 80 who work for the Board members.

Last year the General Counsel similarly recognized the NLRB union as agent for two units of field staff employees, one of some 600 professional employees and the other of 450 clericals.

The Board's executive secretary, Ogden W. Fields, a career employee, helped organize and was president in 1949 of a union for Washington office personnel which later became dormant.

The Board's solicitor, William Feldesman, was once associated with an attorney who represented the Seafarers' Union.

The 90 or so trial examiners, who play a key role in the prosecution of unfair labor practice charges, do not have a union. But more examiners are being added who seem to have union affinity, although the Board can point to others who don't.

The Board is sensitive about the suspected possible bias of a new trial examiner and, when it can, usually couples appointees of presumed balancing viewpoints when it announces them.

Objectivity in a trial examiner is particularly crucial because he plays a judicial role. He hears the evidence in unfair labor practice cases and makes findings which have

such great weight that the Board has come to label them decisions. They used to be called intermediate reports.

Litigants who get an adverse decision from the trial examiner usually have great difficulty upsetting it, especially if the decision hinges, as it often does, on which witness is telling the truth.

The Board has a policy of attaching great weight to a trial examiner's findings as to credibility of witnesses unless a clear preponderance of the evidence shows that his conclusions are incorrect. It has been upheld in this position by the courts. Thus, an entire case can turn on the decision of a single trial examiner as to whom he wants to believe and whose testimony he rejects.

A Memphis attorney, Robert L. Taylor, says that his experience forces him to conclude that trial examiners and hearing officers go out of their way to help unions. He cites examples which he says show that they apply deadlines and other procedural rules strictly with respect to employers, but usually excuse any failure to observe them on the part of unions.

OUTSIDE SPECIALISTS

There has developed in Washington a thriving business of lawyers who specialize in matters before the NLRB, usually representing unions or employers, seldom both. Many of them were formerly on the Board or its staff and are believed to have special skills with respect to Board policies and procedures.

Two specialists on the union side are Bernard Duneau, former enforcement attorney for the Board and Mozart G. Ratner, who once was in charge of the Board's litigation in the Supreme Court. Both are lawyers' lawyers, and both have many friends in NLRB.

Utilizing his courtroom experience with the Board, Mr. Duneau specializes in preparing legal briefs for union lawyers.

Mr. Ratner currently is handling a case for the International Association of Machinists against United Aircraft Corp. that could cost the company between \$10 million and \$40 million in back pay to employees if the union wins.

It stems from a 9-week strike of 32,000 employees in 1960. At issue are the reinstatement rights of some 3,800 strikers. The trial examiner, who has conducted extensive hearings over a period of more than 2 years, has issued a partial decision in favor of the company which, if it stood, could seriously damage the union's case.

General Counsel Ordman has joined Mr. Ratner in an appeal to the Board to overturn the trial examiner's partial finding.

In 1955, 2 years after leaving the Board's staff, Mr. Ratner wrote a technical paper in which he criticized the decisions of the Board with regard to secondary boycotts, employer free speech, and other vital labor issues.

He also gave his views of what he considered the decisions should have been under the Taft-Hartley law.

Mr. Ratner's paper was quoted at length by Senator WAYNE L. MORSE, Oregon Democrat, in an attack on the Board in 1956 which filled more than 35 pages in the CONGRESSIONAL RECORD.

After President Kennedy took office and the membership of the 5-man Board began to change, an unprecedented number of policies and decisions of the old Board were overturned.

Management representatives say that many of the policies which Mr. Ratner advocated in 1955 are incorporated in the new decisions.

Disclaiming any credit for the policy changes, Mr. Ratner asserts that the Board has merely yielded to court decisions which overturned the positions of the earlier Board as favoring employers.

WORLD TRAFFIC ENGINEERING CONFERENCE

Mr. BIBLE. Mr. President, because 1965 has been designated "International Cooperation Year," I would like to call special attention to a meeting to be held October 17-22 in Boston, Mass.

This will be the 35th annual meeting of the Institute of Traffic Engineers. What makes this meeting significant from the international standpoint is its designation as "A World Traffic Engineering Conference." As a result, we will be welcoming to our shores some of the leading traffic engineers of the free world. At least 20 countries will be represented, and total attendance probably will exceed 1,200.

In these days when the dove of peace must seek a secluded spot, it is heartening to learn that a group of international authorities in the important field of traffic engineering are going to sit down together to discuss the challenges of the automotive society in which we live.

Topics to be covered during the conference's technical sessions include: The role of automobiles in urban transportation, transportation in urban regions, organization for research, multiple use of highway right-of-way, terminal design, highway design, traffic signal systems, improved engineering—a route to highway safety, roadway lighting, traffic flow theory, and highway capacity.

Providing a strong international flavor to the conference will be these speakers: The permanent observer of the Federal Republic of Germany at the United Nations, Ambassador Sigismund Freiherr von Braun—brother of the famous missile expert; Prof. Otto Sill, first construction director, Hamburg, Germany; Nicolas Manasseh, professor of transportation engineering, American University of Beirut, Lebanon; Sadamu Mino, chief of the Tokyo-Nagaya Expressway Department; Luiz R. Soares, Brazil Highway Research Institute, Rio de Janeiro; Giorgio Pellegrini, chief research engineer, Autostrade, Rome, Italy; Rae S. French, chief engineer, Department of Motor Transport, New South Wales, Australia; Samuel Cass, commissioner of traffic, Toronto, Ontario; John A. Hillier, principal scientific officer, Traffic Section, Road Research Laboratory, West Drayton, Middlesex, England; A. Boereboom, general director of the Ministry of Public Works, Brussels, Belgium; W. R. Blunden, professor of traffic engineering, University of New South Wales, Australia; and Prof. Habil Johannes Schlums, Technical University, Stuttgart, Germany.

Prominent U.S. speakers on the program include Rex M. Whitton, Federal Highway Administrator; Prof. Harmer E. Davis, director, Institute of Transportation and Traffic Engineering, University of California; and Wilbur S. Smith, who will receive the 1965 Theodore M. Matson Memorial Award "for outstanding contribution to the advancement of traffic engineering." Mr. Smith heads a large traffic engineering consulting firm.

The general chairman of the conference is Dwight M. McCracken, vice president of the Liberty Mutual Insurance Co., Boston.

DR. MARTIN LUTHER KING'S ACTIVITIES IN CONNECTION WITH U.S. FOREIGN POLICY

Mr. DODD. Mr. President, for all of my adult life I have been an advocate of, and active in the struggle for equal rights for Negroes.

And because of this I have had nothing but the highest respect for Dr. Martin Luther King, until very recently.

But Dr. King's use of his position as the prime leader of the civil rights movement to make foreign policy pronouncements, on admitting Red China to the U.N. and on negotiating with the Vietcong, to cite two recent examples, has diminished my respect for him.

To explain my views in greater detail, I ask unanimous consent to have printed in the RECORD the text of a statement I issued last week on Dr. King's foreign policy activities.

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

I have been a lifelong advocate of Negro equality.

And, as Dr. Martin Luther King will know, if he has followed the CONGRESSIONAL RECORD, I have been in the front ranks of the Senate in the fight for civil rights legislation.

Indeed, as a member of the Civil Rights Division of the Department of Justice, I was fighting civil rights cases in the South in the 1930's, when Dr. King was still a boy—and at that early date I learned the meaning of racial hatred and intolerance and of having to be escorted out of towns by the police.

For Dr. Martin Luther King as a civil rights leader, I have nothing but respect; and I believe that this respect is shared by all of my colleagues in the Senate whose combined support has in the past two sessions of Congress made possible the most dramatic advances in civil rights recorded since the close of the Civil War.

But when Dr. Martin Luther King takes advantage of his pulpit as the prime leader of the civil rights movement in this country, to call for the admission of Red China to the United Nations; to demand that the United States commit itself to negotiate with the Vietcong; and to advocate that the United States reorient its foreign policy along the lines of accommodation with communism, then I can only regret that the leader of the civil rights movement, by his intemperate alignment with the forces of appeasement in foreign policy, has alienated much of the support which he previously enjoyed in Congress.

Let me only point out that the steering committee of the Committee of One Million, which has been in the forefront of the fight against the admission of Red China against the U.N., includes in its membership men like Senator PAUL DOUGLAS, Senator WILLIAM PROXMIER, Senator HUGH SCOTT, Senator BOURKE HICKENLOOPER, and Senator KARL MUNDT, in addition to myself—all of us staunch advocates of civil rights.

I hope no one will be turned against the civil rights movement by Dr. King's ill-advised adventure in the sphere of foreign policy.

But, speaking as one Senator, I must say that this adventure will make it impossible for me hereafter to regard Dr. Martin Luther King with quite the same respect.

Moreover, I believe that Dr. Martin Luther King's reputation for judgment is not at all enhanced by his statement that he plans to write letters to the Red Vietnamese President, Ho Chi Minh, to the South Vietnam Government leaders, to Communist China, and to the Soviet Union.

Dr. Martin Luther King is a man of unquestioned competence in the field of civil rights. But he has absolutely no competence to speak about complex matters of foreign policy. And it is nothing short of arrogance when Dr. King takes it upon himself to thus undermine the policies of the President and of the United States, and to enter into personal negotiations with the heads of hostile governments.

There has already been far too much private intervention in the sphere of foreign policy, and I think that the time has come when Congress will have to look into this entire situation with a view to drawing up more stringent statutes than now exist.

The enemies of the civil rights movement have repeatedly made the charge that Dr. King is under Communist influence. I have myself defended Dr. King against this charge. But by the stand he has now taken on the whole series of vital foreign policy issues, I gravely fear that Dr. King has provided his own enemies and the enemies of the movements he heads with ammunition that they will know only too well how to use.

I hope Dr. King will reconsider his position before it is too late. Because the hour is, in fact, very late.

His fate and, I fear, to some extent the fate of the just civil rights movement is also at stake in the world struggle between the forces of freedom and the forces of Communist tyranny.

THE GREAT SOCIETY AND THE DISSENTERS

Mr. DOMINICK. Mr. President, the Chicago Tribune of September 5 carried an article by Willard Edwards bearing the headline "Johnson Seeks Defeat of Five Senators Opposing Program." Needless to say, the five Senators are Republicans—my friends and colleagues Senators MILLER, TOWER, THURMOND, CURTIS, and SIMPSON.

The article explains in some detail the administration's efforts to ax these five Republican lawmakers. But, beyond that, Edwards has delved into the Presidential thinking which brooks no dissent in its objectives.

Mr. President, I have known the five Senators on the administration's "blacklist" for a good many years. I know them to be courageous, forthright, exponents of constitutional government, fiscal integrity, and a strong national defense structure. They were elected to their Senate seats by comfortable margins and they have an aggregate of 51 years of service in the Congress of the United States. Their contributions to the betterment of our Nation have been numerous and substantial, and their potential for the 90th Congress is even greater. But why does the administration so desperately wish their defeat? Why, out of 100 Senators, must these 5 bear the full brunt of White House efforts for their defeat? The answer can be found in Mr. Edwards' article:

The stubborn resistance of a minority, however minute, baffles Johnson. . . . The President seems unwilling to believe that Members of Congress may have honest, philosophical objections to welfare state proposals. . . . Is he after a job for himself or someone else? He (the President) inquired about a Republican leader who had denounced and voted against one of the President's "must" measures, "Tell him to come and see me."

These five Senators have no desire to "come and see me," as the President put it. Their brand of lawmaking and their philosophical convictions allow no subservience to dictates from the other end of Pennsylvania Avenue, and the only thing they are "after" is the retention of the constitutional form of government to which we owe our freedoms, our liberties, and our welfare.

The respect accorded these five Republican Senators was eloquently expressed by Sally Martens of Grayslake, Ill., who, in several "letters to the editor," says in part:

It seems L.B.J. is baffled because 5 Senators out of 100 have the courage to think for themselves by resisting proposals which the President thinks are mandatory for his Great Society. It appears that these five gentlemen are not merely politicians but are genuinely concerned about the preservation of our Constitution.

Mr. President, I ask unanimous consent that the text of the Chicago Tribune article to which I have alluded, the Sally Martens' letter to the editor, and an editorial from the Wyoming State Tribune be printed in the CONGRESSIONAL RECORD with my remarks.

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

[From the Chicago Tribune, Sept. 5, 1965]
JOHNSON SEEKS DEFEAT OF FIVE SENATORS
OPPOSING PROGRAM—HE'S BAFFLED BY PEOPLE WHO DISAGREE

(By Willard Edwards)

WASHINGTON, September 4.—"Why does that fellow always vote against me?" President Johnson demanded last week in a conversation reported by a Senate leader. "What does he want?"

The President frequently expresses in similar words, his callers report, a sense of exasperation over the votes of the small minority in Congress who have opposed portions of his legislative program.

That program, involving innovations and precedent-breaking experiments, is now rolling to a triumphant conclusion. Except on a few minor occasions, Congress has voted its approval by staggering majorities.

RESISTANCE BAFFLES HIM

But the stubborn resistance of a minority, however minute, baffles Johnson. He is not so much angry, his listeners assert, as mystified by the motives which impel men of seeming intelligence to resist proposals which he considers manifestly designed to improve the national welfare.

The President seems unwilling to believe that Members of Congress may have honest, philosophical objections to welfare state proposals. He seeks more practical reasons for obduracy.

"Is he after a job for himself or someone else?" he inquired about a Republican leader who had denounced and voted against one of the President's "must" measures. "Tell him to come and see me."

PUZZLED AND HURT

The invitation, with its implication of a political bribe, was ignored. The President was described as both puzzled and hurt. Certain aspects of human behavior defy his comprehension, and one of them is a refusal to sense the benefits to be derived from flexible convictions.

If Members of Congress cannot be induced to reason, they are not worthy of the office, the President believes. In pursuit of that theory, he now is using his impressive political talents to obtain the removal of at least

five Republican Senators in next year's election.

Fourteen Republican Senators are up for reelection next year. The five who have particularly irked the President by stubborn resistance to his blandishments are: JACK MILLER of Iowa, CARL T. CURTIS of Nebraska, MILWARD L. SIMPSON of Wyoming, JOHN TOWER of Texas, and STROM THURMOND of South Carolina.

ASKED TO ENTER RACES

In the five States where they will seek new 6-year terms, powerful Democrats, including at least two Governors, have been placed under White House pressure to become candidates for the Senate.

Some of these reliable vote-winners now are comfortably secure in State offices, and are reluctant to gamble their careers in a Senate race where victory would not be certain. They have good reason, however, to dread Presidential disapproval if they refuse to sacrifice themselves for the good of the party.

This message has gone out—the President regards the congressional elections in 1968 as a national plebiscite on his program. He is determined to increase, if possible, the already overwhelming Democratic majorities in the two Houses—68 to 32 in the Senate, 294 to 141 in the House.

CAN ONLY GO UP

Such a result would be contrary to the tradition of "midterm elections"—those held midway of a Presidential term—which customarily record gains for the party out of power. Republicans, reduced to their lowest congressional numbers in 30 years, have nowhere to go but up and hope they are headed in that direction.

But Johnson delights in breaking traditions and the midterm pattern was broken in 1962 when Republicans gained only two seats in the House and lost four in the Senate.

Johnson already has taken the first step in strengthening party organization by summoning his Capitol Hill political chief, Lawrence F. O'Brien, to service in his Cabinet. As Postmaster General, O'Brien will use that office as it was used by Jim Farley and other Democratic National Committee chairmen to fortify the administration's vote-seeking apparatus.

OUTLINE OF PLAN

Here are the plans outlined for defeat of five GOP Senators:

In Iowa, Gov. Harold E. Hughes, the strongest Democratic vote-getter in the State's history, is being urged by the President to run against Senator JACK MILLER, Republican, the incumbent. This conflicts with the desires of State leaders who want Hughes to seek a third 2-year term as Governor. He ran well ahead of Johnson in the 1964 elections and his popularity, more than the Johnson candidacy, accounted for a Democratic sweep of the State.

In Nebraska, another popular Democratic Governor, Frank B. Morrison, is being pressed to oppose Senator CARL T. CURTIS, Republican. Here also, State leaders would prefer that Morrison seek a fourth 2-year term as Governor. CURTIS would have trouble with Morrison, but otherwise observers see little difficulty for him in seeking reelection.

MAKES BLACKLIST

In Wyoming, Senator SIMPSON has gained the White House blacklist because of his uncompromisingly conservative attitude. He may be opposed by Representative TENO RONCALIO, Democrat, by State Supreme Court Justice John J. McIntyre, a conservative Democrat, or Mike Manatos, an aid to President Johnson, who is reported to have been given the President's go-ahead. Big funds are being amassed for their candidacies.

In Johnson's home State of Texas, the continued presence of a Republican Senator,

JOHN TOWER, for long has been offensive to the President. TOWER was the first GOP Senator since reconstruction days. A host of candidates have been lined up to run against him.

Gov. John B. Connally, expected to announce his political plans in the near future, may oppose TOWER, seek reelection, or retire. He is engaged in a feud with Senator RALPH W. YARBOROUGH, Democrat, which could help TOWER's fortunes. Other strong candidates for the Senate are available, and Texas remains an overwhelmingly Democratic State. TOWER has a tough campaign ahead of him.

THURMOND A SPECIAL TARGET

In South Carolina, STROM THURMOND will be up for reelection, and he is a special White House target because he resigned from the Democratic Party in September 1964, at the height of the presidential campaign, declaring Johnson a traitor to the principles upon which the party was founded.

THURMOND is so strong that no prominent South Carolina Democrat has shown interest in challenging him, but money and effort will not be spared in a campaign to remove him.

In all, 14 Republican Senators are up for reelection. Of the remaining nine, eight appear safe. Only Senator J. CALSB BODGS, of Delaware, seems in danger. The others, generally favored if they seek reelection, and most of them will, are:

GORDON ALLOTT, of Colorado, LEN B. JORDAN of Idaho, JAMES B. PEARSON, of Kansas, JOHN SHERMAN COOPER, of Kentucky, MARGARET CHASE SMITH, of Maine, LEVERETT G. SALTONSTALL, of Massachusetts, CLIFFORD P. CASE, of New Jersey, and KARL E. MUNDT, of South Dakota.

SIX UP FOR REELECTION

On the other side of the aisle, 6 of the 20 Democratic Senators up for reelection face the prospect of strong opposition, either in primaries or in the general election. They are:

JOHN J. SPARKMAN, of Alabama, DONALD S. RUSSELL, of South Carolina, MAURINE B. NEUBERGER, of Oregon, PAT McNAMARA, of Michigan, LEE METCALF, of Montana, and THOMAS J. MCINTYRE, of New Hampshire.

All are faithful supporters of the Great Society and will have the backing of a political machine which can call upon the immense resources of a Government which spends \$127 billion a year.

HIS VIEW ON DEFEAT

The President has made it clear in talks with congressional leaders that he will take as a personal affront any defeat of a Democratic candidate or any victory for a Republican.

Most Presidents would be content with 2 to 1 majorities in Congress, but Johnson would like to see 3 to 1 margins or even higher. He has never concealed his aversion for opposition in any form, even from a weak minority.

When he was majority leader of the Senate and summed up the work of a session, he reserved his most lavish phrase for unanimous votes. They were, he emphasized, the highest form of political expression.

GRAYSLAKE, ILL.,
September 6, 1965.

Letters to the Editor:

In the September 5 Chicago Tribune appeared an article, "Johnson Seeks Defeat of Five Senators Opposing Program." President Johnson was referring to Senators JACK MILLER of Iowa, JOHN TOWER of Texas, M. L. SIMPSON of Wyoming, STROM THURMOND of South Carolina, and CARL CURTIS of Nebraska. It seems L.B.J. is baffled because 5 Senators out of 100 have the courage to think for themselves by resisting proposals which the President thinks are mandatory for his Great

Society. It appears that these five gentlemen are not merely politicians, but are genuinely concerned about the preservation of our Constitution as it was originally sent up by our great patriotic forefathers. Anyone that would allow the L.B.J. machine to use them in order to unseat these five Senators hasn't any more intelligence than a rubber stamp and that is exactly what they would be. The unseating of any one of these Senators would not be his loss alone but the loss of all of us. If we are to preserve the American way of life we need more Senators such as these five in Washington.

SALLY MARTENS.

[From the Wyoming State Tribune, Sept. 11, 1965]

THE PEOPLE, WE HOPE, WILL DECIDE

The Chicago Tribune in an article that appeared last Sunday under the byline of that newspaper's ranking Washington political observer, Willard Edwards, reports that President Johnson is sharpening the political ax for five members of the U.S. Senate—among them Wyoming's Senator MILWARD L. SIMPSON.

Mr. SIMPSON will be seeking a second full term in the Senate in the 1966 election. Besides SIMPSON, according to the Chicago Tribune piece by Edwards, the President is particularly anxious to dispose of JOHN TOWER, Republican, from his own State, whose presence in the Senate Mr. Johnson reportedly regards as "particularly offensive"; and of Senators JACK MILLER of Iowa, STROM THURMOND of South Carolina and CARL CURTIS of Nebraska.

Edwards wrote that SIMPSON has gained the White House blacklist because of his uncompromisingly conservative attitude; among his possible opponents listed by the Tribune article are Congressman TENO RONCALIO who was elected to the House last year in an upset over Republican William Henry Harrison, White House Presidential Aid Mike Manatos and State Supreme Court Justice John J. McIntyre.

As for MILWARD SIMPSON's voting record, we should think it is fashioned in strict accord with his views of what he regards as being best for the people of Wyoming and of the United States. Lyndon Johnson should take some comfort from the fact that Mr. SIMPSON has stanchly supported the administration's basic policies in Vietnam, insofar as it has related to vigorous conduct of the war there, even though he has been an unrelenting opponent in most cases of the administration's welfare state proposals.

Edwards notes that the administration has gotten about everything it wanted from Congress by overwhelming majorities, but this is not enough apparently. Less than 100-percent approval irks the man at No. 1600 Pennsylvania Avenue.

A side issue that Mr. Edwards' article does not dwell on, but which has been discussed widely in Wyoming, is the apparent attempt by the Johnson administration to promote the political fortunes of Mr. Manatos against Congressman RONCALIO as the Democratic Senate prospect to get the party's nomination in the race against SIMPSON.

Mr. Edwards' article says President Johnson has made it clear to Democratic congressional leaders that he will regard any defeat of a Democratic candidate by a Republican in the 1966 off-year elections as a personal affront.

He is particularly desirous of an overwhelming Democratic victory in this off-year election, where traditionally the party in power nationally suffers a decline, as means of indicating a national endorsement of his policies, according to the Edwards article.

Edwards writes that the appointment of Lawrence O'Brien as Postmaster General is one in a series of steps to strengthen the Democratic Party organization nationally; O'Brien, says Edwards, is expected to use the

Postmaster General's Office as Jim Farley did, as a fulcrum in the national party apparatus.

The five Senators who have been marked for political defeat next year have pursued a course of what Edwards describes as "stubborn resistance" to Johnsonian blandishments. Mr. Johnson is depicted as a man who is highly puzzled by their attitude; he cannot understand their motives in resisting certain features of the Great Society, and looks for "more practical reasons" for their stubborn independence.

If all that Mr. Edwards reports is true, and since he is one of the preeminent political reporters in Washington there is no reason to doubt his word, then we should think the American people ought to say: Thank God for men of courage, independence and determination such as these five, for they exemplify the virtues that have made this country great—traits that traditionally have been exalted among the American people.

They ought to be not only reelected to their offices but reelected overwhelmingly by the voters of their respective States to reaffirm not only those basic principles but also the very fundamental tenet of American freedom—that it is the people who rule.

SETTLEMENT OF LABOR-MANAGEMENT STEEL DISPUTE

Mr. MORSE. Mr. President, on September 8, I made a speech in the Senate giving an account of some of the events which led to a final settlement of the recent labor-management dispute in the steel case.

In the course of that speech, I pointed out that the President of the United States deserves the major credit for the negotiated settlement of the dispute because of the outstanding industrial statesmanship that he carried out in leading the disputants to a conscionable compromise of their differences on the various economic issues which had caused free collective bargaining in the industry to break down.

I also stated that our country would always be greatly indebted to the Secretary of Labor, Willard Wirtz; the Secretary of Commerce, John Connor; Mr. William Simkin, Director of the Federal Mediation and Conciliation Service; Mr. Joseph Califano, special aid to the President of the United States, assigned to the case; and my colleague, Under Secretary of Commerce LeRoy Collins, who was assigned with me by the President of the United States to go to Pittsburgh as the personal representatives of the President and make a factfinding analysis of the dispute.

Mr. Gardner Ackley, Chairman of the Council of Economic Advisers, had prepared for some time prior to the final settlement of the dispute a thorough economic analysis of the claims and counterclaims of the negotiators for the union and the steel companies. As the negotiations had progressed from day to day, and the negotiators on both sides made new proposals or modified previously made proposals, Mr. Ackley was able to give immediate advice to Government officials in the case on the economic effects in dollars and cents of the proposals made by the disputants. The accurate and reliable statistical analyses that Mr. Ackley was able to supply on an hourly basis, when requested by the Government officials who were at work

on the case, kept them supplied with facts and figures needed in rebutting various proposals of the union and industry negotiators which would have an unjustifiable adverse affect upon the economy of the country from the standpoint of inflation control or any other economic problem involved in the case.

When I made my report to the Senate on September 8, about the settlement in the steel case, I pointed out that the financial settlements in the case did not do any violence to the national policy 3.2 percent guideline figure "when we take into account the fact that we are dealing with fringe benefits and historic inequities as well as basic wage increase problems."

I am pleased to tell the Senate today that I have received a letter from Mr. Gardner Ackley, Chairman of the Council of Economic Advisers, commenting favorably upon my speech and, in addition, pointing out:

Actually, the result of the negotiations needs no qualifying apology from the standpoint of the guideposts. The total cost of the entire settlement package, including wages, improved pensions, insurance, and other benefits, was clearly within the wage-price guideposts.

Mr. Ackley's statistical analysis of the money settlement in the new labor-management collective bargaining agreement for the steel industry, as set forth in his letter to me of September 10, 1965, shows clearly that when the employment costs in the industry are figured from May 1, 1965, to July 31, 1968, a period of 39 months, the total costs fall within the 3.2 percent guideline figure.

Mr. President, I ask unanimous consent that Mr. Ackley's letter of September 10, addressed to me, be printed in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. MORSE. Mr. President, of course it should be pointed out that within that period of time, from May 1, 1965, to July 31, 1968, the first 4 months constituted a period in which the parties had extended their old contract with an agreement for an 11½-cent wage adjustment. The new agreement is an agreement that can be considered a 39-month agreement, if we go back to May 1, 1965, which was the deadline date for the end of labor-employer relationships between the union and the steel industry. However, the applicable date for the new contract just negotiated is September 1, 1965. It is from that date and for a 35-month period thereafter that the wages and other benefits will run.

Many newspaper stories and editorials, and some writings by economists and other authorities, tend to analyze the settlement on the basis of a 35-month agreement rather than a 39-month agreement, because the first 4 months, really, were covered by the so-called extension agreement. This difference between May 1, 1965, and September 1, 1965, as the starting date from which cost computations should be made gives rise to different interpretations as to the total cost of the settlement, vis-a-vis the 3.2-percent guideline formula.

But, Mr. President, I believe that Mr. Ackley is quite right in pointing out that when we take the 39-month period from May 1, 1965, to July 31, 1968, there is no doubt about the fact that the total money settlement involved in the steel case will be within the 3.2 percent guideline.

There is also a very important statistical analysis of the steel case settlement by Mr. Ackley contained in a brilliant speech he made on September 9 at the annual economic outlook luncheon of the American Statistical Association held in Philadelphia.

I also ask unanimous consent that at the end of my remarks, Mr. Ackley's speech of September 9, previously referred to, be printed in the CONGRESSIONAL RECORD.

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

(See exhibit 2.)

Mr. MORSE. Mr. President, in the course of that speech, he made the following comments on the settlement in the steel case:

The steel settlement last week was a victory for the course of moderation and responsibility that has marked our labor history over the past 5 years. There has been so much said that could confuse the casual observer that I want to be very clear about how we regard that settlement. Its elements have been priced out by the parties as adding up to between 47 and 51 or 52 cents an hour. Our pricing of it is closer to the lower end of that range—let's say about 48 cents. One Government expert prices it even below 47 cents. I would remind you that the interests of the parties to the settlement may, quite innocently, influence their pricing of the settlement. Judging only by the newspapers, for example, the union apparently held during the negotiations that some elements included in the final package cost appreciably less than they now agree they are worth.

But even 48 cents is interpreted by some observers as well in excess of 3.2 percent. They reach this conclusion by a process of reasoning for which I can find no shred of logical support. They argue that this is a 35-month settlement beginning September 1. On that basis, they conclude that this was a 3.5- to 3.7-percent settlement.

But the 48 cents, or whatever figure you take, includes the 11½ cents granted as of last May 1. If you want to treat the settlement as running from September 1 you have no choice but to deduct this 11½ cents. You then must calculate the remaining 36½ cents increase against a base which includes the 11½ cents. Total hourly compensation last April was a shade above \$4.41. Adding the 11½ cents brings the base as of September 1 to about \$4.53. Based on this calculation, the percentage comes out well below 3 percent.

But this is not sensible either. The only reasonable approach is to treat the total cost as including the 11½ cents downpayment, in a settlement running for 39 months beginning May 1, 1965, and calculated on the April base of \$4.41. On this basis, 48 cents per hour comes out to a nice, guideline figure of 3.2 percent.

This guideline settlement in steel should have an important impact on the labor settlements reached in other industries in the months ahead. It should help to assure that the average rise in hourly compensation will stay very close to the rise in economywide productivity, as it has done over the past 4 years. As you know, the index of unit labor costs in manufacturing now stands at about 97 (1957-59=100), slightly down from a year ago, or from 2, 3, or 4 years ago.

Mr. President, I have been very pleased to make these further observations today on the settlement in the steel case, because the additional economic facts and figures which Mr. Ackley, Chairman of the President's Council of Economic Advisers, has just supplied me not only strengthens the very favorable appraisal of the steel case settlement which I set forth in my speech in the Senate on September 8, but also illuminates with an ever brighter luster the industrial statesmanship of the President of the United States who led the negotiators for the United States Steel Workers Union and the steel industry to an eminently fair and just settlement of this major dispute, which for a time, if it had ended in a shutdown of the steel industry, threatened to do irreparable damage to the economy and security of the Nation.

EXHIBIT 1

THE CHAIRMAN OF THE COUNCIL OF ECONOMIC ADVISERS,

Washington, September 10, 1965.

HON. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have read with great interest and pleasure your speech on the Senate floor on September 8 about the steel settlement. It is most useful to have the facts set down while they are still fresh in the participants' memories, and your speech will serve historians well.

There is one point that you made in the speech on which I would like to comment. You said in your speech that the settlement "did not do any violence to the guideline, when we take into account the fact that we are dealing with fringe benefits and historic inequities as well as basic wage increase problems." Actually, the result of the negotiations needs no qualifying apology from the standpoint of the guideline. The total cost of the entire settlement package, including wages, improved pensions, insurance, and other benefits, was clearly within the wage-price guideline. The present best estimate of the total cost of the package is 48 cents, including the 11½ cents obtained in the interim agreement of May 1. When this 48 cents package is converted into a percentage figure over the period May 1, 1965, to July 31, 1968, an annual average rate of increase of employment cost per hour is obtained, which is exactly equal to 3.2 percent, the guideline figure.

I know that in some circles the settlement has been priced at a higher percentage, by attributing the entire package to the period after September 1. But this is an unreasonable procedure because the union in fact gained the 11½ cents on May 1, and the contract settled the employment costs for the entire period May 1, 1965, to July 31, 1968, a period of 39 months. In the enclosed speech which I delivered yesterday I attempted to clarify these points.

I think all of us who were able to be of some small help to the President in reaching this peaceful, responsible, and decent settlement can take great pride in having played a role in it. With my best wishes,

Sincerely yours,

GARDNER ACKLEY.

EXHIBIT 2

REMARKS BY GARDNER ACKLEY, CHAIRMAN, COUNCIL OF ECONOMIC ADVISERS, AT THE ANNUAL ECONOMIC OUTLOOK LUNCHEON, AMERICAN STATISTICAL ASSOCIATION, PHILADELPHIA, PA., SEPTEMBER 9, 1965

The only time I can really enjoy talking about the economic outlook is between about January 15 and April 15. For then the Council has made a public forecast which I

can explain and defend—a forecast which is both reasonably fresh and still very relevant because it covers nearly a full year ahead. At any other time of year, I find it awkward to talk for the record about the economic outlook. Right now, for example, our only specific forecast I can talk about in public is the one we made last January—which is neither very fresh nor very relevant. It was only in a moment of weakness that I agreed to speak to you today about the economic outlook.

Of course the Council has its own internal forecast of the outlook. We have one all the time, and we keep it always current. Our January public forecast is the one on which we do our most intensive work. It's got to be good—and sometimes it has been. But we work hard at trying to have a reasonably good forecast all the time. We wouldn't be able to carry out our responsibilities to the President if we didn't. But, for good and sufficient reasons, the Government makes its forecast public only once a year. And thank Heaven for that.

When any of us attempts to forecast now for 1966, we have to make some more or less educated guesses about what the President's fiscal program will be. At this stage, you and we are in essentially the same boat. Indeed, much of our work during budgetmaking season lies in doing alternative gross national product forecasts related to various possible budget programs. Budget guessing is a pleasant pastime for economists, but I cannot take part in this sport publicly for obvious reasons.

So I cannot give you today the Council's current forecast for 1966. And there's no use pretending that I could just give you my own, unofficial, personal forecast. No such thing exists for a CEA chairman.

So what can I do? I can talk to you about some of the problems you have—and we have—in putting together our current forecasts. I can give you some idea of how we analyze those problems today. If you accept the general lines of my analysis, then you can make a forecast that I can bet will be reasonably close to ours. If you don't accept my analysis, then at least I may stimulate you to think these problems through again. In the process, your forecast—whether it is more or less perceptive than ours—will surely be improved.

THE STATE OF THE ECONOMY

Before I enumerate these problems, you must forgive me if I take a few minutes to review the present state of our economy and how far we have come in recent years. My formal excuse is that we need to know where we are and where we have been in order to have a good basis for knowing where we are going. But if, in the process, I am able to derive satisfaction from our economy's performance, I know you will recognize that—in times like these—it is one of the principal rewards that goes with my office.

The U.S. economy is currently in its 55th month of sustained, balanced economic expansion. As no one is allowed to forget, this is the longest peacetime expansion in our history. From the first quarter of 1961 to the second quarter of 1965 gross national product rose by \$162 billion. In real terms (i.e., corrected for price changes) this represented an increase of around one-fourth, or an annual rate of expansion of 5.3 percent.

From February 1961 to August 1965 this expanding economy has provided nearly 6 million more jobs, including a growth of over 7 million nonfarm jobs. Unemployment has meanwhile declined from 6.9 to 4.5 percent of the civilian labor force, the lowest rate since October 1957.

Sustained expansion has been accompanied by a rather remarkable record of price and cost stability—unique in the industrialized world. The wholesale price index has

risen from 101 in February of 1961 to only 102.9 in July of this year. The Consumer Price Index has risen from 103.9 to 110.2 over the same period, or by about 6 percent in 4½ years.

And the expansion has continued vigorously right up to the present. For the past year and a half, gross national product has advanced steadily by a little more than \$10 billion a quarter, with the only marked deviations from that pattern during and just after last fall's auto strikes.

The hero of this recent expansion has been the consumer. In the past 6 quarters, the consumer absorbed 72 percent of the \$62 billion rise in gross national product, while in the preceding 11 quarters of the expansion he had absorbed only a bit more than half of the \$100 billion rise in gross national product. The difference has not primarily been in the consumer's willingness to spend. Rather it mainly shows the effects of the 1964 tax cut, which appreciably raised disposable income relative to gross national product, thereby providing a massive thrust to consumption and thereby to the expansion of gross national product. My colleague, Arthur Okun, will give you a quantitative estimate of that thrust at a session tomorrow.

A while back, there was talk that automobiles could not put 2 good years back to back. Then it was 3 good years. More recently, the subject is discussed in other terms. Demand for cars has certainly been strong. In the past 2½ years, consumers have spent on cars an average of 6 percent of disposable income, compared with an average of 5.6 percent over the decade of the 1950's. But even if consumers had spent only 5.6 percent of disposable income on cars, the last 2 model years would still have broken that old 1955 model year record—this year by a good 900,000. The main story about autos is what has happened to disposable income.

All other elements of consumer demand have been strong right across the board. Nondurables, which were growing at roughly \$1½ billion per quarter prior to the tax cut, have since advanced by an average of more than \$3 billion a quarter. Expenditures on household durable goods have also risen strongly. Even the service sector, which usually advances at a steady pace, has shown a marked step-up since the tax cut.

Next to consumption, business fixed investment has been the most important source of recent expansion. After a good gain from 1961 to 1962, the expansion of fixed investment slowed down. But in 1964 business fixed investment rose by more than \$6 billion, and apparently will do so again in 1965.

On Tuesday the Commerce-SEC survey results were announced. They confirm that the percentage gain this year in nonfarm outlays for plant and equipment will almost repeat last year's 14-percent advance. This sharp expansion of fixed investment has, of course, led to significant increases in productive capacity, but apparently these increases are not outpacing the growth of output. Only in manufacturing do we have any guesses about capacity utilization. So far, this series has slowly risen, and, this year, has been hovering around 90 percent, not far below the estimated 92 percent preferred rate of operations. This is a sharp contrast with the 1956-57 period, when demand growth first pressed very hard against capacity; then, later in that period, capacity growth significantly outran demand—or demand growth significantly underannounced capacity, depending on your interpretation.

Important new factors which have stimulated spending on plant and equipment during this expansion have been the reduction of corporate tax rates, the investment tax credit, and the reform of the depreciation

guidelines. After-tax corporate profits have responded vigorously to these programs and to rising gross national product. Such profits rose from \$24.4 billion in the first quarter of 1961 to \$44.4 billion in the second quarter of 1965—an increase of over 80 percent. And as a percentage of gross national product, after-tax profits have edged up steadily, to proportions about like those of 1955-56.

The resulting high level of corporate cash flow has helped to finance the solidly growing expenditures for plant and equipment in the past couple of quarters, investment expenditures have apparently risen somewhat faster than cash flow, for firms have tended to make greater use of external sources of funds. But the funds have been available, and at interest rates that are still moderate, although they have inched upward in the past few months. A recent NICB survey, reported in Newsweek magazine, finds that manufacturing firms have had no trouble obtaining the somewhat larger volume of external finance which they require.

Business inventory accumulation has, as we expected, made a somewhat larger contribution to the growth of demand in the last three quarters than earlier in the expansion—except during the initial postrecession restocking. Yet relative to the size of the economy stockbuilding has not been out of line. Indeed, it has been conservative, if one eliminates the extra stocking of steel. In July we had an exceptionally large rise in manufacturers' inventories. But the growth of shipments was so large that the inventory-shipments ratio actually declined. Both for manufacturing and trade, inventory-shipment ratios remain at or very close to the lowest points reached during the entire expansion. Our prosperity has not rested on an unsustainable building up of stocks.

Residential construction is the one area in which some imbalances have appeared. A sustained, 3-year rise in housebuilding—and particularly in apartment construction—brought, in early 1964, a temporary saturation of the market for apartments in several areas of the country. Fortunately, the adjustment to a lower rate of construction occurred promptly, but not precipitately. For the last year and a half, residential construction has been essentially on a plateau—high enough to avoid general weakness in the construction industry or depressive effects elsewhere, but not so high as to prevent an apparent gradual working off of the excess.

State and local governments have maintained the steady and rapid growth of their purchases, averaging better than \$1 billion a quarter over the last 3 years, with the aid of expanding programs of Federal grants. Federal purchases—a big prop to expansion through mid-1962—have barely edged up since then. But successive tax cuts beginning in 1962 have more than made up for it, keeping the Federal budget a strong force for expansion.

I shall hold my further comments on the role of Government policy for a later point in my remarks, and also my analysis of the situation with respect to costs and prices.

This, then, is where we stand: The U.S. economy has been enjoying a prosperity unprecedented in duration and extent; our advance continues today at an uninterrupted pace; the absence of visible signs of imbalance or excess—other than in steel inventories—points to a continuation of our good fortune.

FACTORS AFFECTING THE BUSINESS OUTLOOK

I turn now to the problems with which we must grapple as we all try to refine our forecasts for the balance of 1965 and 1966.

Let's start with our hero, the consumer.

The aspect of consumer behavior that gets most attention is automobile sales. I have

already noted that the strong automobile sales of recent years have absorbed a steadily rising proportion of disposable income. The same has been true for other durable goods.

Among the factors that might explain this rise, several seem fairly obvious. First, the relatively strong and sustained pace of housing starts in recent years has undoubtedly contributed to the demand for durable goods such as house furnishings. Further, various recent studies suggest a close relationship between multiple car ownership and the growing prevalence of residence in the suburbs. Second, the same studies imply a stimulus to multiple car ownership from the growing number of working wives; and I wouldn't be surprised by a similar influence on the sale of dishwashers. A third significant factor, which operates in the automobile market but is probably much less important than the markets for most other durables, is the rapid growth in the number of teenagers and very young adults in the population. Other influences might be cited, but these are surely among the most important. In each of these cases, there is little or no reason to expect the trend of recent years to be reversed in the near future.

The alternative possibility is that the large recent sales of consumer durables may have resulted in a rapid buildup of stocks that could depress future sales. A casual review of the ups and downs of new car sales in the 1950's might tend to support such pessimism in regard to the outlook for automobiles. However, the growth in the stock of cars has been held down by heavy scrappage, some due to the physical wearing out of cars from our vintage years of the past, some due to the consumer's strong preference for up-to-date models.

The sociological, demographic, and obsolescence factors just mentioned all give some support for a cautious optimism about the outlook for expenditures on consumer durable goods. Such optimism is also supported for the near-term by the results of surveys of consumer buying intentions, which continued, in the latest (July) survey, to show more plans to buy cars and household durables than a year earlier.

Moreover, there is strong support for the view that total consumer spending is more dependable in relation to disposable income than is any single segment thereof. If expenditures on new autos and other durables decline relatively, spending on other consumer goods may well absorb the difference, and hold down the consumer saving rate.

The consumer is fundamentally an extremely reliable element in the economy. Through the adjustment of his consumption to changes in his income, he greatly magnifies the impact on total gross national products of changes in other forms of spending. And I have no doubt that he will continue to do so in the year ahead.

Turn next to that most volatile element—inventory accumulation. The change in business inventories during the rest of 1965 and into 1966 will, of course, be importantly influenced by the existing overhang of steel in the hands of consumers and mills. Because of the unsatisfactory character of our data on steel inventories and steel consumption, any quantitative forecast of the impact of steel destocking is somewhat hazardous. However, given the over-all economic picture, and the order rates and backlogs in many steel-using industries, it seems unlikely that steel inventories will be recklessly reduced. The net accumulation of steel in the third quarter should be roughly the same as our guess for the second quarter—about \$1 billion (annual rate). The fourth quarter, however, should see a net decumulation. We guess that this would run at nearly a \$2 billion annual rate in the fourth quarter, and at gradually diminishing rates for the following two quarters. A \$3 billion swing

due to the steel in the annual rate of total inventory investment is thus in prospect. It will certainly be noticeable in our statistical reports on inventories, sales, and industrial production. It may even dominate the overall movement of some of these series for a month or two. But the automobile, machinery, and defense industries all have excellent reasons to keep adjusting upward their inventories of items other than steel. And the steady pace in inventory growth in nondurables should not be interrupted.

For the fourth quarter, steel liquidation is not likely to halt the overall growth of inventories, and it is most unlikely to interrupt economic expansion. The economy withstood a heavier drag from auto strikes in the fourth quarter of last year and still came up with a \$6½ billion rise in gross national product.

On the whole, therefore, the adjustment of the present imbalance in steel inventories should be absorbed by the economy without shock or strain. By mid-1966, the absorption of excess steel inventories will have been completed, and inventory accumulation should be expanding about in line with the growth of final demand. And, as you know, "in line" in recent years has clearly been less than in prior postwar years.

On business fixed investment, the available evidence all suggests a continuing high rate of expansion of expenditures. This evidence includes the upward revisions for 1965 provided by the recent Commerce-SEC survey, which raised the earlier estimates for 1965 by \$500 million over the final three quarters of the year. Further support comes from the very substantial recent strength in machinery and equipment orders.

The evidence that points farthest ahead, however, comes from the recent NICB survey of capital appropriations by large manufacturing firms. These firms boosted their appropriations 17 percent to a new record of \$5.8 billion in the second quarter, on top of a 10 percent increase in the first quarter. And advance indications picked up in that survey are that capital appropriations will be even higher in the second half of 1965 than in the first, leading to a record backlog of unexpended appropriations at yearend. So far, growing backlogs have not been excessive relative to the growing level of expenditures, indicating no serious problems of obtaining deliveries. The fact that delivery times are not falling behind is also suggested by the Commerce-SEC results for the second quarter, when businesses actually put more investment in place than they had anticipated at the time of the last survey in May.

As we have had more and more experience with these appropriations surveys, we have gained increasing confidence that they provide a meaningful foreshadowing of investment expenditures in manufacturing, with an average lead of about 1 year.

A supplementary NICB study on the adequacy of facilities relative to the expected growth of output, although necessarily inconclusive, nevertheless suggests that contemplated capacity expansion is reasonably related to the firms' own current order inflows and expectations of sales.

On residential construction I have little wisdom to offer. In our shop we are presently projecting residential construction as continuing on its high plateau throughout 1966, with, if anything, a slight creep upward, reflecting the continuing income growth that we expect. There has been much talk in recent years about the imminent appearance of a great new housing market, reflecting the coming of age of the postwar baby crop. This surely is in the offing, and it may begin gradually to show up in the near future. But we date its major role as closer to 1970 than to 1966.

This leaves us with the Government's contribution to demand. As to State and local

government purchases, there is every reason to expect that this most predictable of all elements of gross national product will continue on its stable upward course, rising by more than \$1 billion a quarter. If there were any doubts about it, the large expansion of Federal grant programs should remove them.

Federal purchases were expected to rise by something over \$1½ billion over the next 12 months, quite apart from the impact of accelerated activities in Vietnam. The extra defense appropriations of \$2.4 billion already requested step that up by an added \$2 billion plus. Some further appropriation requests may be necessary, although their major impact on spending would mainly be felt in fiscal year 1967. Figures sometimes quoted in the press—that run to \$10 to \$14 billion—can at this point only be pure figments of someone's imagination. The estimates we at the Council have put into our tentative projections do not even approach that order of magnitude.

But there is no question that Vietnam has made a difference—in any reasonable projections of total Government purchases, and therefore in fiscal planning and in the economic outlook for 1966. I will try to characterize that difference in qualitative terms a little later.

The Federal Government's overall contribution to demand embraces a good bit more than its purchases. If we look at the impact of recent and prospective changes in excise and payroll taxes and transfer payments, we can summarize it about as follows: In the current fiscal year, excise taxes will be cut \$3½ billion, slightly more than half of it effective from the end of last June, and the balance effective from next January 1, for a total fiscal year cut of about \$2½ billion. Social security benefits will rise on a continuing basis by \$2 billion, plus a retroactive payment of \$0.8 billion made this month. The final effects of the Revenue Act of 1964 will yield a further tax cut next spring variously estimated to yield up to \$1 billion in this fiscal year. Together, these provide a total gross stimulus of \$6 to \$6½ billion within this fiscal year.

But this fiscal year total should be reduced by about \$2½ billion to allow for the rise in payroll taxes next January. Thus the net effect of these changes is a stimulus of around \$3½ to \$4 billion in this fiscal year, offsetting a good half of the normal increase in revenues from growth of the economy. The rest of our normal revenue growth will be more than offset by the expected expansion of other forms of Federal spending.

Conclusion: the Federal budget is a net expansionary force in fiscal 1966—but not an extremely large one. Last year, a major shift toward ease in the budget provided the primary force for expansion. This year, the budget remains easier and offers a modest expansionary influence, playing a supporting role to the forces of private demand.

The one thing we know now about fiscal 1967 is that, beginning next July, medicare payments will add a net \$2 billion to the annual rate of Federal transfer payments. We can also expect that Federal purchases and grants may continue to increase. The amounts cannot be pinned down until next January's budget totals are finally decided.

It is clear to me that this picture adds up to an economy that will be expanding throughout the balance of 1965 and all of 1966. If we count residential construction as a standoff, we still have a strong prospective rise in business fixed investment, in State and local spending, and in the net fiscal impact of the Federal budget. These should far outweigh the one negative factor in the short-term outlook—the working off of steel inventories. The substantial net rise in investment plus Government outlays will be strongly augmented by rising consumer spending.

At the beginning of this year, we estimated that gross national product for 1965 would show an increase of \$33 to \$43 billion, with \$38 billion as the midpoint of our forecast range. Both consumer spending and business investment outlays have been advancing a little more strongly than we counted on in January. Today it seems likely that the annual advance will be above the midpoint of the range—it should go a bit above \$40 billion, bringing 1965 gross national product to a level of about \$670 billion, on the new basis. A repeat performance of the \$40 billion increase would be most welcome in 1966. I am not prepared to bet that we will experience such an encore, but nothing in the present outlook clearly points either to a slowdown or to an unsustainable spurt that would rule out such a happy outcome.

THE OUTLOOK FOR COSTS AND PRICES

And now let me climb out on a limb regarding costs and prices. Wholesale prices have been extremely stable over the entire expansion, in contrast to much of the 1950's. But sharp increases in prices of farm products and processed foods in April, May, and June of this year caused the overall index to rise 1.6 percent between March and July. (These same factors were the major cause of the 0.8 percent rise in the consumer index between April and July.) Higher farm, food, and related prices actually account for two-thirds of the 2.5 percent rise in the wholesale price index over the past 12 months.

The rise in the prices of farm products was basically caused by declining production of cattle, hogs, fruits, and vegetables. The worst of the shortages, however, is behind us, and wholesale prices of farm products have already eased. Farm and food prices are not likely to return to year-ago levels; but the bump they put into our price indexes is in the process of being smoothed down.

More worrisome—though not a source of acute concern—is the fact that the wholesale index of industrial prices—all prices other than farm products and processed foods—has risen 0.6 percent in the past 6 months and 1.4 percent in the past year, breaking out from a 5-year plateau of no change. The largest single part of this increase is in the area of metals and metal products, particularly nonferrous metals.

In the case of most nonferrous metals, we depend in whole or in large part upon imports. The price movements of these imported commodities are not grounded in cost or demand developments in the U.S. economy. Nor do they worsen our competitive position relative to other industrial nations. High world prices of nonferrous metals and some other imported materials reflect both high world demand and, often, political or other interruptions to supply. At the moment, it appears that the worst of the rise in nonferrous metals prices is behind us, although unpredictable events can always cause new troubles.

For domestic manufactured products, the basic determinant of prices is what happens to costs. The most significant element in costs is labor cost. Until last week it was possible to raise serious questions about the prospective trend of unit labor costs. Today, those questions can be answered more confidently.

The steel settlement last week was a victory for the course of moderation and responsibility that has marked our labor history over the past 5 years. There has been so much said that could confuse the casual observer that I want to be very clear about how we regard that settlement. Its elements have been priced out by the parties as adding up to between 47 and 51 or 52 cents an hour. Our pricing of it is closer to the lower end of that range—let's say about 48 cents. One Government expert prices it even below 47

cents. I would remind you that the interests of the parties to the settlement may, quite innocently, influence their pricing of the settlement. Judging only by the newspapers, for example, the union apparently held during the negotiations that some elements included in the final package cost appreciably less than they now agree they are worth.

But even 48 cents is interpreted by some observers as well in excess of 3.2 percent. They reach this conclusion by a process of reasoning for which I can find no shred of logical support. They argue that this is a 35-month settlement beginning September 1. On that basis, they conclude that this was a 3.5- to 3.7-percent settlement.

But the 48 cents, or whatever figure you take, includes the 11½ cents granted as of last May 1. If you want to treat the settlement as running from September 1 you have no choice but to deduct this 11½ cents. You then must calculate the remaining 36½ cents increase against a base which includes the 11½ cents. Total hourly compensation last April was a shade above \$4.41. Adding the 11½ cents brings the base as of September 1 to about \$4.53. Based on this calculation, the percentage comes out well below 3 percent.

But this is not sensible either. The only reasonable approach is to treat the total cost as including the 11½ cents downpayment, in a settlement running for 39 months beginning May 1, 1965, and calculated on the April base of \$4.41. On this basis, 48 cents per hour comes out to a nice, guidepost figure of 3.2 percent.

This guidepost settlement in steel should have an important impact on the labor settlements reached in other industries in the months ahead. It should help to assure that the average rise in hourly compensation will stay very close to the rise in economywide productivity, as it has done over the past 4 years. As you know, the index of unit labor costs in manufacturing now stands at about 97 (1957=100), slightly down from a year ago, or from 2, 3, or 4 years ago.

The stability of unit labor costs depends, of course, not only on the course of hourly compensation but also on the movement of productivity. So long as vigorous expansion continues, we can expect productivity to keep on rising at a good rate. We are now examining the revised gross national product data to determine what new light they may throw on the movements of productivity in the private economy and in its major sectors over the past several years.

If unit labor costs remain stable, we will have basic stability in total production costs. Other significant elements of costs include the prices of materials—which continue to fluctuate, but with no strong trend—and indirect taxes. Although State and local tax rates are moving up in many areas, and an increase in employers' payroll taxes is in the offing, the recent and prospective further reductions in Federal excise taxes provide a strong offset.

Some producers who have an element of discretion in their markups over cost have been taking advantage of stronger markets to widen their gross margins. Most producers in major industries, however, recognize that any short-run gains they might achieve from efforts to widen their margins would—if generally practiced—be illusory. They have been, and remain satisfied with the very generous net profits, and with the often widened net profit margins, that have come from expanding volume and the spreading of overhead costs at generally stable prices and generally stable direct costs. In the absence of a widespread excess of demand over productive capacity, we can expect the good sense of American businesses, and their respect for the national interest,

to prevent any significant inflation that might arise from producers' efforts to widen markups over a basically stable level of unit labor and materials costs.

Thus, on the basis of the cost and markup situation I think we can predict the continuation of basic stability of prices.

But can we be sure that productive capacity will remain adequate for the steadily enlarging volume of demand that we contemplate? Up to the horizon covered by our own forecasts, I am confident that it will. I do not see any basis for anticipating an "overheating" of the economy arising from generally excessive demand.

Fears of overheating of the U.S. economy seem to go in waves, often reflecting temporary speedups in the rate of actual expansion. These waves alternate with fears of imminent recession. This year illustrates the sequence. During the first few months, when output was undergoing a temporary spurt as we overcame the losses due to last fall's auto strikes, "overheating" began to be the theme of columns and editorials.

Then, when the temporary spurt was concluded, second thoughts about the durability of the expansion suddenly took root, amid undue fears about the deflationary impact of next January's payroll tax increase, worries about the sustainability of 1965 auto sales, premonitions of falling steel production, and excessive preoccupation with the daily fluctuations in stock prices. Fortunately, economic decisionmakers were not swept up by these shifting winds of sentiment. During these very months, businessmen were scaling up their plant and equipment plans, and consumers were carrying retail sales to new records. As a result, economic activity—unlike opinion about it—has shown stability and resiliency.

Once again, in recent weeks the pendulum of opinion has swung the other way, this time partly reflecting the uncertainties arising from enlarged U.S. defense requirements. Of course there are uncertainties. There always are, and they always deserve careful examination. One of the continuing uncertainties relates to the U.S. balance-of-payments position, which I have no time to discuss today. But the particular uncertainty, that has aroused renewed fears of overheating, reflects the sudden notion that we may soon have to choose between guns and butter. I see no basis for this fear.

We must never forget that our economy's productive capabilities are always growing, and currently growing somewhat faster than in the past. Our latest estimate—last January—was that our potential gross national product has been most recently growing by about 3½ percent a year in constant prices, up from the 3½-percent growth rate of the last decade, and expected to average 4 percent a year between 1964 and 1970. This growth in our ability to produce reflects, of course, our expanding and improving manpower resources, and their growing productivity.

Our potential capacity is today more fully utilized than it has been in nearly a decade. But unemployment is still at 4.5 percent—well above even the "interim target" the Council set in 1961. And plant capacity is not yet utilized at the average rate preferred by managers. We have room for expansion of demand; and our economic growth is making more room all the time.

In the face of the inevitable uncertainties in the business outlook, the principal requirement of public policy is flexibility. And we have that flexibility. Next year's budget and other fiscal measures will be tailored to promote, so far as the science of economics and the art of forecasting will permit, a growth of demand that will be adequate to use our growing productive strength, but that will not strain it.

That is the most accurate and the most optimistic forecast I can make about the economic outlook for 1966.

RECESS UNTIL 11 A.M. TOMORROW

Mr. MORSE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 20 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, September 16, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 15, 1965:

CIVIL AERONAUTICS BOARD

Whitney Gilliland, of Iowa, to be a member of the Civil Aeronautics Board for the term of 6 years expiring December 31, 1971. (Reappointment.)

U.S. MARSHAL

Joseph V. Conley, of Rhode Island, to be U.S. marshal for the district of Rhode Island for the term of 4 years. (Reappointment.)

Victor L. Wogan, Jr., of Louisiana, to be U.S. marshal for the eastern district of Louisiana for the term of 4 years. (Reappointment.)

THE JUDICIARY

Frank Morey Coffin, of Maine, to be U.S. circuit judge for the first circuit vice John P. Hartigan, retired.

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the line subject to qualifications therefor as provided by law:

Adams, Lynn "W"	Brown, Fred W. Jr.
Adams, Robert E.	Brown, Ian F.
Alexander, Robert J.	Brown, John W.
Althoff, William B.	Brown, Keith F.
Anderson, Paul A.	Brozo, John G.
Armstrong, Sam "T", Jr.	Brumsted, Robert B.
Arthur, Russel L.	Bryce, Thomas A.
Aubert, George A.	Buck, Clarence C., Jr.
Auger, Thomas E.	Burns, William L.
Austin, Kenneth B.	Burrell, Robert E.
Ayers, George "L", Jr.	Burrill, James T.
Bachert, John O.	Cadenas, Ernest M. M.
Bagley, Worth H.	Camp, Herbert E.
Bailey, John D.	Cannon, Herbert "B"
Bailey, John B.	Cantwell, William P., Jr.
Baker, Royal W.	Carroll, Eugene J., Jr.
Ball, James L.	Castillo, Edmund L.
Barnette, James B.	Chambers, Kenneth W.
Bartlett, Albert J.	Chapman, Arthur S.
Baylis, John R.	Cobean, Warren R., Jr.
Bean, George F.	Cody, Harold R.
Beaudoin, Jerome W.	Cole, Nathan, Jr.
Behm, Edward W.	Collins, John D.
Bell, Lloyd F.	Collins, John T.
Bennett, Jack W.	Collister, Louis J.
Bent, Jack	Connely, Ernest C., Jr.
Bergner, Robert B.	Cooke, Edward W.
Berude, John B.	Cooper, Lloyd F.
Bettis, Alfred M.	Cope, Harland B.
Birdt, George	Corner, Sheldon L.
Bischof, William W.	Cosgrove, Thomas A.
Blair, Marvin S.	Coulter, Fred W.
Blaylock, Mabry, Jr.	Coursin, Jack T.
Bollenbacher, Robert M.	Crangle, Eugene V.
Bono, Vernon C.	Cullen, John P.
Booker, Thomas F.	Cummings, Arthur H., Jr.
Boston, Ward, Jr.	Cummins, David E., III
Boutte, Lester H.	Cutchall, Lee G.
Bowen, Llewellyn D.	Davis, Charles R.
Bowling, Roland A.	Davis, Jack E.
Boyd, Edward A.	Debler, Robert R.
Boyle, Paul A.	Dreder, Bernard W.
Brandenburg, John H.	Dickey, George L., Jr.
Brender, Bernard W.	Dise, Robert L.
Brite, Murrel C.	Ditto, Carl B.
Brooks, Richard S.	

Donnelly, Grant L.
Downey, Denis J. J.
Doyle, James H., Jr.
Dunn, Richard J.
Dunning, Bruce B.
Dunning, Richard A.
Eckhart, Myron, Jr.
Edelman, Sidney
Edmonds, Leroy S.
Engel, Wilson F., Jr.
Evans, Jack R.
Everhart, Charles D.
Ewald, Frank W.
Fagan, John F., Jr.
Farnsworth, William D.
Faulders, Cyril T., Jr.
Fierce, Vernon R., Jr.
Finlay, Robert W., Jr.
Fitzgerel, John H., Jr.
Forgy, William J.
Franch, Ardwin G.
Freeman, Dewitt L.
Friedman, Robert
Fries, William D.
Fromknecht, George W.
Gately, Donald E.
Gilles, Donald A.
Goben, Howard G.
Gortney, William M.
Graham, Ralph E.
Greene, Joseph M.
Griffiths, Charles H.
Grojean, Charles D.
Haak, Frank S., Jr.
Hanks, Robert J.
Hansen, John E.
Harper, George A.
Hartley, Paul J., Jr.
Harvey, James H., Jr.
Haugh, Edward M.
Hayes, Robert V.
Hayward, Thomas B.
Heath, Leroy A.
Hemler, Frank T.
Hermann, Edward P.
Herrick, Ralph E., Jr.
Heuer, Edward H.
Hihn, Don E.
Hoop, Louie B., Jr.
Hooper, James A., Jr.
Hubert, William E.
Huff, Andrew F.
Jackson, Laurence L., Jr.
Jenkins, James D.
Johnson, Dean R.
Johnson, Keith V.
Johnston, Frank S.
Johnston, Harry D.
Jones, Robert S.
Joslin, Harold E.
Kaufman, Robert Y.
Kauth, John L., Jr.
Kaye, Alan J.
Kellam, Raymond O.
Kelley, Lawrence W.
Kelly, George R.
Kelly, Leslie D., Jr.
Kendrick, Harold E.
Kennedy, Alfred F.
Kenyon, Eugene C., Jr.
Kiley, Donald W.
Kimmons, George W.
King, Herbert T.
Kirkemo, Leland E.
Klepak, Philip H.
Koch, Ferdinand B.
Komorowski, Raymond A.
Kopps, Richard L.
Kulik, Adam P.
Lamb, Harold M.
Langille, Justin E., III
Laubach, Luther W. S.
Laws, Walter T.
Lessmann, Walter G.
Leuschner, Robert J.
Levi, Burna D., Jr.
Licko, Richard J.

Linder, Isham W.
Lindsay, John R.
Linville, James C.
Long, David A.
Lonquest, Theodore C., Jr.
Lorenz, Samuel, Jr.
Lucas, Burke D., Jr.
Lulu, Michael T.
Lyon, Harvey E.
Lyons, Kenneth H.
MacMillan, Harold R.
Madson, Rae P.
Mahinske, Edmund B.
Malone, Walter J.
Mansfield, Samuel K.
Marshall, Daniel V., Jr.
Marshall, Leo J., Jr.
Masica, Eugene M.
Masuen, Francis N.
Matthes, Harold K.
Maulden, Hoyt P.
Mayer, James L.
Mayer, William S.
Mayes, Luther E., Jr.
McCaulley, Henry B.
McCormick, Gordon H.
McDonnell, John C.
McGarry, William J., Jr.
McLean, William O.
Merrick, John L.
Meyer, Joseph J., Jr.
Mikhalevsky, Nicholas
Miller, John "X", Jr.
Monson, Donald W.
Moore, Robert E.
Morgan, Henry S., Jr.
Morgan, Walter N.
Morgan, William H.
Morse, Kenneth L.
Mouton, Edison E.
Muncie, Wendell B.
Munns, David L.
Murphy, Francis J.
Neilson, Thomas L.
Nicholson, Robert H.
Nicholson, John H.
Nicklas, William C., Jr.
Niehaus, Herbert H.
Norin, Robert A.
Nott, Hugh G.
O'Hara, Hugh L.
Overn, John A.
Page, Robert A.
Parker, George A.
Pate, Jack A.
Pavis, George P.
Pelletier, Albert J., Jr.
Phillips, Chester G.
Pierce, Robert L.
Polk, Mavis X.
Pond, Robert B.
Porter, Edward M., Jr.
Price, Arthur W., Jr.
Quanstrom, Carl R., Jr.
Quarton, Thomas J.
Quelland, Obed R.
Raposa, William C.
Ray, Charles E.
Reaves, George A., III
Redden, Lawrence E.
Redgrave, DeWitt C., III
Reinhart, Leonard J.
Renaldi, Richard R.
Ricinak, Michael D.
Risch, Harry, Jr.
Robertson, Horace B., Jr.
Rogers, Harris G., Jr.
Rogerson, Reuben G.
Rooney, Frederick T.
Rorex, Sam. Jr.
Rose, Albert E., Jr.
Ruebsamen, Darrel D.
Russel, Joseph W.

Russell, James C.
Russell, Thomas B., Jr.
Sandeford, William H.
Savage, Richard A.
Scambos, Thomas T.
Schwitters, Merlin J.
Scott, Richard Y.
Sergeant, John A.
Searle, Willard F., Jr.
Sellers, Harry S.
Sells, Warren H.
Shaffer, James B.
Sharp, Wallace E.
Sheppard, Cedric W.
Sheppard, William L.
Sherman, Benjamin F., Jr.
Skoog, Joseph L., Jr.
Smith, Edwin P., Jr.
Smith, Lloyd S., Jr.
Smyer, Theodore M.
Somervell, Willis L., Jr.
Spargo, James
Spencer, Paul E.
Stahl, Lawrence E.
St. Clair, Robert H., Jr.
Stewart, Hal B.
St. George, William R.
Stirnweiss, Andrew P., Jr.
Stufflebeem, John D.
Sullivan, William P.
Tallent, Carson R.
Tartre, Robert J.
Thigpen, Francis Y.
Thompson, Bruce R.
Thompson, Robert D.
Tidd, Emmett H.
Tierney, John M.
Tisdale, Robert S.

Tollefson, Leif
Tonkovic, Andrew A.
Trueblood, Harold J.
Tully, Claude I.
Turk, Carl F.
Turner, Stansfield
Upshur, Giles C., Jr.
Vaught, William J.
Vierregger, William T.
Vining, Pierre H.
Viscardi, Peter W.
Welsh, John A.
Weatherford, Jack E.
Welder, Robert O.
Wertheim, Robert H.
Wessinger, William D.
Westfall, Elmer T.
Wettlauffer, Warren H.
White, Arthur T.
Whittle, Alfred J., Jr.
Wieland, Dicky
Wildner, James D.
Wilkins, James C., Jr.
Willett, Elbert H.
Williams, "D" Hunt
Williamson, Robert, II
Willson, Lawrence E., Jr.
Witham, Burton B., Jr.
Wundergem, John M.
Wood, Robert D.
Woods, Charles E.
Work, David D.
Worrall, Alton H., Jr.
Wrzesinski, Robert
Wyman, Charles L.
Youell, Rice M., Jr.
Zartman, Walter F.
Zeni, Levio E.
Zenner, Harold J.

Thalken, Gerald E.
Walton, James A.

SUPPLY CORPS

Abbott, James E.
Anderson, Roger D.
Bissett, John L.
Conner, Frank H.
Duryea, Robert J.
Hislop, Charles E.
Hogan, Brian T.
Holland, Donald L.
Karosich, James C.
Klein, Richard B.

CIVIL ENGINEER CORPS

Buffington, Jack E.
Crane, Thomas C.

MEDICAL SERVICE CORPS

Anderson, Francis G.
Lewis, Barry W.

NURSE CORPS

McDonald, Patricia K.

Zetterberg, Forrest L.

Knowles, Thomas N.
Koselka, James A.
Lawrence, Phillip L.
Lutz, Gerald G.
Marohn, Louis N.
Pedersen, Carl J.
Ryder, Thomas V.
Sareeram, Ray R.
Sekowski, Edwin E.
Watrach, Dennis K.

Watson, James P.

Santana, Frederick J.
Lewis, Barry W.

Patricia K.

The following-named officers of the Navy for permanent promotion to the grades indicated:

LINE

To be captains

Ackerman, John F.
Adams, Ollie B.
Adamson, Robert E., Jr.
Ainsworth, Herbert S.
Almy, Charles B.
Alt, Earl J.
Arbo, Paul E.
Bailey, Bernard J.
Baker, Howard J.
Balestri, William L.
Barco, Leslie T., Jr.
Bartol, John W.
Bedsole, Donald S.
Bergstedt, William C.
Berriman, Joseph C.
Biddle, Edward
Biewer, Francis N.
Bishop, Ralph F.
Boice, Grant
Bothwell, Robert L.
Boyes, Jon L.
Brandt, Ralph K.
Bress, Henry
Brock, John R.
Brooks, Daniel P.
Brown, Clifford L.
Bryant, Carleton F.
Buckowski, George A.
Budnick, Lawrence E.
Bunce, Lawrence W.
Burgess, Emery L.
Burk, Raymond W.
Burnette, Oliver S.
Cady, Joseph
Caldwell, Harry H.
Callan, Allie W., Jr.
Carpenter, Albert P.
Carson, Albert C.
Casey, Martin M., Jr.
Cassidy, Richard M.
Castle, Hal C.
Chadwick, Walter D.
Chesky, Kaz P.
Chimiak, Walter
Christman, Thomas J.
Clark, Morris Y.
Clark, Weldon L.
Clingan, Forest M.
Coad, Richard J.
Collins, Vincent W.
Coogan, Robert P.
Cook, Creighton W.
Coulter, William G.
Courtin, Robert E., Jr.
Cowdrey, Roy B.
Cox, Donald V.
Cox, William R.
Cramer, Shannon D., Jr.
Craw, Nelson W.
Crawford, Jack H.

Crowder, Jonathan J.
Cruse, Carl M.
Cruser, Handford T., III
Cryan, John J.
Cummins, Laverne W. S.
Cummins, William E.
Cutler, Henry O.
Dankworth, Theodore P.
Dauphin, Oyd L.
Davis, Donald C.
Davis, John F.
Dawson, Howard W.
DeLamater, Stephen T. J.
DeLargy, John M.
DePrez, Richard J.
Dicorel, David McD.
DiCorti, Ralph
Dixon, William C.
Donnelly, William E., Jr.
Douglas, John T.
Doyle, William J.
Driscoll, John F.
Dumas, Glenn I.
Dunham, Frank C., Jr.
Durna, Gordon A.
Dyar, Joseph E., Jr.
Ebel, August A.
Elliott, Michael M.
Ellis, Walter J.
Emerson, William D., Jr.
Engen, Donald D.
Everett, William H.
Faubion, Richard D.
Fifield, John G.
Fitzgerald, Robert E.
Fitzpatrick, Wayne N.
Flanagan, William R.
Ford, Raymond E.
Foreman, Robert P.
Foss, Newton P.
Franco, Thomas E.
Freeman, Rowland G., III
From, John L., Jr.
Fruin, Jack L.
Frye, Robert M.
Garvey, Hugh M.
Gibson, Robert C.
Godfrey, Jack E.
Godman, Robert
Grace, Joseph A., II
Graffy, Richard
Graham, Mac A.
Graning, Leonard G.

Herbert T. Woolley, Supply Corps, U.S. Navy, for transfer to and appointment in the restricted line, U.S. Navy (Special Duty) (Law), in the permanent grade of lieutenant and temporary grade of lieutenant commander.

Lieutenant John T. Werning, Dental Corps, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the Dental Corps, subject to qualification therefor as provided by law.

Lieutenant (junior grade) Donald L. Bridwell, Supply Corps, U.S. Navy, for temporary promotion to the grade of lieutenant in the Supply Corps, subject to qualification therefor as provided by law.

Lieutenant (junior grade) Joanne R. Mearls, U.S. Navy, a permanent lieutenant, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade), in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Ausuchon, Robert G.
Barton, Harry L.
Batie, Howard F.
Brown, Carroll D.
Coffman, John Y., III
Currie, Laurin C.
Drylie, Herbert D.
Dufresne, Michael P.
Jr.
Dyches, Ken B.
Francis, William C
French, Christopher W.
Gonatos, Michael J.
Ghrer, Grady F.
Green, Robert L.
Harless, Charles W.
Hauck, Frederick H.
Holland, Howell W.
Hollingsworth, William L.
Howarth, Paul E.
Howell, James D.
Jackson, Douglas A.

Kozlowski, Neil L.
Laidlaw, Charles E.
Leonard, Edwin W.
Lindeman, Jon B.
Marano, Augustine C.
Mason, John A.
May, Cyril V., Jr.
McCracken, Wallace D.
McDaniel, Lowell R.
McKinnon, Clark D.
Meddings, William A.
Melsner, Julian R.
Mullins, Charles E.
O'Brien, Robert C.
Oldham, George R.
O'Sullivan, Edward J.
Pomsykal, Glenn W.
Preston, Joe W.
Ramm, Edward J.
Russler, Dennis C.
Shepherd, Gary L.
Shoup, Linn T.
Spangler, Chester T.
Stuckemeyer, John A.

Gray, John A., Jr.	Miller, Donald M.	Upshaw, William W.	Wish, James R.	Herrmann, Robert S.	McGehee, William G.
Greer, Howard E.	Miller, Rupert S.	Vito, Albert H., Jr.	Wohler, Jack L.	Hooper, Robert F.	Sanders, Ernest
Grieve, John R.	Mink, Robert O.	Volpi, Ray A.	Wolf, Robert L.	Jacobs, Joseph J.	Skow, Royce K.
Grossetta, Warren A., Jr.	Montgomery, John A.	Wakeland, William R.	Workman, Reginald L.	Johnson, Calvin F.	Swanson, Robert W.
Gustafson, Boyd E.	Morris, Robert L.	Walker, Donald P.	Worthing, Lewis K.	Madden, William F.	
Hancotte, John J., Jr.	Mowell, Lawrence V.	Wallace, Robert Q.	Wroblewski, Sigmund V.		<i>Commander, line</i>
Hanks, Eugene R.	Munroe, William R., Jr.	Walters, Hilmon E., Jr.	Yatch, Walter A.	Adams, Clayton R.	Darcy, Robert T.
Hansen, John B.	Murphy, James E., Jr.	Webster, David A.	Yates, Earl P.	Adkins, Joe D.	Darling, Richard B.
Hanson, Robert J.	Neal, Raymond G.	Webster, Harvey O., Jr.	Yeich, Lloyd G.	Aiken, Robert A.	Davidson, John D.
Hanssen, Henry R.	Newell, Arthur F., Jr.	Weeks, John M.	Yesensky, Albert	Akins, Joseph W., Jr.	Davis, James W.
Harkins, John A.	Now, John G.	Whidden, Wynn V.	Yount, Robert R.	Alberta, Edward T.	Davis, Cabell S., Jr.
Hart, Gordon McA.	Oller, John S., Jr.	Williams, Edward A.		Alexander, Charles S., Jr.	DeBaets, Donald J.
Hartman, Raymond G.	Osborne, Henry H.				DeBaets, Ronald M.
Hawkins, Arthur R.	Pahl, Herschel A.				Decker, Harvey L.
Hay, Lorin W.	Paolucci, Dominic A.				Dedman, Tyler F.
Hazelton, Dewitt W.	Papas, Louis J.				Deffenbaugh, Robert M.
Heising, Kenneth W.	Patterson, William H.				Denkler, John M.
Henderson, David W.	Patterson, Joseph, Jr.				Denny, Lewis E.
Henning, Richard E.	Payne, Paul E.				Dermody, Richard J.
Hill, Clarence A., Jr.	Peale, William T.				Dibble, Henry M.
Hiller, Harold W.	Pearson, James W.				Dickieson, Robert W.
Hipp, Ernest C., Jr.	Perry, John E.				Doe, Willard C.
Hodgson, Gordon S.	Perry, Oliver H., Jr.				Donnelly, William N.
Holbrook, James L.	Pettitt, Robert B.				Donovan, Walter J.
Holder, Billy D.	Pond, Robert McH.				Douglas, Stephen P., Jr.
Hollyfield, Ernest E., Jr.	Porter, Austin McC.				Dowell, James W.
Hooper, John H.	Porter, Phillip W., Jr.				Downing, Joseph H., Jr.
Hopkins, William A.	Prigmore, William B.				Doxey, Robert C.
Horn, Dean A.	Provost, William B., Jr.				Dudley, Calvin C.
Horrocks, John N., Jr.	Rains, David C.				Durfos, Robert E.
Howell, Jay S.	Randolph, John B.				Dyer, Philip M.
Huber, Robert L., Jr.	Reynolds, Ernest E., Jr.				Eakin, John C.
Hufstедler, Edward F.	Rhees, Thomas R.				Early, Paul J.
Hurley, William G.	Rian, Gerald R.				Edelson, Burton I.
Iler, John R.	Robertson, Gordon H.				Edwards, George D., Jr.
Johnson, Ivar A.	Robison, Bob J.				Edwards, Maurice M., Jr.
Kane, John P.	Rosen, Ralph J.				Eidson, George V.
Karl, Paul J., Jr.	Rowe, Robert A.				Ekas, Claude P., Jr.
Kenyon, Jack S.	Rozler, Charles P.				Eldridge, Richard A.
Kiernan, William A.	Rust, Charles C.				Elmer, Joseph S.
Kimener, Robert A.	Sadler, Stuart T.				Epps, John H.
Kincaid, John R.	Sampson, Richard A. H.				Ewing, John R.
King, Randolph W.	Sanborn, Richard W.				Fargo, Robert R.
Kittel, Irving A.	Schaefer, William W., II				Faulkner, Doc G., Jr.
Knight, Charles A.	Schermerhorn, Dale V.				Fay, Lawrence J.
Knopke, William R.	Schmidt, Charles K.				Fenn, Richard W.
Knotts, Sanford L.	Schoulda, George C.				Ferguson, Robert E.
Koenig, Fillmore G., Jr.	Schroeder, William A., Jr.				Fisher, John H.
Landis, Cary E.	Schwass, Earl R.				Fitzgerald, Jean
Landon, James B.	Seaver, Clifford N.				Flood, Robert H.
Laney, Jack S.	Seiler, Aubrey R.				Fogarty, Francis C.
Langer, Chester R.	Setser, Lester E. G.				Forrester, John J.
Largess, Clifton R., Jr.	Sharp, George H.				Foulds, Donald D.
Larson, Richard	Sharral, Robert E.				Foxgrover, James H.
Lemon, Thomas M., Jr.	Shawcross, William H.				Foxwell, David G.
Lewellen, Robert S.	Shoner, David A.				Franklin, Isaac N., Jr.
Lieber, James C.	Singleton, Royce A.				Freeland, Harold H.
Lindberg, Donald S.	Skidmore, Howard H.				Fry, John C.
Linnekin, Richard B.	Slattery, Francis L.				Fuller, Jack D.
Livingston, William H.	Sloan, Stanley E.				Gammon, James M.
Livingston, Robert L.	Smith, Augustine W.				Garlinghouse, Bruce B.
Lockee, Garette E.	Smith, Floyd E.				Garner, Alan S.
Long, Robert L. J.	Smith, John W.				Garvin, Wilbur C.
Lorentson, Adrian V.	Snodgrass, Joseph C., Jr.				Gauthier, Gene F.
Love, John J., Jr.	South, Marvin P.				Gebler, Gerard P.
Lyon, Gaylord B.	Stear, David S.				Geiger, Robert K.
Mackey, William A.	Stevens, Russel T.				Gibbs, John D., Jr.
Mallick, Edgar E.	Stevens, James H., Jr.				Gibson, George W.
Manship, Herbert K.	Stickles, Albert L., II				Gideon, Robert A., Jr.
Mason, James M.	Stock, Glenn C.				Goldman, Peter J.
Mayo, James O.	Story, Emery G., Jr.				Gorder, Charles F.
McCarthy, Cornelius A.	Streepier, Harold P.				Gormley, Robert H.
McClane, Joseph L., Jr.	Sudduth, Roy M.				Graves, Robert F., Jr.
McCue, Hartsel F.	Sullivan, Thomas J., Jr.				Gray, Joseph W.
McDonald, Robert R.	Surface, Wayne D.				Green, Norman K.
McKenzie, Frank E.	Talley, George C., Jr.				Gresham, John I.
McLane, Alpine W.	Terrill, Scott E., Jr.				Griffith, Harold F.
McNair, William D.	Teufer, William E.				Gross, James R.
McQuary, John E.	Thomas, Lloyd H.				Guilday, Thomas J., Jr.
McVey, William J.	Thornton, Joseph H., Jr.				Gurney, Sumner
Mereness, Robert H.	Trautmann, John R.				Hagler, Billy E.
Merryman, Charles A., Jr.	Trottler, Albert R.				Hale, Claude E.
Meslier, Charles W.	Tucker, Charles E., Jr.				Hale, Robert F.
Metze, George M.					Hancock, Burton W.
Miehe, Frederick W., Jr.					Hargarten, Robert W.

MEDICAL CORPS

To be captains

Benavides, Jaime M., Jr.
 Boyd, Winton R.
 Burke, Francis W.
 Callis, Charles M.
 Climie, Charles F., Jr.
 Davis, Robert L.
 Dobbie, Robert P.
 Doohen, Donald J.
 George, Frederick W., III
 Greenburg, Rolland E.
 Hosp, David H.
 Jones, Kenneth P., III

SUPPLY CORPS

To be captains

Becker, Charles
 Berning, John R.
 Bishoff, Jack T.
 Blankinship, Grover F., Jr.
 Brosseau, Oswald J.
 Burkhead, Franklin
 Busby, John C., Jr.
 Byrd, Hugh D.
 Cornell, Alexander H.
 Cummings, Newell J.
 Dawson, Thomas H., III
 French, Ferris L., Jr.
 Gardiner, Charles V.
 Hanson, Earl J.
 Hempton, Donald A.
 Huebner, Dale C.
 Johnson, Carl P.
 Keers, David B., Jr.
 Kenyon, Lawrence H.
 Kovar, Isadore M.
 Lascara, Vincent A.
 Law, Kenneth S.
 Lee, Charles R.
 Lenox, Wilbert W.
 Maggard, Talmadge P.

CHAPLAIN CORPS

To be captains

Austin, Henry E.
 Brink, Frederick W.
 Elliott, Robert E.
 Garrett, Francis L.
 Hemphill, Edward J., Jr.
 Humphreys, David M.
 Jones, Oliver W.
 Jones, Robert "Q"
 Lyons, Earle V., Jr.
 Sneary, Earl D.
 Walsh, William J.

CIVIL ENGINEER CORPS

To be captains

Beaver, John F.
 Burke, John L.
 Christensen, Wayne J.
 Engram, Robert C.
 Harper, Milton J., Jr.
 Loeffler, Harry H., Jr.
 Scanlan, Melvin E.

DENTAL CORPS

To be captains

Boyne, Philip J.
 Brauer, Frank J.
 Bruce, Robert W.
 Cave, Amos W., Jr.
 Courage, Guy R.
 Evans, Joseph R.
 Fedl, Peter F., Jr.
 Firestone, Dale L.
 Gunther, Lewis L.
 Kratochvil, Frank J., Jr.
 Marble, Howard B., Jr.
 Mazzarella, Maurice A.
 Parry, Donald E.
 Perkins, Robert R.
 Prince, Clifford H., Jr.
 Rigterink, Ray A.
 Webre, Harvey P.

MEDICAL SERVICE CORPS

To be captain

Bell, Gordon G.
 Edrington, Harold G.
 Gilpin, John H.
 Goldman, David E.

Allen, Henry L., Jr.
 Allison, George E.
 Almonrode, Roland H.
 Ames, Lionel E., Jr.
 Anderson, Leo J.
 Armstrong, Colin L.
 Athow, Robert F.
 Austin, William H., Jr.
 Bacon, Francis W., Jr.
 Baer, Joseph, Jr.
 Bagwell, Wallace B.
 Bailey, George G.
 Ball, George F.
 Barley, Cecil E.
 Barondes, Earl D.
 Bass, Richard W., Jr.
 Baughman, Fred H.
 Baumann, Hugh B.
 Beaman, Percy S.
 Bell, John H.
 Benson, Harry L.
 Berglund, Burton E.
 Betts, Martin B.
 Black, Charles H.
 Blair, Ira W.
 Bodnar, Andrew J.
 Boushee, Frank L.
 Bowen, James W.
 Bradley, Claiborne S.
 Brady, James "L", III
 Brisco, Kenneth B.
 Brockmann, Victor D.
 Brooks, Wharton H., Jr.
 Broun, LeRoy R.
 Brown, Edward J.
 Buck, Edward G.
 Bueler, Charles M.
 Bunganich, John, Jr.
 Burkett, Alva D.
 Byrd, William J.
 Campbell, Ivan R.
 Cantrell, Charles E., Jr.
 Carliquist, Roger
 Carman, Warren E.
 Carr, Herbert W.
 Carraway, Bertram R.
 Carter, John T., Jr.
 Carter, Rodney B.
 Chelgren, John L.
 Chirillo, Louis D.
 Christoph, Karl J., Jr.
 Clark, William E.
 Clay, Harold S.
 Clemente, Angelo E.
 Clifford, William F., Jr.
 Clymer, Roy E., Jr.
 Coker, Edgar M.
 Coggins, Jack C.
 Corley, Frank W., Jr.
 Corrigan, Paul T.
 Cort, Walter W., Jr.
 Cover, John H.
 Crabtree, Alan B.
 Crawford, Wayne H., Jr.
 Crispin, Robert E.
 Crouter, Robert W.
 Crump, Frank L., Jr.
 Cullen, James H.
 Cullison, Chester D.
 Culwell, Jackson P.
 Cummings, Edward M., Jr.
 Dadisman, Richard "A"
 Darcy, Robert T.
 Darling, Richard B.
 Davidson, John D.
 Davis, James W.
 Davis, Cabell S., Jr.
 DeBaets, Donald J.
 DeBaets, Ronald M.
 Decker, Harvey L.
 Dedman, Tyler F.
 Deffenbaugh, Robert M.
 Denkler, John M.
 Denny, Lewis E.
 Dermody, Richard J.
 Dibble, Henry M.
 Dickieson, Robert W.
 Doe, Willard C.
 Donnelly, William N.
 Donovan, Walter J.
 Douglas, Stephen P., Jr.
 Dowell, James W.
 Downing, Joseph H., Jr.
 Doxey, Robert C.
 Dudley, Calvin C.
 Durfos, Robert E.
 Dyer, Philip M.
 Eakin, John C.
 Early, Paul J.
 Edelson, Burton I.
 Edwards, George D., Jr.
 Edwards, Maurice M., Jr.
 Eidson, George V.
 Ekas, Claude P., Jr.
 Eldridge, Richard A.
 Elmer, Joseph S.
 Epps, John H.
 Ewing, John R.
 Fargo, Robert R.
 Faulkner, Doc G., Jr.
 Fay, Lawrence J.
 Fenn, Richard W.
 Ferguson, Robert E.
 Fisher, John H.
 Fitzgerald, Jean
 Flood, Robert H.
 Fogarty, Francis C.
 Forrester, John J.
 Foulds, Donald D.
 Foxgrover, James H.
 Foxwell, David G.
 Franklin, Isaac N., Jr.
 Freeland, Harold H.
 Fry, John C.
 Fuller, Jack D.
 Gammon, James M.
 Garlinghouse, Bruce B.
 Garner, Alan S.
 Garvin, Wilbur C.
 Gauthier, Gene F.
 Gebler, Gerard P.
 Geiger, Robert K.
 Gibbs, John D., Jr.
 Gibson, George W.
 Gideon, Robert A., Jr.
 Goldman, Peter J.
 Gorder, Charles F.
 Gormley, Robert H.
 Graves, Robert F., Jr.
 Gray, Joseph W.
 Green, Norman K.
 Gresham, John I.
 Griffith, Harold F.
 Gross, James R.
 Guilday, Thomas J., Jr.
 Gurney, Sumner
 Hagler, Billy E.
 Hale, Claude E.
 Hale, Robert F.
 Hancock, Burton W.
 Hargarten, Robert W.

Harkins, William D.
 Harlan, James D.
 Harris, Jack H.
 Harris, William H.
 Harrison, James L., Jr.
 Haupt, Richard W.
 Hawvermale, Joseph R.
 Hayes, James T.
 Haynes, Kenneth G.
 Heckert, Nelson E.
 Herron, Russell G.
 Highsmith, Frederick L.
 Hinden, Harry J.
 Hoag, Harold
 Hodder, Arthur J., Jr.
 Hodge, Alan G.
 Hoffman, Richard A.
 Hoffmann, Henry A.
 Holland, John P.
 Holmes, Robert C.
 Holshouser, Jesse A., Jr.
 Holton, Wallace C.
 Hornbrook, James M.
 Howard, Alfred M.
 Howard, Cornelius S., Jr.
 Huddle, Norman P.
 Hunter, "H" Reid
 Jagoe, William H.
 Jahant, John W.
 Janiec, Roy T.
 Jefferson, Harry P.
 Johnson, Harvey J.
 Jordan, Glenn D.
 Joss, Herbert L.
 Juntilla, Harry W.
 Jussel, Alfred R.
 Kanak, Robert A.
 Kearny, James D.
 Keenan, Paul C., Jr.
 Keener, Bruce, III
 Keiser, Richard M.
 Kelly, Eugene F.
 Kelso, Quinten A.
 Kern, John S.
 Kille, Newton A.
 King, John W., Jr.
 Kline, John L., Jr.
 Knock, Franklin C.
 Knutson, Albert E.
 Koehler, Robert H.
 Koett, Lee E.
 Kojm, Leonard R.
 Kolda, Frank C.
 Krejcarek, Donald J.
 Krimmel, John E.
 Lansden, Humphrey B.
 Larsen, Norman E.
 Lawrence, Kenneth W.
 Lawson, Kent W.
 Lebledz, Edward F.
 Lee, George H.
 Lee, Harry B.
 Lember, David B.
 Leo, Joseph P., Jr.
 Lewis, Chantee
 Lewis, William S.
 Livesay, Alvin R., Jr.
 Lockwood, Warren H.
 Loper, Ollie J.
 Love, Warren H.
 Lynch, Leslie "O"
 Mac Onie, Robert T.
 Maige, George N.
 Manganaro, Francis F.
 Mangold, John F., Jr.
 Marsolais, Lawrence D.
 Martin, Ward K.
 Marzluff, Joseph O.
 Masek, Floyd E.
 Matthew, William McG.
 Maurer, Richard C., Jr.
 Maxwell, Robert A.
 McArdle, Robert P.
 McCann, Carl J.
 McClinton, Robert B.
 McConnell, John H., Jr.
 McCook, John A.
 McDaniel, Charles B.
 McDonald, Carlton A. K.
 McDonald, William M.
 McDowell, Charles E.
 McEachern, Harold O.
 McGonagle, William L.
 McKinley, William
 McMakin, Charles H., Jr.
 McNary, Johnnie W.
 McVeigh, Paul J.
 Mead, Frank C.
 Mead, Merle P.
 Measel, James G.
 Metcalf, Wayne C., Jr.
 Miko, Charles R.
 Miles, Bernard L.
 Milligan, Donald F.
 Milner, William G.
 Mitchell, Frank A.
 Mitchell, John E.
 Monger, Albert J.
 Moorman, Eugene R.
 Morgan, Clifford L.
 Morris, Marion E.
 Morris, Max K.
 Morrison, Edward B.
 Morrison, Wilbur M.
 Munly, Richard E.
 Murray, Richard D.
 Navarrette, Claude, Jr.
 Nealon, William G.
 Neiss, Norman J.
 Nelson, Robert E.
 Nesbitt, James D.
 Netherland, Roger M.
 Neville, Joseph T.
 Newcomb, Robert C.
 Norman, Oliver L., Jr.
 Nowers, William E.
 Nuber, George E., Jr.
 O'Connor, Roderick J., Jr.
 Olds, Corwin A.
 O'Leary, Stephen J., Jr.
 Olson, Delbert A.
 Olson, Robert C.
 Osborn, Neri, III
 Osmer, James W., Jr.
 Palmer, John G.
 Parish, George R., Jr.
 Parker, Hugh G., Jr.
 Parks, William L., Jr.
 Patterson, Randolph F.
 Pehrsson, Pehr H.
 Pentimaki, Walfred N.
 Perry, Dale S.
 Pfeiffer, Willard D.
 Phillips, Kenneth E.
 Pickens, Jackson R.
 Pollard, Robert D.
 Porcari, Thomas J.
 Powell, Robert A.
 Prange, William L.
 Price, Mood B., Jr.
 Prichard, Reuben P., Jr.
 Puckett, Howard M.
 Pyle, Robert E.
 Radtke, Robert N.
 Ragland, Roy J.
 Rasmussen, John E.
 Rauch, Charles F., Jr.
 Rawlins, Robert D.
 Rawson, Charles E.
 Rectanus, Earl F.
 Reichwein, Fremont E.
 Richmond, John W., Jr.
 Rideout, Joseph M., III
 Rigot, William L.
 Riley, Daniel P.
 Riley, Jack
 Robertson, William D., Jr.
 Rockcastle, Charles H.
 Rogers, David A.
 Rogers, Edmund D., Jr.

Rohrer, Leonard V.
 Rose, Meyer H.
 Ross, Claude M.
 Ross, Seymour N.
 Ross, William W.
 Roth, Emil S.
 Ruehrmund, James C.
 Rumpf, Milo
 Rusche, Alvin E.
 Russell, Paul E.
 Russell, Wallace L.
 Saar, Charles W.
 Sanders, James E.
 Sapp, Earle W.
 Saubers, Maurice D.
 Scappini, Mimo L.
 Schaffer, William M.
 Schock, Robert E.
 Schuler, Foster R.
 Scoggins, Marvin C., Jr.
 Scott, Robert L.
 Scudder, Harold
 Shaver, William McC.
 Sheehan, William R.
 Shepard, Philip B.
 Short, Edward A.
 Shugart, Kenneth L., Jr.
 Shute, John W.
 Simmons, John A., Jr.
 Simons, Joseph T.
 Sisson, Jonathan A.
 Skelly, Harold F.
 Slater, Robert W.
 Smith, Deming W.
 Smith, Harold A.
 Smith, Meredith A.
 Smith, Robert H., Jr.
 Smith, Robert P.
 Somme, Maurice L.
 Songer, Jack R.
 Spangenberg, Walter, Jr.
 Spoon, Donald D.
 Spry, Warren L.
 Stevenson, Norman M.
 Stone, John F.
 Stone, Troy E.
 Styer, Robert T.
 Talmadge, Charles J.
 Taylor, Dean, Jr.
 Tegfeldt, Carl G.
 Tell, William M.
 Terrass, Milford S.
 Terry, Bernard E., Jr.

MEDICAL CORPS

To be commander

Allison, Mack E., Jr.
 Arthur, Ransom J.
 Babalis, William J.
 Barnwell, Frank M.
 Burkhardt, Vernon A.
 Clarke, Pauline E.
 Esterly, Harold D., Jr.
 Frew, Mable A.
 Horgan, Joseph T.
 Hyams, Vincent J.
 Ahern, James R.
 Allshouse, Thomas J.
 Banghart, Robert J.
 Barnett, William H., Jr.
 Baumgardner, James M.
 Beale, John W.
 Benson, Bruce A.
 Bow, Joseph R.
 Bray, Walter H.
 Calhoun, Thomas N.
 Carlson, John C.
 Chapman, John A., II
 Cheshure, Joseph H.
 Child, Arthur L., III
 Cosby, Francis B.
 Daley, Edward J.
 Donnelly, Joseph A.

Thomas, Edward W.
 Thomas, Lee R., Jr.
 Thompson, Robert K.
 Thummel, Gerald F.
 Tilton, Charles N.
 Tobin, Daniel P.
 Townes, John W., Jr.
 Trout, Roscoe L.
 Trusso, Sebastian
 Twedell, Jack L.
 Ulm, Robert B.
 Underwood, John "L", Jr.
 Urbanczyk, Louis T., Jr.
 Van Gundy, Bryson, Jr.
 Van Lunen, Lloyd M.
 Van Tol, John
 Vecchione, Felix S.
 Vermilya, Jay Jr.
 Vermilya, Robert S.
 Vollertsen, Russell A.
 Vollmer, Cecil R.
 Voves, Martin C.
 Wadsworth, Dwight
 Walker, Grant J.
 Walker, Harrison M., Jr.
 Ward, Edgar F.
 Ward, "J" "D"
 Warring, Leo B.
 Weeks, Robert E.
 Weidman, Robert M., Jr.
 Welch, Edward F., Jr.
 Welch, Paul R.
 Wellons, Alfred G., Jr.
 Wells, Frank P.
 Wenzel, Harold F.
 Wheeler, Clifford D.
 Wiener, Richard "A"
 Wilda, Gerald L.
 Williams, Bernard P., Jr.
 Williams, David T.
 Williams, Hexter A.
 Wineman, Gordon L.
 Winkler, Cornelis, Jr.
 Yates, Andrew J.
 Yates, William K.
 Yeatman, Richard P.
 Zelov, Randolph D.
 Zimmerman, William R., Jr.
 Zinsler, Frank G.

SUPPLY CORPS

To be commander

Edsall, Arthur R., Jr.
 Elwood, Joseph L.
 Fabian, Robert G.
 Finn, John F.
 Foll, John L.
 Gifford, Robert L.
 Graziadei, John D.
 Grechanik, Walter
 Growden, Ellwood W.
 Hagedorn, Lawrence D.
 Haines, Donald E.
 Hamill, William T., Jr.
 Hardy, John F.
 Hatch, Bobby L.
 Hatfield, John H.
 Havener, Mildard F.
 Heasley, Gail L.

Heindel, Donald D.
 Heltmeyer, Richard C.
 Hency, Max E.
 Henker, Donald E.
 Hereford, James D., Jr.
 Hobkirk, Carl M.
 Honsinger, Jack E.
 Houkum, Leif A.
 Hutchison, Marvin S.
 Johnson, William H.
 Keyser, Carroll R.
 Kolinsky, Jaromir J.
 Kraus, Walter L.
 Lake, Donald H.
 Lillis, James F.
 Longmire, Billy R.
 Manion, Uriel V., Jr.
 Martin, Donald V.
 Martin John T.
 Maurstad, Alfred S.
 Maxon, Ivan B.
 McCabe, John N.
 McCrory, Walter J.
 McGovern, Austin F.
 McKeen, Edward N.
 Nash, William T.
 Nunn, Enoch W.
 Nunnally, Roy S.
 O'Connor, Thomas J.
 Olin, William C.
 Oliver, James C., Jr.
 Ortlund, Warren H.
 Ouellette, Joseph F.
 Packard, Harrison G.
 Park, Jack M.

CHAPLAIN CORPS

To be commander

Agnew, James F.
 Anderson, Robert E.
 Caldwell, Ralph G.
 Detrick, Wayne N.
 Duncan, Henry C.
 Dunn, Edward J.
 Hammer, Paul C.
 Hawkins, Elmo M. T.
 Hunter, William M.
 Killeen, James J.
 Lineberger, Ernest R.
 McDonnell, James T.
 McMillan, Robert C.

Pawlowski, Thomas J., Jr.
 Pflueger, Paul J.
 Phelps, Gordon W., Jr.
 Pillar, Samuel A.
 Purnell, Rodney K.
 Rainey, Richard L.
 Reichert, Harold H.
 Reynders, William J.
 Ryder, John K.
 Ryon, George G.
 Schultz, Jackson L.
 Sharp, Herbert C.
 Snyder, William J.
 Spalding, Joseph E.
 Stephens, Samuel S.
 Stratton, Ogden K.
 Sundberg, Daniel G.
 Sutherland, Lawrence E., Jr.
 Thompson, Edwin H.
 Tylman, Frank J.
 Van Tol, Peter H. B., Jr.
 Veazey, John W.
 Vogel, William J.
 Waldron, William S.
 Wallace, William E.
 Walters, Melville J., Jr.
 Welch, Gordon E.
 Weyrauch, Gerald H.
 Whelan, David W.
 Wier, Richard A.
 Wills, Thomas J., II
 Packard, Harrison G.
 Park, Jack M.
 Paulson, George I.
 Powell, Wille D.
 Prickett, Albert D.
 Riley, George B.
 Robertson, Alla W.
 Smith, Vincent M.
 Spinnney, William J.
 Sundt, Valery E.
 Vanderpoel, George E.
 Weber, Oscar
 Weidler, Edwin R.
 Williams, Bruce H.
 Wootten, Thomas J.

CIVIL ENGINEER CORPS

To be commander

Bafus, Raymond A.
 Butterfield, Ossian R.
 Curione, Charles
 Dewey, Elliot A.
 Dunn, Robert H. P.
 Floyd, Archie E.
 Hardy, Richard T.
 Heid, Charles C., Jr.
 Johnson, William M., Jr.
 Jones, Frank W.
 Jortberg, Robert F.
 Kirk, Randolph
 LeDoux, John C.
 Lemmon, William R.
 Marron, James P.
 Michael, Edwin M.

Miller, Robert H.
 Nims, William E.
 Padden, Thomas J., Jr.
 Perkins, Anson C.
 Pickett, Eugene L.
 Reed, William F., Jr.
 Richeson, William J.
 Semple, William H.
 Shockey, Dan N.
 Simonson, Nelson C.
 Strohn, Alfred, Jr.
 Trompeter, Richard W.
 Vivoli, Pierre L.
 Wallace, Billy C.
 Washburn, Jack E.

DENTAL CORPS

To be commanders

Allen, Ethan C.
 Amman, Fred M.
 Austin, Robert E.
 Bagby, Robert W.
 Bartosh, Andrew J.
 Corthay, James E.
 Duggan, Norman E.
 Enger, Theodore C.
 Farrell, Paul E.
 Hickey, Loren V.
 Hotz, Philip C.

Johnson, Walter N.
 Kresi, Bernard F.
 Leupold, Robert J.
 Nelson, Jack D.
 Sachs, Samuel J.
 Schweitzer, John R.
 Scruggs, Charles "S"
 Weber, Irving J., Jr.
 Wilkens, Carl H., Jr.
 Wyda, Andrew, Jr.

MEDICAL SERVICE CORPS

To be commanders

Allen, Cleo R.
 Allen, Robert V.

Munroe, Barbara
 Noble, Howard F., Jr.

NURSE CORPS

To be commanders

Bittle, Miriam E.
Chelf, Anne J.
Cornelius, Dolores
Dalton, Marie F.
Dehler, Erma J.
Emery, Lura J.
Houghton, Arline D.
McCleary, Catherine M.

LINE

To be lieutenant commanders

Abe, Henry H.
Abele, Henry F.
Abercrombie, Jerry T.
Abrahams, Thomas P.
Abrahamson, Dean A.
Adamson, Edwin C., Jr.
Adcox, James R.
Addams, John F.
Adler, Ronald E.
Adorney, Frank
Ahlgren, Kenneth L.
Ahlquist, Stanley W.
Aiaa, Harvey C. K.
Aitcheson, George A., Jr.
Albers, William P.
Albertson, William H.
Albright, Richard K.
Alderson, James M.
Alexander, Marvin W.
Alexander, Charles F.
Alexander, Adolore L.
Alford, William J.
Aldredge, Donald L.
Allen, William D.
Allingham, James R.
Allison, Arnold W.
Altee, Thomas M.
Altmeyer, John M.
Andersen, Alexander R.
Anderson, Curtis O.
Anderson, David W.
Anderson, Forrest P.
Anderson, Robert P.
Anderson, Robert N.
Anderson, Richard N.
Andrassy, Michael F.
Ankrum, Glenn E.
Apted, George L.
Archambault, Jackson L.
Armstrong, Philip McC., Jr.
Armstrong, Stephen O., Jr.
Arnold, Robert B.
Asbacher, Martin A., Jr.
Ashley, Bruce H.
Atkinson, Robert J.
Aubuchon, Harvey Aucoin, Leonard L.
Augustine, Grant, III
Austin, Carl G.
Avary, James C., Jr.
Avrit, Richard C.
Babcock, Donald E.
Bagby, Hallam O.
Bailey, Joe E.
Baker, Halbert E.
Baker, Robert O.
Balderson, Buele G.
Baldwin, Charles C.
Ball, Courtland D., III
Banham, Herbert G., Jr.
Banks, Sidney M.
Banta, Robert
Barke, Arthur R.
Barnes, Donald K.
Barnes, Harry G., Jr.
Barnes, Harold
Baron, Charles R.
Barrett, Thomas D.
Barry, Thomas M.
Barth, Joseph J., Jr.

Miller, Lucile P.
Perry, Bessie M.
Richman, Anna
Rothermel, Alice M.
Shedyak, Alice M.
Tidwell, Dorothy C.
Vitzkievitch, Helen V.
Walker, Ella M.
Yankoski, Adelyn M.

Barthelenghi, George H., Jr.
Bartlett, Frederick R.
Bassett, Melvin S.
Bates, Carl M.
Bauchspies, Rollin L., Jr.
Bauer, Bruce A.
Baum, Joseph H.
Bayer, David A.
Beat, Robert S.
Beaumont, Eugene A. G.
Beaver, Alfred S.
Beaver, John T.
Beck, Donald A.
Becker, Glynn P.
Beers, Robert C.
Beeton, Harvey J.
Behnken, Clifford R.
Bekkedahl, Clifford L.
Belechak, Stephen C.
Bell, Bill J.
Bell, William R.
Bengel, Audrey L., Jr.
Benner, Leslie W., Jr.
Bennie, Donald B.
Bentley, William C.
Bergbauer, Harry W., Jr.
Berge, Norman K.
Berry, William H.
Besio, Louis F.
Best, Eddie F.
Bingham, Joseph L.
Bird, Charles F.
Bird, Joseph W., Jr.
Bishop, Richard D.
Bivens, Arthur C.
Blackmore, Thomas A.
Blackwood, Robert G.
Blanchard, Robert C.
Blandine, Robert E.
Block, Stanley H.
Block, Steven
Blouin, Stanley G., Jr.
Blundell, Peveril
Boaz, George L.
Boggs, Steve V.
Boister, Harry E.
Borthwick, Robert B.
Bostwick, Charles G., Jr.
Bottenberg, Foster L.
Botts, Ronald H.
Bowling, David H.
Bowling, Roy H.
Bowman, Frank S.
Boyd, John H., Jr.
Boyer, Walton T., Jr.
Boyer, William E.
Boyett, Stephen G.
Boyle, Darrell D.
Boyle, Henry F., Jr.
Bozell, Rex K.
Brabec, Richard C.
Bradbury, John I.
Braden, Melvin E., Jr.
Bradley, Donald C.
Brady, Bernard F.
Braun, William K. G.
Breaux, Fred J., Jr.
Bredestege, Joseph J., Jr.
Britton, William L.
Brooks, Darrell H.
Brooks, Edwin H., Jr.

Brown, Cloyde I.
Brown, George P.
Brown, Kenneth R.
Brown, Larry J.
Brown, Lloyd H.
Brown, Walter H., Jr.
Browning, Siras D.
Bruce, George W., Jr.
Brummage, Richard L.
Brunson, Wright "A", Jr.
Buc, William J.
Bucher, Lloyd M.
Buckholdt, Robert A.
Bucy, John T., Jr.
Bueck, Robert K.
Bull, Joseph L., III
Bullard, John R.
Burgess, James A.
Burke, William C.
Burriss, Raymond M.
Burt, Thomas E.
Bushong, Brent
Butcher, Nathan T.
Butcher, Paul D.
Butler, Charles T.
Butler, Harold E.
Butrym, Stanley B., Jr.
Butz, John T.
Byberg, Robert C.
Byrnes, Robert E.
Cagle, James B.
Callicott, Jack D.
Cammall, John K.
Campbell, George R.
Campbell, James B.
Campbell, Jack
Campbell, Robert J.
Campbell, William N.
Canant, Fred C., Jr.
Canfield, Gerald I.
Cannell, Donald T.
Cannon, David E.
Canon, George A., III
Cantillon, Henry C.
Carelli, Francis L.
Carlson, Olof M., Jr.
Carmody, Cornelius J.
Carnevale, Angelo M.
Caron, Robert R.
Carosia, Joseph J.
Carothers, Phillip "F", Jr.
Carr, John H.
Carr, Nevin P.
Carr, Roland J.
Carrington, James H., Jr.
Carroll, James F.
Carter, James D.
Carter, Robert D.
Carter, Winfred G.
Carterette, Robert T.
Cash, Eugene J.
Cashman, Michael, II
Cassen, John S., Jr.
Cassidy, Thomas J., Jr.
Castro, William B.
Causey, Donald F.
Cave, David B.
Cavitt, William M.
Champlin, Gerald B.
Charest, Philip G.
Chase, Edgar M.
Chase, Robert T., Jr.
Chesley, James P.
Chezem, Norman B.
Childs, George M.
Chin, Donald
Christensen, Raymond J.
Clark, George K.
Clark, Philip K.
Clark, Richard G.
Clark, Robert A.
Clarkin, James J.
Clemens, Eugene M.
Clements, Billy E.
Coe, David C., Jr.

Cole, Edgar E.
Cole, William S., Jr.
Coleman, James O.
Colgan, John G.
Collins, Edward P.
Collins, Philip K.
Compton, Charles R.
Conn, Clayton "J"
Connelly, John J.
Connelly, John G.
Connolly, Timothy W.
Conrad, Charles, Jr.
Conroy, Robert O.
Coogan, Richard D.
Cook, Charles L.
Cook, Harry K.
Cook, Vernon H., Jr.
Cooley, Arthur W.
Cooper, Andrew N., Jr.
Cooper, Lowell H.
Cooper, Robert G.
Cooper, Tommy G.
Corbett, Eugene A.
Corley, Bennie L.
Cormier, Conrad R.
Cornell, Arthur F.
Coscina, Michael A., Jr.
Coskey, Kenneth L.
Coston, Stanford W., Jr.
Cottrell, Walter N.
Coughlin, Eugene F.
Coughlin, Paul G.
Cour, Edward E.
Cox, Gerald W.
Crabb, Eugene V.
Crader, Clifford L.
Craig, Earl C.
Crandall, Alan W.
Crater, Ray F.
Crawford, Bobby C.
Crawford, Nace B., Jr.
Crepeau, George A.
Cricchi, John V.
Cricklaw, Douglas L.
Cross, Charles H.
Cuccias, Leo P.
Culbert, Joseph M., Jr.
Cunningham, Edward F.
Curl, Kent W.
Curry, Thomas E.
Dagdigian, James J.
Daily, Hubert D., Jr.
Dally, David F.
Dalton, Richard V.
Daly, Harry P., Jr.
Daly, Richard G.
Daniels, James M.
Darville, Edmond J.
Davis, Bill N.
Davis, George K.
Davis, John B.
Davis, Robert C., Jr.
Deal, Walter C., Jr.
Dearcot, Michael E.
DeBolt, Frank C.
DeFeo, Modestino R.
De Hart, William
DeMaris, Darryl A.
Dempsey, Gerald M.
Denman, Charles C., Jr.
Dennis, Aubrey D.
Derda, James R.
Desrocher, Marvin P.
DeTonnancourt, Arthur E.
Deveraux, John R., Jr.
Dey, Gordon J.
Dick, Joseph L.
Dickman, Jerry A.
Dickson, John A.
Dierdorff, Loren M.
Diesel, Charles N.
Dietz, Richard J.
Di Giacomo, Joseph G.

Dillard, Marvin B.
Dillingham, Paul W., Jr.
Dimon, Charles G., Jr.
Divelbiss, Dallas R.
Dodds, Robert M.
Dolan, William R.
Domingue, William A.
Donaldson, Robert S.
Donnelly, Raymond D., Jr.
Donnelly, Robert G.
Donohue, David P.
Donovan, James F.
Doolittle, James E.
Dorland, John E.
Doroshuk, John Jr.
Douglas, Jack R.
Douglass, James G., Jr.
Dowd, Francis X.
Dowd, George G., Jr.
Dowe, Robert M., Jr.
Dowe, William J., Jr.
Drain, John F.
Drees, Morris C.
Dreghorn, Richard T.
Drew, Russell C.
Drummet, Richard C.
Drummond, Scott E., Jr.
Dubino, Andrew D.
Dubois, Roland H.
Duff, Robert G.
Duffy, Joseph A., Jr.
Duhkopf, Don J.
Duke, Marshal D., Jr.
Dunaway, John A., Jr.
Dunbar, Vance O.
Dunkin, Ray L.
Dunlop, Thomas E.
Durant, Michael
Durbini, Peter
Dwyer, George M.
Eckerd, Kenneth C.
Eckhouse, Morton A.
Eddy, Denver D.
Edwards, Donald L.
Edwards, Jerry J.
Edwards, William R., Jr.
Eibert, Don C.
Eldridge, David B., Jr.
Elliott, Orville G.
Ellis, David E.
Elmore, John E.
Elster, James M.
Engelbrecht, Richard H.
Englander, Owen
English, Francis W., Jr.
Erickson, William K.
Erwin, Donald E.
Evans, George J.
Evans, Richard B.
Evans, Robert C.
Evans, Thomas B.
Eyes, Thomas D.
Falconer, Alastair S.
Fall, David R., Jr.
Farber, Karl H.
Farnham, Charles G.
Farris, Don M.
Feeks, Edmond M.
Fehl, Frederick C., Jr.
Fellows, Charles D.
Felt, Donald L.
Felt, Joseph A.
Fenn, Dan E.
Ferguson, William W.
Fergusson, Ernest W.
Ferrazzano, Fred J.
Fette, Estal J.
Field, Harford, Jr.
Fiene, Donald F.
Filkins, William C.
Fimlan, James J.
Fischbein, Ernest
Fischer, David H.
Fischer, Edward J.
Fisher, John C.
Fisher, Russell H.

Fitzgerald, Thomas W., Jr.
Fitzgerald, David E.
Flatley, John E.
Fleischmann, William H., Jr.
Fleming, Raymond T., Jr.
Flom, Hewitt O.
Florance, John E., Jr.
Fong, Chong S.
Font, Carlos G.
Forsman, Arvid E.
Fossum, Paul G.
Fox, Charles W., Jr.
Fox, Richard V.
Frank, Benjamin L.
Frankenfield, Robert T.
Fraser, George K., Jr.
Fraser, Robert "E"
Frederick, Donald R. A.
Frederick, John L.
Freeman, Linus W., Jr.
Freeman, Robert W.
French, Fred H.
Freund, Herman C.
Frick, Joseph F.
Friedel, Gordon W.
Friesen, Floyd A.
Fudge, David A.
Furey, Laurence T.
Furgerson, John A.
Furmanski, John A.
Gall, Daune M.
Gallagher, Hugh L.
Gallagher, Robert S.
Gallipeau, Richard W.
Gallup, Shelley P.
Galvin, Bernard J.
Gandy, John D.
Garcia, William V.
Gardner, Louis J.
Gardner, Ruel E.
Garrett, Walter W.
Garrett, John E.
Gatterman, Raymond D.
Gavazzi, Robert R.
Gedney, George, Jr.
Gennette, Robert L.
Gentry, Osby Z., Jr.
Gentry, Timothy P.
Gherry, Patrick F.
Giberson, William A., Jr.
Gigliotti, Felix P.
Gildea, Joseph A.
Giles, Thomas N.
Gillette, Halbert G.
Gilmore, Arthur H.
Gilroy, John W., Jr.
Giovannetti, William C.
Gjertson, Glenn R.
Glaves, Robert H.
Glaizer, Alvin S.
Gleason, Joseph P.
Gleim, Ernest H.
Glickman, Walter
Goben, Robert D.
Goddard, Thomas B.
Goldner, Robert R.
Gomer, August W.
Good, Ronald P.
Gooden, Richard O.
Goodman, Kelsey B.
Goodrich, John R.
Goodwin, Frank O., Jr.
Gordon, Richard F., Jr.
Gorman, Hugh J., Jr.
Goschke, Erwin A.
Gowing, Richard M.
Gradel, Robert
Graf, Frederic A., Jr.
Grahler, Walter H.
Graveson, George L., Jr.
Gray, Charles A.
Greeley, Michael T.
Green, Thomas B.

- Greene, William F.
Greenwood, Eugene I.
Greer, Marvin S., Jr.
Greer, Wayne C.
Gregory, Donald G.
Gregory, George B.
Gregory, John J.
Grewe, William H.
Gress, Donald H.
Grich, Richard J.
Grier, Robert W., Jr.
Griffith, Webster
Griggs, Norman E.
Groff, Noel E.
Gross, Arthur J.
Gunning, Patrick J.
Guzman, Indalecio
Haas, Kenneth R.
Hack, Arthur J., Jr.
Hackney, Benjamin F., III
Hagberg, Roy V.
Hageman, Roger H.
Haggquist, Grant F., Jr.
Hahn, Frederick, Jr.
Hairston, Thomas F.
Haisey, Charles H., Jr.
Halverson, Richard K.
Hamaker, Laurence P., Jr.
Hamel, James K.
Hamilton, Glenn D.
Hamm, Clement D., Jr.
Hammock, John W.
Hampton, Winfred F., Jr.
Hangartner, Lyle G.
Hannula, Brian K.
Hansard, Stonewall
Hansen, Rodney V.
Harlow, David L.
Harney, Russell F.
Harns, John H.
Harper, William W.
Harris, Dennis C.
Harris, James W.
Harris, Richard A.
Harrop, Robert D.
Harwood, John B.
Haslam, Edward H., Jr.
Hassett, Joseph K.
Hatch, Harold G.
Hatcher, Robert E., Jr.
Havens, Stanley L.
Havird, Lloyd B.
Hawk, Arthur L.
Hayes, Albert M., Jr.
Hayes, Jerome B.
Hays, Estel W.
Haywood, Jesse H.
Headland, Carl B.
Headrick, Billy J.
Hebbard, Leroy B., Jr.
Heft, James O.
Helgemoe, Raymond A.
Helgson, Harry E., Jr.
Helms, Ronald L.
Henderson, Charles G.
Henderson, Jerry E.
Hendrick, David R.
Hennessey, Aloysius G., Jr.
Henson, James D.
Henson, John M.
Herkner, Richard T.
Herriott, Donald M.
Higginbotham, Allen B.
Higgins, Byron R.
Higgins, Hugh W.
Higgins, Thomas G.
High, James T., Jr.
Hill, Frank W.
Hill, James J.
Hille, Edward W.
Hilz, Harold J.
Hinden, Stanley
Hinman, Albert H.
Hoch, John E., Jr.
- Hodson, Theodore L., Jr.
Hogan, Walter V.
Hobert, William H., Jr.
Holcomb, Gordon B.
Holcomb, "M" Staser
Holder, Luther C.
Holland, James N.
Hallenbach, William T.
Holly, Daniel T., Jr.
Holmes, Harold C., III
Holt, Ivey B., Jr.
Holt, John J.
Hope, Edgar G., Jr.
Horan, Robert A.
Horton, Edward R.
Horton, Robert L.
Hoskins, Bill J.
Hoskovec, William B.
Hostettler, Stephen J.
House, Edward C.
Houston, Albert W.
Howard, Albert W., Jr.
Howard, Donald L.
Howell, Roswell L.
Hoye, James M., II
Hoyt, Richard L.
Hozey, Ira D., Jr.
Hubal, Augustine E., Jr.
Hubbard, Samuel W., Jr.
Hubbell, Walter B.
Huber, John J., Jr.
Hudson, John P., Jr.
Huffman, Malcolm L.
Hughes, Kenneth P.
Hukill, Henry D., Jr.
Hull-Ryde, Donald
Humber, Marcel B.
Humphreys, Felton "M", Jr.
Hurd, John B.
Hurley, Robert J.
Hussey, Clifford M.
Ingraham, Talcott L., Jr.
Isaacks, Marlon H.
Jackson, Nelson P.
Jacobs, Edward J.
Jacobs, Edward J., Jr.
James, Joe M.
James, Joel L., Jr.
Jasper, Charles R.
Jefferis, Allen S.
Jellison, Robert K.
Jenkins, Folsom
Johnsen, Roy M.
Johnson, Alfred C., Jr.
Johnson, Arne C.
Johnson, Bert W.
Johnson, Eldon D.
Johnson, Robert E.
Johnson, Theodore F.
Johnson, William R.
Johnston, John M.
Johnston, James I.
Jonasz, Fredric
Jones, Alfred L., Jr.
Jones, Arthur L., Jr.
Jones, Donald W.
Jones, Donald S.
Jones, Henry R.
Jones, Robert H.
Joy, Bernard I.
Kaiser, Dean E.
Kane, Charles K.
Kane, Paul E.
Karcher, Robert K.
Karge, Ronald E.
Karpaitis, Anthony J.
Kattmann, Roger H.
Kauderer, Bernard M.
Keenan, Richard L.
Keimig, Allen D., Jr.
Kelley, Alfred G., Jr.
Kelley, Roy A.
Kelly, James F.
Kelly, James M.
- Kelly, John S.
Kendrick, William O.
Kennedy, William E.
Ketzner, Harry T.
Kiddle, Bradley D.
Killian, Donald J.
King, Donald E.
King, John E., Jr.
King, Julian B.
Kinsley, Harry W., Jr.
Kirkpatrick, Hollis H.
Kirksey, Robert E.
Kish, Steven E.
Klar, Norman
Klee, Robert E.
Kniss, Donovan E.
Knoer, Don H.
Knowles, George I.
Koci, Vaclav H.
Kosar, William S., Jr.
Kostoch, Walter B.
Kratz, Marshall L.
Kretzschmann, Curt H.
Krisman, Frank A.
Krusi, Peter H.
Kunstmann, Clarence M.
Kurzenhauser, Alfred
LaBarre, Richard E.
Lage, Robert L.
Lahr, John J.
Lab, Ernest E., Jr.
Lake, Walter W.
Lancaster, William L., Jr.
Landers, John D.
Landers, Robert J.
Landersman, Stuart D.
Lane, Robert E.
Lane, Terry L.
Lang, James M.
Lange, Kenneth B.
Langner, David S.
Langston, John L.
Lappin, Robinson
Lardis, Christopher S.
Lashbrook, Durwood E.
Latham, William B.
Latta, Robert L.
Lauber, Ronald M.
Lauer, William C.
Laughlin, Gerald F., Jr.
Lavender, Robert E.
Lawler, Frederick W.
Lawler, James C.
Lawler, William A.
Lawrence, Donald S.
Leaman, Richard E.
Leavitt, Horace M., Jr.
Leckie, William O., Jr.
Leenerts, Rolland E.
Lenahan, Robert P.
Lent, Willis A., Jr.
Levenson, Lee E.
Levey, Sanford N.
Levin, Burt L.
Lewis, Dewey T.
Lewis, Robert
Lewis, Willis I., Jr.
Lewit, Howard L.
Lightsey, Elvin G., Jr.
Limbaugh, Harold D.
Limerick, Christopher J., Jr.
Lina, Robert A.
Lind, Anton F.
Lindsay, Robert B.
Lipford, Charles E.
Lloyd, Theodore L., Jr.
Locke, Barrie B.
Logan, Joseph B.
Lohr, Chester H.
Longman, Richard D.
Lorge, Eugene P.
Lott, Carl D.
Lott, William A.
- Lowry, George C.
Lynch, William A.
Lynch, William C.
Lyon, Peter W.
Lytle, Donald E.
MacClary, David B.
MacGregor, John
Machak, Peter N.
Mack, Chester M.
MacKenzie, William W., Jr.
MacKinnon, James C., III
Mahony, Wilbur J.
Mallinson, William K.
Mallory, John S.
Mangin, Joseph N., III
Manke, Leo O.
Mann, Horace D., Jr.
Margeson, Alan "J"
Markham, Lewis M., III
Marks, Stanley J.
Marriott, Jack L.
Marsh, Alvin "F"
Marsha, Patrick P., Jr.
Marshall, Jack L.
Martin, Alan F.
Martin, Charles W., Jr.
Martin, Charles W., Jr.
Martin, James K.
Martin, Robert C.
Martinez, Lucian C.
Mason, Wesley R.
Matais, George R.
Matheson, Eugene C.
Mathews, Bobby D.
Mathews, Donald W.
Mathews, Thomas H.
Mathis, Glen A.
Mathews, William B., Jr.
Mauldin, Richard A.
Maxim, Rodney E.
May, Robert E.
Mayberry, Thomas A., Jr.
Mays, Clayton P.
McAlevy, John H.
McAlister, Roger C.
McBrayer, John E., Jr.
McBride, Thomas K.
McBurney, Cleland V.
McCabe, Billy E.
McCanna, Marvin G., Jr.
McCarthy, Thomas W.
McCartney, Rodney F.
McCarthy, Charles M.
McComb, Robert B.
McConnell, Donald L.
McConnell, Giley R., Jr.
McCormack, William E.
McCrane, Brian P.
McDaniel, Johnny B.
McDonald, Raymond T.
McDowell, Curtis G.
McElrath, Thomas W.
McGathy, Charles L., Jr.
McGovern, Joseph J.
McGrath, William D.
McGreevy, Walter J., Jr.
McKay, John H.
McKee, Jack V.
McKenna, Gerard A.
McKenna, Patrick
McKenzie, Jon C.
McKeown, William G., Jr.
McLaughlin, Bernard R.
McLin, Robert D.
- McLuckie, James D.
McMahon, Thomas J.
McMurtry, Robert A., Jr.
McNaughton, James M.
McNulty, James F.
McQuesten, John T., Jr.
McVay, Donald H., Jr.
McWaters, William A., Jr.
Mead, George R.
Meighan, John M., Jr.
Melton, Edward C., Jr.
Meredith, Stuart T.
Merget, Andrew G.
Merwin, Paul L.
Mesler, Robert A.
Metzler, Donald M.
Mhooon, John E.
Middleton, Charles O., III
Milano, Vito R.
Miles, Richard P.
Miller, Blount R., Jr.
Miller, Clarence W.
Miller, Curtis W., Jr.
Miller, James H., Jr.
Miller, Joseph J., Jr.
Miller, Kenneth F.
Miller, Robert L.
Millman, Larry
Mills, James R.
Mills, James P. W.
Mirtsching, Leonard C.
Mitchell, Howard C.
Mitchell, Joseph S.
Mitchell, Jerry L.
Mitchell, Lewis N., Jr.
Mitchell, Robert C.
Mock, Roy L.
Monroe, Edward H., Jr.
Monroe, Harvey N.
Monroe, William D., III
Mooney, John B., Jr.
Moore, Clarence E.
Moore, Earle G.
Moore, Harrison M.
Moore, Johnnie R.
Moore, Mark H., Jr.
Moore, Milton W., Jr.
Moore, Raphael B.
Moore, Thomas G.
Moran, Clifford D.
Moreau, Arthur S., Jr.
Morford, Dean R.
Morgan, Houston M.
Morgan, John M.
Morgan, Joseph R.
Morgan, Leroy W., Jr.
Morgan, Robert E.
Morin, Ronald D.
Moss, Daniel J.
Moury, Roger F.
Muench, Gerald W.
Muka, Joseph A., Jr.
Mulcahy, William J., Jr.
Mumford, Charles E.
Murdoch, Alan G.
Murnane, Frederick C.
Murphy, Elbridge F., Jr.
Murphy, George A.
Musoraffiti, Francesco A.
Myers, Coleman E.
Naschek, Marvin J.
Nason, Charles F., Jr.
Nelli, Louis D., Jr.
Nelson, Charles W., Jr.
Nelson, George E., Jr.
Nelson, Herbert F.
Nelson, Joshua J.
Nelson, Keith
Nelson, Teddy N.
Nesbitt, Harry J.
Nevarez, Antonio
Neville, Paul E.
- Newcomb, James A.
Newman, Robert L.
Neyland, James P.
Nichols, Jack H.
Nichols, Richard L.
Nicholson, John L., Jr.
Nielsen, Donald E.
Nielsen, Richard
Nokes, Neil M.
Nomady, Verne G.
Norby, Merlin R.
Nordhill, Claude H.
Nunnally, Edward H., Jr.
Nuss, Charles R.
Nystrom, Frederic L.
O'Connell, John D.
O'Connor, Joseph E.
O'Der, John T.
O'Donnell, Richard J.
O'Hara, John T.
O'Keefe, James L., Jr.
Olds, Robert B.
O'Lear, Joseph P.
Olson, Conrad B.
Olson, Gerard R.
Olson, Norman H.
Onorato, Ernest D.
O'Reilly, Charles W.
Orell, Quinlan R.
O'Rourke, Bernard J.
O'Rourke, Daniel, Jr.
Osborne, Arthur M.
Ott, Robert Y.
Ottey, William H.
Owens, Robert M.
Owesney, William T.
Padgett, Harry E.
Page, Jack A.
Painter, George V.
Pajak, Michael M.
Palmeri, John J.
Paolucci, Donald C.
Pappo, Emil M.
Pappas, Pete A.
Parcher, Stuart M.
Parker, Joseph R.
Parker, Thomas C., Jr.
Parks, Joe
Parr, Donald R.
Passantino, Sebastian P.
Patton, Peter W.
Paul, David L.
Pawley, Sigmund B., Jr.
Payne, Dean M.
Payne, William C. B., Jr.
Peacock, Henry F.
Pearlman, Samuel S.
Peckworth, Dana
Pendergraft, George W., Jr.
Perkins, James E.
Perkins, Joseph "A", Jr.
Perkins, Richard L.
Perry, Lowell E.
Persels, Lyle D.
Person, Ross H.
Personette, Alan J.
Pertel, Joseph A.
Peterson, William J.
Peterson, Edwin J., Jr.
Peterson, Leroy E.
Peterson, Walter R.
Peterson, Dale A.
Peterson, John W.
Peterson, Richard N.
Petty, William A.
Pettyjohn, William R.
Pfromer, Robert A.
Phelps, Robert L.
Phillips, Charles A.
Phillips, John T.
Phillips, Lawrence, Jr.
Phillips, Walter M., Jr.
Pieper, Thomas M.
Pifer, Charles E.
Pine, Gordon F.

Pitkin, Ronald E.	Ruch, Martin, Jr.	Smith, Morgan H.	Trebner-MacConnell, Barrie K.	Will, Otto W., III	Wood, Charles S.
Pitts, Paul D.	Rudolph, Francis A., Jr.	Smith, Robert M.	Trieschman, Edward L.	Willenbrink, James F.	Wood, Edgar K., Jr.
Pixley, George D.	Ruhsenberger, Roger H.	Smith, Thomas J.	Trowbridge, Vern H.	Williver, Edward L.	Wood, John P.
Place, Allan J.	Rusch, John M.	Smith, William L.	Trueblood, William E.	Willhauck, Marion	Woodall, Franklin T., Jr.
Platt, Ralph E.	Russ, William A.	Smith, William L.	Turner, Sherman W.	Willhauck, Arion	Woodberry, Earle B.
Ploss, John H.	Russell, William F.	Snively, Abram B., III	Tuttle, George S.	Williams, David W.	Woodburn, Craig E.
Poland, James B.	Rutzler, Joseph A.	Snow, George M.	Tuttle, John R.	Williams, Louis A., Jr.	Woods, Paul G.
Pollum, Edgar W.	Ryan, James A., Jr.	Snuffin, Jerry A.	Uelman, William C.	Williams, Randall L.	Woods, Robert C.
Poore, Ralph E.	Ryan, Thomas J.	Snyder, Aaron W. S.	Umberger, Robert C.	Williams, Ralph E., Jr.	Worth, Edward R.
Porter, David N.	Ryan, William A.	Snyder, Herman L., Jr.	Upshaw, Donald E.	Williams, Wallace E.	Wright, Charles H., Jr.
Porter, Robert D.	Sanden, Oscar E., Jr.	Solan, Thomas V.	Vaden, Donald E.	Williamson, Robert L.	Wright, James D.
Porterfield, Robert E.	Sanders, Ben T.	Soldwedel, Eugene L.	VanHoop, Eugene W.	Williamson, James F.	Wright, Kenneth L., Jr.
Potter, Arthur M., Jr.	Sanford, Edward	Sonnixsen, Ronald G.	VanHorsen, David A.	Willis, Jack R.	Wright, Richard H.
Prentiss, Dickinson	Sargent, Richard E.	Spanagel, Herman A., Jr.	VanValkenburg, George B.	Wilson, Jack L.	Wright, Richard T.
Price, Oliver L.	Saubers, Walter F.	Spar, Edwin F.	VanWestendorp, Steven	Wilson, James A., Jr.	Wright, William W.
Price, Walter P.	Saucier, Gerald	Spartz, John N.	Vercher, Duane L.	Wilson, Robert W., Jr.	Wunsch, John R.
Prickett, Bruce L.	Saylor, Thomas P.	Spaulding, Robert E.	Veach, Clarence E.	Wilson, Vaughn E., Jr.	Wynn, Carl E., Jr.
Priddy, Clarence L., Jr.	Scarborough, Robert L., Jr.	Speelman, Thomas W.	Velazquez-Suarez, Francisco A.	Wilson, William R., Jr.	Yanaros, John O.
Prindle, Charles O.	Schaadt, Douglas D.	Spiegler, Felix R.	Vernon, Everett L.	Wilson, William D.	Yeager, Donald R.
Pringle, Donald B.	Schaaf, Thomas W.	Spohnholtz, James R.	Viera, John J.	Wilson, William D.	Yoder, Dwane F.
Pritscher, Robert L.	Schafer, Edward D., Jr.	Spradley, Van E.	Vitali, Burt M.	Winans, Gilbert L.	Yoder, William A.
Profflet, Clarence J.	Schaff, Donald J.	Stafford, Kenneth B.	Vogt, Henry L., Jr.	Winfree, Herman D., Jr.	Young, Alfred A., III
Purdum, William H.	Schaub, John R., Jr.	Stallings, Clyde, Jr.	Vojtek, Thomas M.	Wirt, Robert O.	Young, David B., Jr.
Purvis, Ronald S.	Schermerhorn, James R.	Stanard, John D., Jr.	Volatile, Thomas M.	Wisdom, Robert W.	Young, Joseph A.
Quamme, Lyle D.	Schnetzler, Estill E., Jr.	Stanley, Thomas A.	VonMoll, Francis J.	Wise, James E., Jr.	Youngjohns, Richard P.
Quin, John M., Jr.	Schulte, Jean H.	Starcher, Charles W., Jr.	Voyer, Irving L., Jr.	Wise, Peyton R., II	Youse, James A.
Quirk, William J.	Schultz, Eugene D.	Stark, Gerry L.	Wachtel, Joseph J.	Witcher, John R.	Zebrowski, Joseph P.
Raffaele, Robert J.	Schuman, Martin S.	Steele, John T.	Waddington, Jack B.	Withrow, John E., Jr.	Zick, Richard A.
Ragsdale, Herbert W.	Schuster, Dale G.	Stephens, Robert C.	Wagner, David F.	Wolf, James D.	Zirps, Christos
Ralph, Steve, Jr.	Schwartz, Wallace J.	Stephens, Wayne L.	Wagner, James W.	Wolf, William F.	Zitani, Genius A.
Rand, Donald H.	Schwartz, Robert J.	Stevens, Duncan P.	Walker, Henry McD.	Wolke, Victor B. C.	
Randall, Howard W.	Scott, Jack E.	Stevens, Harold F.	Walker, Peter B.		
Randall, Howard F., Jr.	Scott, Kenneth M.	Stevens, Jack D.	Walker, Peter R.		
Ratcliff, Stephen D.	Scully, John J.	Stewart, Blair	Wall, Joseph E.		
Rawls, Roy J.	Sebring, Leland H.	Stewart, Douglas A.	Wall, Richard H.		
Rayder, Daniel F.	Seeba, Herman A.	Stich, John D.	Wallace, Thomas McC.		
Reddick, Robert E., Jr.	Seitz, Richard L.	Stierman, Joseph W., Jr.	Walls, Richard B.		
Redding, Robert M.	Semple, William C., III	Strawn, James H.	Walters, James V.		
Reed, Charles A.	Sesow, Anthony D.	Struven, Robert L.	Ward, Robert B.		
Reeg, Frederick J.	Seymour, Conrad L.	Studebaker, Clayton A.	Warner, Laurance B.		
Reffitt, Raymond E.	Shaffer, William J. E.	Sturgeon, William J.	Warren, Billy R.		
Reger, William L.	Shappell, John R.	Sullivan, Joseph E.	Warren, Thomas C.		
Reid, Richard G.	Sharp, Gail "J"	Sullivan, Thomas J.	Warthen, Donald		
Reilly, William F.	Sharrah, Ronald L.	Sullivan, William W.	Washchysion, John		
Reith, George, Jr.	Shaw, John H.	Sutherland, Doyle L.	Watson, John E.		
Rennie, William B., Jr.	Shaw, John G.	Suzan, Frank M.	Watson, Max H.		
Reynolds, James H.	Shaw, Warren L.	Sweeney, John F.	Watson, Wyatt P.		
Reynolds, Stuart V.	Shaw, William M.	Swor, Jerry G.	Wayham, David E.		
Rhodes, Randolph L.	Shay, Fred L.	Sykes, Lewis B.	Weaver, James J.		
Rice, Daniel W.	Sheehy, Eugene E.	Talbot, Frank R., Jr.	Weaver, John H.		
Rice, Gary L.	Sheeley, Elmer E., Jr.	Talbot, James R., Jr.	Webb, James I.		
Richards, Lloyd W.	Sheets, Jean P.	Tall, Charles H., III	Weber, Lawrence K., Jr.		
Richards, Robert J.	Sheets, Leonard G.	Tally, Billy F.	Webster James McA.		
Richardson, Harold M.	Shemanski, Francis B.	Tappan, Jeremy R.	Weddington, George L.		
Richardson, Phillip D.	Sherrouse, James B.	Tariton, Joe E.	Weeks, Alan L.		
Ricketson, Francis B.	Shilling, John D.	Taylor, Don W.	Weeks, Wayne F.		
Ridge, James J.	Shine, Maurice J.	Taylor, Reeves R.	Wehling, Michael S.		
Rigney, William J.	Shirley, William B.	Taylor, Thomas H.	Wehrman, Philip W.		
Riley, Kenneth J.	Shrewsbury, Lawrence H., II	Templeman, William E.	Weinig, Raymond E.		
Riley, Raymond T.	Shropshire, Edwin D., Jr.	Terry, Daniel G. W.	Welshar, Charles F.		
Ritz, Merlin C.	Shughrou, John J., Jr.	Thomas, Donald P.	Weissman, Marvin M.		
Roach, Francis L.	Shuler, Ashley C., Jr.	Thomas, Frederic J.	Wellings, John F.		
Robbins, Noel	Shuler, Olin J.	Thomas, George R.	Wells, Don V.		
Roberson, George D.	Silverman, Arnold M.	Thompson, George I.	Wells, Walter H., Jr.		
Robertson, Coll E.	Simmons, Arlis J.	Thompson, Jack C., Jr.	West, George D., Jr.		
Robinson, Percy E., Jr.	Simmons, Clayton M.	Thonneson, Earling R.	Westmoreland, Ralph M.		
Robinson, William A.	Simon, Douglas M.	Throop, James R.	Westphal, Lloyd M., Jr.		
Rodgers, Dean T.	Simpkins, George C.	Tietz, William A.	Wetmore, Horace O., Jr.		
Rodgers, James B.	Singer, Freeman J.	Timm, Alvin R.	Wetrich, Charles R.		
Rodgers, James R.	Skelton, Stuart A.	Tinkler, David R.	Wheat, Billy V.		
Rodgers, Thomas A.	Skerrett, Robert J.	Tips, David S.	Wheeler, James B.		
Roe, Charles W.	Skolnick, Alfred	Toland, Hugh J. C., Jr.	Wheeler, John R.		
Roepke, John R.	Skomsky, Louis J.	Tolson, Richard M.	Whiddon, Elmer C., Jr.		
Roff, Ray, Jr.	Skubinna, Myron A.	Tomenendal, Robert J.	Whitcomb, Richard A.		
Rogers, Charles E., Jr.	Slawson, Ralph L.	Tomlinson, Alva C.	White, Charles E.		
Rogers, Gerard F.	Slyfield, Fredrick J.	Tortora, Anthony M.	White, Donald C.		
Rogers, Ralph E.	Smevog, Herbert W.	Toscano, Eugene M.	White, James R.		
Rogers, Warren F.	Smiley, Charles B.	Trabue, Howard W.	White, Richard E.		
Roland, Gerald K.	Smith, Alfred A.	Treat, Billy B.	Whittier, James F.		
Rollins, James R.	Smith, Delvin W., Jr.	Treat, Richard A.	Widman, Manfred W.		
Romano, Matthew E.	Smith, Fredrick D., Jr.	Trebe, Shannon L.	Wiederholt, Jerome B.		
Roner, Charles R.	Smith, James H.	Treber, Gerald R.			
Rorie, Conrad J.	Smith, Joseph C.				
Rose, Hardy N.					
Rose, William R.					
Rossman, Robert H.					
Rosson, James W.					
Rowan, Thomas C.					
Rubb, Milton R.					

LDO—LINE

To be lieutenant commanders

Walter P. Schmidt	Joseph Pestcoe
James K. Berger	Richard G. Rieken
William R. Knapp	Edmund F. Foley
Frederick M. Hollen	William A. Bullock
Douglas I. Smiley	Virgil J. Lemmon
Boyce "D" Evans	Andrew T. J. Nutter
Harold L. Olsen	Elbert R. Holland
Robert D. Morris	William F. Wright
Lynn R. Clark	Harry H. Williamson, Jr.
Walter J. Blaszczak	William T. Dickson
Fayne E. Curtis	Walter J. Davis
Kermit E. Dearman	Gayle Ramsey
Alexis N. Charest	Charles F. Skillman
Harry E. Howell	Leonard B. Crane, Jr.
John H. Larsen	Frederick E. Groenert
Jack G. Belton	John A. O'Shea, Jr.
Arthur J. Meacham	Grant "W" Miller
Stanford E. Lichlyter	James W. Hodges, Jr.
Forrest J. Godfrey	Edward C. Waishe, Jr.
Edward K. Markley	Harris E. Steinke
Leonard "C" Ash	Carroll K. Mitchell
Donald H. Dowds	Paul F. Bodling
Kenneth N. Holt	James J. Holian
Henry L. Wittrock	Charles N. Osborne
John S. Hoover	Robert J. Brunkill
Clarence H. Smitter	Roy E. Lamphear
David H. Stewart	James B. Williams
Robert C. Alexander	
Merle E. Mills	

MEDICAL CORPS

To be lieutenant commanders

Adeeb, Allan J.	Cameron, Ronald R.
Anctil, Arthur O., Jr.	Chappelka, Alfred R., Jr.
Baird, Robert M.	Coil, Edmonston F.
Baker, Robert F.	Collier, Terry M.
Baker, William J.	Corer, Ralph D.
Bason, William M.	Corbett, John R.
Beach, Thomas B.	Cremona, Frederick J.
Beeby, James L.	Cureton, Richard K.
Benoit, Fred L., III	Defries, Thomas L.
Betts, Gordon D.	Curtis, John W.
Blerner, James J.	Damato, Nicholas A.
Biser, Christopher H.	Davis, John W.
Bishop, Robert P.	Defebre, Bruce K., Jr.
Boring, Robert S.	Defries, Hugh O.
Boucher, Wesley W.	Dewey, Albert W., Jr.
Bouterie, Ronald L.	Dolan, Michael F.
Braswell, Harold M., Jr.	Durance, Fredrick Y., Jr.
Brayton, John R., Jr.	Elliott, Robert C.
Brighton, Carl T.	Evans, Fred S.
Broadley, Paul H.	Fouty, William J.
Burr, John B.	

Fresh, James W.
Gallant, James H.
Garcia, Nicolas A., III
Gard, Howard E.
Gilson, Benjamin J.
Greaves, Edward D.
Hansbarger, Luther C.
Harmeling, James G.
Harmon, Stanley D.
Haswell, John N.
Hauler, Donald R.
Hauser, Roger G.
Hayes, Jude R.
Hebert, James E.
Hillis, Jon K.
Hoeffler, Dennis F.
Hoekzema, Arnold D.
Humbert, George F., Jr.
Inman, Charles E.
Irons, Howard S.
Jacobson, William A.
James, Stephen H.
Johnson, Bennett L., Jr.
Kasheta, John P., Jr.
Kendra, Stephen J.
Kent, Tommy S.
Kerwin, Joseph P.
Klein, Edward W.
Knapp, Robert W.
Langevin, Jack A.
Lansinger, Donald T.
Lee, Joseph D.
Leonard, John H.
Livingston, William O.
Loew, Albert G., Jr.
MacCarty, Denton E.
Majure, Oscar L., Jr.
Martin, Richard W.
McCree, Douglas G.
McHale, James J., Jr.
McLear, William Z., III
McMahon, George J.
Meehan, William L.
Meredith, Robert C.
Merrill, Raymond E.
Metz, George E.
Mills, Dennis E.

SUPPLY CORPS

To be lieutenant commanders

Alderman, Charles B.
Allinder, Joe A., Jr.
Almen, Richard E.
Avary, James L.
Badger, George R.
Bates, Robert L.
Bell, John L., Jr.
Bledsoe, William M.
Bogorowski, Robert J.
Brett, James A.
Briggs, Irving G.
Brown, Boyd F., Jr.
Brown, Russell M.
Bruyneel, Louis K.
Bunker, Donald J.
Canon, Roscoe H., Jr.
Carberry, Raymond
Carberr, Raymund
Carpenter, Charles F.
Carpenter, Arthur J.
Christensen, Harvey J.
Christopher, Robert N.
Clark, Roger S.
Coleman, Ernest B.
Conner, Walter E.
Corn, James R.
Curtis, Richard E.
Davidson, William I.
Davis, Raymond P.
Davis, William W.
Dempster, Darrell D.
Donzell, Richard J.
Earl, Robert J.
Eastwood, William O., Jr.
Ebert, Scott W.

Miner, Walter F.
Mitts, Murray G.
Moquin, Ross B.
Morgan, Jacob R.
Mukomela, Arthur E.
Myers, Joseph S.
Myers, Robert C.
Oldershaw, John B.
Olesijuk, Andrew
O'Neal, David M.
O'Neill, James F.
Onofrio, Burton M.
Oriordan, Joseph P.
Phillips, Donald M.
Pine, Harry L.
Poley, Richard W.
Posatko, Robert J.
Potvin, Louis E.
Powers, Samuel A.
Rack, William A.
Rust, Wilbur C.
Ryan, Richard R.
Sacks, Ellsworth J., Jr.
Schaffer, Donald E.
Schmetz, Frank J., Jr.
Sims, Norman L.
Sirois, Joseph L., Jr.
Smith, Jose C. S.
Smith, Ronald W.
Southworth, Alvin J.
Spence, Kenneth F., Jr.
Steffenson, John L.
Steyn, Rolf W.
Strange, Robert E.
Sweeney, Lawrence
Theros, Elias P. G.
Thorp, James H. M.
Tolchin, Sidney
Torsney, Philip J., Jr.
Van Peenen, Peter F. D.
Wagner, Philip I.
Weibel, David C.
Weinshelbaum, Albert
Weitzman, Gerald
Williams, David L.
Woody, Ronald H., Jr.
York, Lowell T.

Lane, Anthony D.
Larson, Nelson S.
Larson, Rodney E.
Lathrop, Charles F.
Lazarus, Steven
Lemly, William D.
Lenz, Allen J.
Lindsay, William E.
Livermore, Robert E.
Long, Charles W.
Lovell, Donald E.
Lovell, "W" "B"
Lyons, John J.
McCandless, Claude C., Jr.
McCraib, Donald E.
McGee, James E.
McGillivray, Duncan P.
McNeill, Neil E.
Mercier, Arthur G.
Merrick, Walter F.
Moore, Guy T.
Morehouse, Charles W.
Moyer, William R.
Newman, John F.
Normand, Robert L.
O'Donnell, Terrence
Olson, Harvey T.
O'Neill, Raymond L.
Ott, Matthew J.
Palmer, Donald R.
Perry, Robert P.
Petrie, Roland A.
Rady, William J., Jr.

CHAPLAIN CORPS

To be lieutenant commanders

Andress, Gene B.
Begg, Wendell R.
Carpenter, Elbert N.
Chambliss, Carroll R.
Clardy, William J.
Davis, Lex L.
Dodson, Leonard W., Jr.
Dwyer, Richard "K"
Fedje, Earl W.
Fitzgerald, Owen R.
Gillis, Edward F.
Kinlaw, Dennis C.
League, William C.
McAlister, Fred R., Jr.
McFarland, Cecil E.
Miller, Stanley D.
Newton, John G.
O'Connor, William B.

CIVIL ENGINEER CORPS

To be lieutenant commanders

Allen, Roy L.
Anderson, Warren H.
Barber, Horace M.
Billet, Donald F.
Bischof, Ernest J.
Blough, Loney L.
Bowers, Richard A.
Burns, William J., Jr.
Callahan, Edward F., Jr.
Carloti, Bruno M.
Cottingham, Edward L.
Crockett, Billy G.
Crowley, Irwin D., Jr.
Deady, Ralph E.
D'Emidio, Joseph A.
Ecklung, Glenn L.
Erickson, James A.
Falk, Harvey A., Jr.
Gates, Charles W.
Hartell, William K.
Haynes, Howard H.
Hines, John C.
Hrnjecz, Nicholas C.
Hughes, Edmund C.
Johnson, Durrell A.
Jones, Thomas K.
Lake, George
Lapolla, Joseph
Lawson, Leroy D.

Ranken, John T., Jr.
Recher, Bernard L.
Ross, Orrin B.
Ross, William T., Jr.
Rothenberger, Donald J.
Salgado, Paul R.
Sansone, Joseph S., Jr.
Schanz, Thomas L.
Schlaufman, Louis C.
Schucker, Robert McB.
Snyder, Earl L.
Stewart, George W., III
Stumbaugh, David C.
Taylor, Bayard A., Jr.
Taylor, James M.
Taylor, John B.
Temte, Knute P.
Tilton, Robert L.
Trimble, Phillip
Vogel, Ralph H.
Vollmer, Merle J.
Waid, Stanley B.
Waldvogel, Henry J.
Walker, Elbridge, III
Weber, Robert J.
Weisend, John G.
White, Frank L.
Williams, Raymond L.
Williams, Rex M.
Wong, Ronald M.
Wood, Lee, Jr.
Woolley, Herbert T.
Young, Charles W.

DENTAL CORPS

To be lieutenant commanders

Ackley, George W., Jr.
Allen, Robert W.
Atkinson, Robert A.
Barlow, Doil E.
Bodner, Joseph A., Jr.
Bottomley, William K.
Bradford, Paul L. J.
Brush, Richard D.
Carrothers, Richard L.
Charles, James H., Jr.
Christian, James T.
Cummings, Matthew R.
Cunningham, Charles J.
Davis, Malcolm S.
Diem, Charles R.
Dodds, Ronald N.
Driscoll, John M.
Edwards, Richard C.
Fenster, Robert K.
Firtell, David N.
Gibson, William V., Jr.
Gomer, Ronald M.
Good, Richard J.
Goska, John R.
Grimmsley, William A., Jr.
Grove, David M.
Hale, William F.

MEDICAL SERVICE CORPS

To be lieutenant commanders

Adams, Chauncey C., Jr.
Arns, William E.
Ash, Lloyd M.
Bailey, Jack S.
Bauerschmidt, Alan D.
Becker, David E.
Beckwith, Joan M.
Cook, Paul E.
DeBerry, Patricia
DeGrotte, Henry C., Jr.
Diener, Richard V.
Feith, Joseph
George, Robert E.

NURSE CORPS

To be lieutenant commanders

Alexiou, Grace E.
Belair, Danya A. B.
Benedict, Marian M.
Brandt, Irene F.
Brannack, Elnor M.
Brogan, Mary A. M.
Burke, Lois E.
Burns, Patricia J.
Byron, Francine B.
Callahan, Dorothy H.
Cunningham, Alice T.
DeWig, Winona M.
Fehmer, Dolores A.
Fisher, Mildred K.
Halkowitz, Margaret
Harris, Vera
Hettinger, Jeanette M.
Hockenberger, Charlotte E.

LINE

To be lieutenants

Abel, Rudolph, Jr.
Ackart, Leon E.
Adams, Douglas N.
Adams, John W.
Adams, Kenneth W.
Adams, Richard D.
Adkins, James N., Jr.
Adler, Roy W.
Aiello, Robert J.
Ainsworth, Gerald I.
Akers, Max N.
Akin, Hurston B.
Albright, Donald W.
Albright, John D.
Alexander, Richard K.

- Arata, William A., III
 Aronson, Jack M.
 Artim, Ronald N.
 Astorino, Gerald P.
 Atwell, Marion A.
 Ayars, James E.
 Babb, Richard L.
 Bailey, Richard C.
 Baker, Charles H., Jr.
 Baker, Henry T.
 Baldwin, Edwin McL.
 Ballard, Ronald H.
 Balsley, Stanley P.
 Banta, Clifton E., III
 Barnette, George W., III
 Barnum, Lewis B.
 Barrier, Lee E.
 Barron, Douglas W.
 Barry, Thomas J.
 Bartels, Harlan B.
 Bartels, Malcolm G.
 Bartholomew, Thomas C.
 Bass, Robert L.
 Bassett, Frank E.
 Batterby, Robert E.
 Bauer, George T.
 Bayne, James L.
 Beamer, Barton D.
 Beard, Percy M., Jr.
 Beasley, Edwin L.
 Beatty, John R.
 Beaube, James D.
 Bechtel, Henry M., Jr.
 Becker, James G.
 Beckner, Roy T.
 Bell, David A.
 Belcher, Samuel A., III
 Bellay, Daniel J.
 Bellows, Gerald E.
 Bender, Wayne C.
 Bennett, David G.
 Bennett, David M.
 Berg, Robert P.
 Berg, Roger L.
 Bergondy, Paul J.
 Bernet, Karl R.
 Bernsen, Harold J.
 Bertke, David E.
 Besecker, John A.
 Biestek, James H.
 Biggs, Gene E.
 Bird, John P.
 Bishop, Jack D.
 Bitoff, John W.
 Blackburn, Harry L., Jr.
 Blackstone, David L.
 Blackwell, Michael J.
 Blair, Fredrick E.
 Blanq, James V.
 Blatchley, Robert D.
 Blatt, Russel N.
 Bliss, John R.
 Bloh, William C.
 Boatright, Jimmie R.
 Boerner, Donald A.
 Bolwerk, James M.
 Booriakin, Walter A.
 Borcik, David E.
 Borden, Edward L.
 Botkin, Harry L.
 Bough, Bennie E.
 Bower, William J.
 Bowles, Howard A., Jr.
 Bowman, Andrew L.
 Boyd, James P., Jr.
 Boyd, Rudolph C.
 Boyle, Francis C.
 Boyle, Ronald A.
 Boynton, T. F.
 Brace, James R.
 Bradbury, Craig M.
 Bradley, Carlton "S"
 Brainerd, Walter S.
 Branch, Lyle F.
 Breast, Jerry C.
 Bredbeck, William J.
 Breidenstein, John F.
 Brennan, John J.
 Brenner, George H.
 Brickell, Charles H., Jr.
 Brickner, John S.
 Bridgman, Walter E., Jr.
 Brining, George
 Brock, Virgil E.
 Brodersen, Henry H.
 Bromberg, Bruce L.
 Brooks, Paul E.
 Brown, Albert H.
 Brown, Charles H.
 Brown, Donald R.
 Brown, Dorsey A.
 Brown, Frank H.
 Brown, John W.
 Brown, Paul L.
 Brown, Thomas W.
 Brune, Charles M.
 Brunner, Danny J.
 Bryant, Lawrence D.
 Buck, Ralph V.
 Buckner, Gerald G.
 Buell, Thomas B.
 Buerger, Newton W., Jr.
 Buhler, Conrad A.
 Bullard, Lewis D.
 Bump, Stanley E.
 Bunting, Keith McA.
 Burchardt, Robert J.
 Burke, John P.
 Burnett, James R.
 Burns, Robert E.
 Burt, David L.
 Burton, Charles D.
 Bussard, Vernon R., Jr.
 Busse, Arnold L.
 Butcher, Bradley A.
 Butterworth, Frank W., III
 Buzby, John S.
 Byman, William E.
 Cagle, George F.
 Caldwell, Billy F.
 Caldwell, James F.
 Caldwell, Robert K.
 Calhoun, John F.
 Calkins, Delos S., Jr.
 Callan, James R.
 Calvert, John F.
 Calvin, Donald U.
 Campbell, Craig S.
 Camper, James R.
 Cannon, John W.
 Cantrell, Walter H.
 Carey, Charles W.
 Cargill, Denny B.
 Carleton, Reid P.
 Caron, Gerald C., Jr.
 Carpenter, Lawrence J.
 Carr, Samuel F.
 Carretta, Albert A., Jr.
 Carroll, Thomas D.
 Carson, Aubrey W.
 Carver, Gerald J.
 Casagrande, Raymond J.
 Case, Arnold J.
 Casebeer, Macey M.
 Cash, Beveardge L.
 Cass, Elijah J., Jr.
 Cater, Michael C.
 Cauvet, Kenneth B.
 Cavalier, Anthony J.
 Chadick, Wayne L.
 Chafee, George B., Jr.
 Chaires, Charles A.
 Chamberlain, John D.
 Chambers, Leroy
 Chandler, David F.
 Chapman, Frederick W.
 Chapman, William F.
 Chapple, Michael W.
 Chase, Bertram P.
 Chilcoat, John D.
 Childs, Johnny H.
 Chioocchio, Oddino S., Jr.
 Chodorow, Alan M.
 Chrisman, John A., Jr.
 Chrisman, Virgil E.
 Christensen, Robert
 Christenson, William C.
 Clardy, Herman S., Jr.
 Clark, Charles W., Jr.
 Clark, Frederic M.
 Clark, Marfred C.
 Clark, Warren C., Jr.
 Clarke, Ronald E.
 Clason, Roy E.
 Clement, Frank J.
 Clement, James M., Jr.
 Cleveland, Robert M.
 Click, Howard H.
 Clifton, Claremont J.
 Clinton, John C.
 Clune, Edward M.
 Coats, Barry W.
 Cockrell, Wilbur W.
 Coffee, Gerald L.
 Coldwell, Thomas
 Comly, Samuel P., III
 Compton, William H.
 Conery, Francis A., II
 Coneys, Joseph E.
 Conklin, Frank McC., Jr.
 Connell, Raymond P.
 Cook, Dennis P.
 Cook, Gary D.
 Cook, Lawrence W.
 Cooke, Richard H.
 Cooper, Grant A.
 Cooper, James V., Jr.
 Corbett, Robert L.
 Cordova, Richard N.
 Corr, Peter S., Jr.
 Correll, Ward W.
 Cosby, Millard A.
 Cossairt, Larry A.
 Cotham, "L" "C", Jr.
 Coughlin, Leo J., Jr.
 Coupe, Alan G.
 Cowdrill, David T.
 Cox, David R.
 Cox, David B.
 Cox, Duane A.
 Cox, Jerry G.
 Cox, Kenneth E.
 Coyle, Francis X.
 Coyne, George K., Jr.
 Crane, Peter W.
 Crawford, Lawrence R.
 Creighton, Liles W., Jr.
 Creighton, George C.
 Cromble, Todd A.
 Crusinberry, Walter O.
 Culhane, William P.
 Cullen, Charles W.
 Cummings, Michael A.
 Cummins, Paul Z., II
 Curtis, Wayne
 Cuseo, Michael A., Jr.
 Cutrell, Leonard E., Jr.
 Cyr, Joseph H., Jr.
 Dalebout, Ronald A.
 Daniels, Shane P.
 Daniels, Thomas E.
 Darby, Jack N.
 Darling, Donald L.
 Darmand, Monte
 Darnauer, David E.
 Davies, Richard E.
 Davies, William
 Davis, Billy E.
 Davis, Chester C.
 Davis, Dan A.
 Davis, James V.
 Davis, John D.
 Davis, John R.
 Davis, Vernie R.
 Davis, William R.
 Dawson, Phillip E., Jr.
 Dawson, William H.
 Dayharsh, Charles E.
 Dean, William J.
 DeBoer, Johan W.
 Decosterd, Charles E.
 Dee, James D., Jr.
 Degnan, Thomas F.
 Delbert, Edgar M.
 Dellwo, Richard E.
 DeLong, Edgar E.
 Demand, Daniel H.
 Denham, Michael E.
 Dennison, Terry A.
 Depass, Harry E., III
 Desko, Daniel A.
 Dewalt, Gary L.
 Dewey, Robert T.
 Dewrell, Martell E.
 Dexter, Lincoln A., Jr.
 Dietrich, William H.
 Dillard, Theodis
 Dipalma, Robert F.
 Disney, Donald G.
 Dittrick, John J., Jr.
 Dodson, Paul E., Jr.
 Doe, Burdell F.
 Doe, Ralph F.
 Doherty, Edward F.
 Dombrowski, Henry R.
 Doss, Dale W.
 Doss, Marion T., Jr.
 Dothard, John J.
 Dougherty, William A., Jr.
 Doyle, Thomas J.
 Drees, Marvin J.
 Dreesen, Francis McC.
 Driggers, Theodore F.
 Duff, Karl M.
 Duffey, Russell G.
 Dunbar, Richard P.
 Duncan, Donald G.
 Duncan, Pat
 Duncan, William E.
 Dundon, Alan M.
 Dunn, William P.
 Durbin, James D.
 Duvall, Michael R.
 Duvall, Thomas R.
 Duxbury, Richard B.
 Earley, William L.
 Eastman, Leonard C.
 Eaton, David G.
 Eaton, James W., Jr.
 Eddleman, Harold E.
 Eddy, Roger A.
 Edgemond, John W., III
 Edmonds, James R.
 Edmunds, Frank L., Jr.
 Edson, Philip N.
 Edwards, Marion R.
 Edwards, Scott
 Edwards, Steven H.
 Eggleston, John R.
 Elkel, Harvey A.
 Ellbridge, Gardner P.
 Elliott, David J.
 Elliott, Norman S.
 Ellis, Herbert A., Jr.
 Ellis, Howard B., III
 Ellis, Howard R.
 Endter, Elmer W., Jr.
 Engelen, Ralph L.
 Enslay, Arthur F.
 Entwistle, Thomas W., Jr.
 Eppert, Robert T.
 Epling, David C.
 Erbacher, Anthony E.
 Erhardt, Francis J., Jr.
 Ericksen, Peter E.
 Estep, Vonnice D.
 Estes, Albert R., Jr.
 Estock, George, Jr.
 Ettet, Michael J.
 Evans, Gordon E.
 Evans, Larry D.
 Evans, Rowland G.
 Ewing, Robert A.
 Eytchison, Ronald M.
 Fabrizio, Charles B.
 Fannon, James E., Jr.
 Farlee, Bennett W.
 Farnham, David W.
 Farrell, Edmund F.
 Feeney, John S., Jr.
 Fees, Howard J., Jr.
 Felderman, John L.
 Fendley, John N.
 Fenick, Joseph D., Jr.
 Feran, Paul M.
 Ferguson, John K.
 Ferguson, Robert H.
 Field, Blake E.
 Figura, Robert R.
 Finley, James C.
 Finley, Robert H.
 Fisher, James R.
 Fisher, Troy R.
 Fiske, Harry K.
 Fislser, Louis H.
 Fitzgerald, James L., Jr.
 Fitzpatrick, Thomas J.
 Flanagan, Thomas L.
 Fleishman, Anthony T.
 Fleming, Thomas E.
 Flowers, Thomas C., Jr.
 Fogarty, William M.
 Foltz, Richard W.
 Fordham, Charles R.
 Fordham, Warren J.
 Forsgren, Dean H.
 Forsman, Charles J.
 Forst, Frederick
 Foster, Eugene V.
 Fowlkes, John H.
 Fox, James C.
 Fox, Richard A.
 Fraas, Frederick V.
 Frank, Carl J.
 Frank, Nicholas J., III
 Franks, Richard N.
 Hahn, Dwight E.
 Frawley, Michael P.
 Freakes, William
 Frederick, Keith J.
 Frederick, Paul E.
 Freeman, Richard C.
 Frick, Robert M.
 Fuller, Gran F.
 Fuller, Robert H.
 Gadbow, Coleman J., Jr.
 Gales, George M.
 Galstan, Gerald N.
 Gamboa, John F.
 Ganister, Frank J.
 Gann, Dewey L.
 Gard, Perry W., III
 Gardner, John T., Jr.
 Garland, Keith P.
 Garrett, David W.
 Garvey, William A.
 Gary, Harris P., Jr.
 Gatje, Peter H.
 Gay, Warren L.
 Geesaman, Wilbur L.
 Gentry, Kerry F.
 George, Hugo C.
 Gessner, Bernard F., Jr.
 Gibbons, Thomas
 Gibson, David B.
 Gibson, Richard C., Jr.
 Gibson, Ronald C.
 Gibson, William J.
 Giddens, Jack L., Jr.
 Gies, Leo C.
 Giese, Carl E., Jr.
 Giese, James R.
 Gifford, Laurence S.
 Gilbert, William G.
 Gillen, James F.
 Gilles, John M.
 Gilligan, John K.
 Given, Philip R.
 Gladding, Thomas, Jr.
 Gladin, Jack R.
 Glaser, Frederick K.
 Glenn, Walter H.
 Gloeckner, Frank J., III
 Glossner, Locke H.
 Goldenstein, Gordon R.
 Goldsberry, Harold A.
 Goldy, Mark A.
 Goodman, Michael "E"
 Goodrow, John E.
 Goodwin, James J.
 Goodwin, James C., Jr.
 Goodwin, James L.
 Gordon, Bruce P.
 Gorham, David S.
 Gosebrink, Fred J.
 Goss, James E.
 Goto, Irving K.
 Gottsche, Albert L., Jr.
 Gough, Melvin N., Jr.
 Goulding, Robert S.
 Graceffa, Joseph D.
 Gram, Emil G.
 Gray, James D.
 Green, Frank C., Jr.
 Green, William H.
 Greer, George B., Jr.
 Greer, Norman D.
 Griffin, Gerald B.
 Griffin, Hoke D.
 Grimm, Thomas D.
 Grocki, Chester J.
 Groder, Richard A.
 Gross, Alvin C., Jr.
 Grosse, Robert G.
 Guccione, Joseph, Jr.
 Gurke, Donald L.
 Gustafson, Kenneth R.
 Gustavson, Robert E.
 Haag, Ernest V.
 Haenze, Leroy R.
 Hagedorn, Edwin C.
 Hagen, Peter A.
 Hahn, Dwight E.
 Haines, Charles E.
 Haines, Donald A.
 Hale, James W., Jr.
 Hale, William B.
 Hall, Donald E.
 Hall, Harley H.
 Hall, Marshall B.
 Hall, William R.
 Haller, Hubert M.
 Haller, Manuel A.
 Halm, Terrence W.
 Halverson, Ralph A.
 Halye, Lawrence A.
 Hamaker, Rex G.
 Hamilton, Jackie D.
 Hamrick, James M.
 Hancock, Richard J., Jr.
 Hanna, Donald V.
 Hansen, Herbert W., Jr.
 Harbrecht, Raymond J.
 Hardy, Ray S., Jr.
 Harmon, Jimmy J.
 Harper, Glynn C.
 Harper, Thomas J.
 Harrell, Dowel W.
 Harris, Jess M., III
 Harris, Richard A.
 Harrison, Charles E.
 Harris, David J.
 Harshberger, Robert L.
 Harvey, Wilford H. H.
 Harwell, Layne H.
 Hass, Edward V.
 Hassel, Rolland R.
 Hastings, Ralph L.
 Haugen, Adolph B.
 Hawkins, James R.
 Hawkins, Ray M.
 Hawn, Jere R.

- Hawthorne, John L.
Hayes, William V.
Haynes, Jerry R.
Hebert, Larry
Heck, Alger R.
Heckathorn, Clair E.
Heeley, Eric W. L.
Heimbuecher, Frederick J.
Hekman, Peter M., Jr.
Henderson, Noel B.
Henderson, Arnold H.
Henderson, Joseph R., Jr.
Hendrix, Marion F.
Henris, James B.
Hernandez, Jesse J.
Herold, Lance
Herpick, Charles A.
Herrin, William F.
Hess, Ronald A.
Higgins, James D., Jr.
Hill, Martin G.
Hines, Rubert, Jr.
Hinson, Elbert F.
Hansen, Harry J., III
Hladik, Bernard L.
Hobbs, Watson L.
Hodgens, Jack A.
Hodgkins, William S.
Hodkins, William F.
Hoeffel, Jan C.
Hoel, Jack I.
Hoff, Michael G.
Hoffman, William C.
Hohmann, William D.
Holcomb, Don
Holland, John D., Jr.
Hollister, Floyd H.
Holloman, Floyd W.
Holmberg, Bruce A.
Holmes, Dan N.
Holmes, Edward C.
Hosroyd, Robert E.
Holsten, Donald W.
Holt, Fred C.
Holt, Jerry L.
Holt, William C.
Holtzhaus, Hollis L.
Holzhauser, Arthur E.
Homuth, Richard W.
Hooks, Edward F.
Hopkins, Jae E.
Hopkinson, Francis G.
Horn, Leslie J.
Horne, William F.
Hospes, Alan E.
Hostetler, Glen W.
Hotard, William C.
Houston, Guy M., Jr.
Howard, Ronald C.
Howard, William S., III
Huckabay, William O., Jr.
Huddleston, Charles R., Jr.
Hudnall, Robert M.
Hughes, Clarence O., Jr.
Hulderman, George H.
Hulme, John B.
Hummer, John J.
Hunt, Alan G.
Hunter, Harold C.
Huntington, Stuart L.
Hurwitz, Paul M.
Hutchinson, Joseph D.
Hutchinson, Peter A.
Hynes, Donald J.
Ianson, Lawrence W., Jr.
Immel, Arthur R.
Immerman, Arthur L.
Ingle, Carl E.
Ingram, Forney H., Jr.
Ingram, Ronald F.
Irvin, Robert M.
Isaacson, Alan T.
Isherwood, Raymond T.
- Ivey, Clarence G., Jr.
Izzard, James
Jackson, Kermit J.
Jackson, Milton, Jr.
Jackson, Morse R.
Jackson, Paul F.
Jackson, Perry Y., Jr.
Jackson, Warren D.
Jacobs, Paul H.
Jacobs, Thomas L.
Jacobson, Mark A.
Jaeger, James W.
Jakubczak, Jerome F.
Jamroga, John J.
Janes, Gregory H.
Jasman, David A.
Jelks, John L., III
Jenkins, George J., Jr.
Jensen, Robert L.
John, Arthur D.
Johns, Robert L.
Johnson, Curtis W.
Johnson, David H.
Johnson, Lester O., Jr.
Johnson, Ronald L.
Johnson, Robert D.
Johnston, William A.
Jokanovich, Peter
Jolliffe, Richard L.
Jones, Arden W. F., Jr.
Jones, Augustus B., III
Jones, David L.
Jones, Donald W.
Jones, Eugene P.
Jones, John S.
Jones, Meredith R.
Jones, William D.
Joslin, Ivan L.
Judis, Billy F.
Juliano, Julius R.
Kallal, James J.
Kane, Fredric C., Jr.
Karr, Richard P.
Kauber, Rodney K.
Kaufman, Jerald D.
Kaufman, Larry E.
Kazimir, Donald J.
Keen, Arthur E.
Keenan, John D.
Keene, Douglas L.
Keesler, Byron H.
Kelm, Clarence H.
Keith, Frederick W., Jr.
Keith, Robert T. S.
Kelly, William S.
Kendall, Robert P.
Kenney, James A.
Kent, Philip S.
Kerby, Donald C.
Kersh, John McK.
Kessler, Edward L., Jr.
Kimmel, Leigh G.
Kineke, John I.
King, Larry N.
Kingston, Kenneth H.
Kirkconnell, William B.
Kirkman, Roger J.
Kirkpatrick, Milton W., Jr.
Kistler, George K.
Kistler, James L.
Kitchens, Charles R.
Klinedinst, Paul R., Jr.
Knapp, Norman E., Jr.
Koch, William A.
Koenig, John W.
Kofoed, Robert M.
Kolb, John R.
Konkel, Harry W.
Kornegay, Robert R.
Korslund, Robert G.
Kosoff, Tracy M.
Kraft, Jacob C.
Kreglo, Darrel D.
Kretzner, Clinton W.
Krichman, Harold S.
Krueger, Crton G.
- Krumrei, William H.
Kruse, Henry J.
Kryway, John T.
Kuechmann, Jerome A.
Kuehn, Gordon N.
Kuhlke, Robert E.
Kuhn, James P.
Kuhn, Joseph L.
Kuhneman, Martin F.
Kunz, Chester A., Jr.
Lachance, George M., Jr.
Lamaur, Virgil J.
Lamb, Thomas J.
Lambden, Jerry D.
Lamott, David W.
Lamoureux, Robert J.
Landers, John D.
Landrum, Raymond G.
Lane, John W., Jr.
Larson, Charles R.
Larson, Jerold J.
Larson, Lawrence P.
Larzelere, Charles W., III
Lassiter, Eugene L.
Lavinder, Carlton L., Jr.
Lawrence, Charles M.
Lawrence, Kent B.
Laws, Charles F.
Laws, Fred R.
Lawson, John R.
Lax, Lee C.
Leake, Milton H.
Leap, David P.
Leary, John A., II
Leber, Jean R.
Lee, Bobby C.
Leiser, Edward L.
Lelsy, Ned B.
Leroy, Franklin T.
Leslie, William H.
Leszczynski, Vincent J.
Levin, Roger L.
Lewis, Frederick E.
Lightstone, John L.
Lima, John A.
Lindsey, Eugene E., Jr.
Lineberger, Preston H.
Link, Richard "J"
Lipske, Robert S.
Lisle, George F.
Livens, Charles H.
Livzey, James G.
Lloyd, George M.
Lobb, Clarence E.
Lockard, William H.
Logan, Robert S., Jr.
Long, Charles W.
Long, George T.
Longo, Anthony J.
Lorts, Bryan M., Jr.
Lorusso, John M.
Louis, David R., Jr.
Lovejoy, Richard E.
Lovitt, Lewis D., Jr.
Lowe, Larry T.
Luallen, Joseph H., Jr.
Lubbers, Gary W.
Lucas, Clyde H., Jr.
Lucas, Robert P.
Luders, Ernest C.
Ludwig, Ronald E.
Luhrs, Larry L.
Lukenas, Leo A.
Lupfer, Alexander McC., Jr.
Lusk, James R.
Lyon, Edward, III
Lyon, Hylan B., Jr.
Lyons, Michael D.
Lysaght, Claude O.
Mabrey, Richard L.
Macauley, William F.
MacGregor, Robert M.
Machowski, Walter
MacKenzie, Franklin F.
MacKinnon, John H.
- MacLean, Rupert E., Jr.
MacNeill, Donald W.
Madsen, Marvin D.
Magee, Francis H.
Magee, James A.
Magee, Robert F.
Mahoney, Robert D.
Major, James A.
Malone, Michael E.
Malone, Robert S.
Maloney, Thomas C.
Maloy, Larry L.
Manahan, Maurice H.
Maneely, Carl L.
Mansfield, Joseph S., Jr.
Maroldy, Thomas M.
Marr, William T.
Marsh, Arnold D.
Martin, Carl M.
Martinez, James R.
Martz, Bruce D., Jr.
Massa, Lawrence L.
Massey, Lance B.
Mather, Larry L.
Matheson, John W.
Mattingly, Thomas K., II
Maughlin, Richard K.
Maviglia, Frank A.
Maxton, James C.
May, David T.
May, Wesley
Maye, George T.
Mayers, Daniel F.
Mayfield, Howard E.
Mazeika, Robert G.
Mazzola, Vincent S.
McAtee, Donald E.
McBrien, Jack W.
McCain, John S., III
McCandless, Bruce, II
McCarter, Jonathan C.
McCarty, Kenneth R.
McConnell, Harry E.
McCorry, John H.
McCroskey, Bobby R.
McCullough, David U.
McCullough, Martin L.
McDonough, Robert N.
McFadyen, John B.
McGhee, Kenneth B.
McGruther, Gordon T.
McIntyre, William J.
McKenzie, Gene T.
McKenzie, Walter K.
McKneely, Jerry A.
McLaine, Warren E., Jr.
McLane, Michael J.
McLaughlin, Bruce C.
McMahon, Marvin R., Jr.
McMichael, John C., Jr.
McMillan, John G.
McNelly, Allen D.
McNulla, James E., III
McNulty, George R.
McPadden, Joseph G.
McQuay, Robert B.
McRight, Clarence, Jr.
McVadon, Eric A., Jr.
McVicker, James L.
Meador, Lee M.
Medlin, William R.
Meeks, John H.
Meers, Alfred J.
Meese, Richard E.
Megonigle, Carl E.
Meinhold, Richard J.
Meinig, George R., Jr.
Melillo, Michael J., Jr.
Merriken, Stuart A.
Merritt, Ernest A.
Merry, Theodore R.
Metzger, Delbert S.
Meyer, Dale A.
Meyer, Donald C.
Michl, Daniel J.
- Middleton, Wesley L.
Midgarden, Peter N.
Midtvedt, Harold L.
Miklas, Ramutis K.
Miller, Aloysius R.
Miller, Billy G.
Miller, Charles L.
Miller, Clarence D.
Miller, David B.
Miller, Douglas A.
Miller, George A.
Miller, Henry W., Jr.
Miller, Larry S.
Miller, Latnay H., Jr.
Miller, Robert D.
Miller, Robert L.
Mills, Christopher M.
Miltenberger, James R.
Mitchell, Kenneth F.
Mitchell, Walter F.
Moll, Herbert
Monroe, Philip A.
Montag, Charles F.
Montalbaine, Gary E.
Monteath, Gordon MacD., Jr.
Moore, Jack R.
Moore, William N.
Moran, Francis J., Jr.
Moreland, Floyd E.
Morgan, David E.
Morris, Clyde C.
Morrison, Jerry E.
Morrison, Orrin L.
Morrow, Billy R.
Mortenson, William P.
Moser, Robert L.
Mosman, Donald E.
Mott, George E., III
Mowery, Russell V.
Moynihan, John J.
Mueller, Lincoln H.
Mueller, William A.
Mullaly, William J.
Mullen, D. K.
Muller, Deighton J.
Munch, Charles H.
Murphy, Norbert P.
Murray, Gordon L., Jr.
Musgrove, Robert W.
Myers, Dale F.
Myers, George D., II
Nagle, Chester A.
Nahlovsky, Richard E.
Nakagawa, Gordon R.
Nance, Ivan V. A., Jr.
Narro, Arthur T.
Nash, Norman B.
Nazak, Robert M.
Nedry, Robert D.
Nelson, Henry E.
Nelson, Mark V. V.
Nelson, Richard M.
Nelson, Robert A.
Newcomb, David A.
Newell, James F., Jr.
Newton, George B., Jr.
Nicholas, Jack R., Jr.
Nichols, John B., III
Nicholson, Walker D.
Nickerson, John P.
Nicolls, Robert P.
Nida, Robert W.
Niedbala, Joseph T., Jr.
Nordhaugen, Lyle G.
Norfleet, Eric H.
Norton, Lee E., Jr.
Nutting, Roger M.
Nystrom, Peter C.
Oberne, Frank, Jr.
O'Connor, Michael G.
Ogen, John P.
Oleary, John P., Jr.
Olson, Charles A.
Oliver, William H.
Olmstead, Clifford D.
Olmstead, Edward A.
Olsen, Kenneth A.
- Olsonoski, Richard L.
Omberg, William F.
Oncea, George
Ondishko, Christian N.
O'Neal, Edward A.
O'Neill, William A.
O'Neill, Cornelius T.
O'Neill, Thomas E.
Orme, Douglas L.
Osberg, John W., III
Osborne, James T.
Osborne, Robert B.
Ostrander, William E.
Otto, Carl H.
Overton, Dudley R.
Owen, Robert S.
Owens, Ramon R.
Pabst, Howard L.
Page, Richard L.
Paine, Paul W.
Painter, Philip C.
Palmer, Hugh L.
Palmer, James A., Jr.
Pape, Jerry L.
Parker, Donald F.
Parks, Terrence J.
Parks, William H.
Parrish, David F.
Parrish, Thomas D.
Parsley, James L.
Pate, Zachariah T., Jr.
Patella, Lawrence M.
Patrick, Meredith W.
Patrick, William D.
Paty, Charles R.
Pearce, Michael A.
Peechatka, Larry O.
Pellegrino, Daniel R.
Pellerin, Alfred E., III
Pelton, Lawrence E.
Pender, Thomas
Pendergrass, Curtis S.
Pendleton, David L.
Pendley, William T.
Penny, Lawrence A.
Peri, Victor P.
Perkins, Robert S., Jr.
Perusse, Robert E.
Peters, Donald L.
Peters, John D.
Peters, Milton G.
Peterson, Carl J.
Peterson, Charles B.
Pettit, John T., Jr.
Pfister, Donald L.
Phelps, George T.
Phillips, Clifford R.
Phillips, Ronald J.
Phillips, Robert E.
Phillips, Raymond C.
Pickering, Gary W.
Pidgeon, Edward T., Jr.
Pidgeon, Robert H.
Pierce, George E.
Pietkiewicz, Wesley
Pilcher, Eugene T.
Pinson, Peter C.
Pinto, John M., Jr.
Piskorski, Stanley
Pitman, John R.
Pittenger, Richard F.
Pivarnik, William D.
Pizinger, Donald D.
Plum, George E.
Poarch, Charles E.
Poarch, William H.
Poe, Gary R.
Poindexter, John M.
Pollock, Grant H.
Polski, Paul A.
Poore, James S.
Poremba, Stanley, Jr.
Port, Joseph C.
Porter, Gene H.
Porter, Oliver H.
Potter, John L.
Powell, Frederick C.
Powell, Ralph E.
Powers, Richard M.
Prather, Robert J., Jr.

Pratt, John L.	Sansom, Robert G., Jr.	Stack, Richard B.	Usalis, Jerome T.	Worden, Everett F.	Yoes, Ernest C.
Pressly, James M.	Sauer, Robert C.	Stacy, Louis O., Jr.	Van Moppes, Russell G.	Wren, Gregory S.	Yost, Albert N.
Preston, Craig A.	Sawley, Phillip G.	Starrin, Roy E.	Van Petten, Thomas L.	Wright, David J.	Young, Robert A.
Price, Billie L.	Scanlon, Edward P.	Stavropoulos, Ernest G.	Vargo, Henry G.	Wright, Frederick W., III	Young, Wayne G.
Pritchard, William J.	Scanlin, William S.	Stebbins, Donald J.	Veasey, Guy D.	Wright, James C.	Young, William K., Jr.
Proctor, Robert R.	Scarborough, Vernon R.	Steckler, Joseph L.	Veenstra, Robert M.	Wright, Lee F.	Zanin, Norman R.
Pugh, Jimmy B.	Schaffer, Ruben W.	Steed, Samuel	Venable, Robert L.	Wright, Leo C.	Zanin, Wilbur F., Jr.
Pulling, Wayne E.	Schlauder, Wallace J.	Steele, Robert J.	Verner, Michael J.	Wright, Thomas T.	Zimdar, Robert E.
Purnell, Clement I.	Schloemer, Robert D.	Stehlin, Donald A.	Verney, George M.	Wyatt, Richard L.	Zimmer, Gerald G.
Putnam, Wayne A.	Schnepper, Ronald A.	Stein, Edwin F., Jr.	Viccellio, John S.	Wyman, Harry N., III	Zon, Ernest
Pyatt, Arnold F.	Schoenfeld, Jay K.	Stephens, Melvin P., Jr.	Vick, John C.	Yasuk, John, Jr.	Zorn, Nicholas D.
Pye, Reginald C., Jr.	Schramm, William G.	Stephens, William L.	Victor, Alfred E.		Zwart, Ronald P.
Pyle, Ronald W.	Schroeder, Stephen F.	Stevens, Robert V.	Vinson, John T.	MEDICAL CORPS	
Quay, Thomas W.	Schultz, Robert F.	Stevick, Jerold C., Jr.	Vold, Almer C.	To be lieutenants	
Quinn, Eugene F.	Schulz, Russell K.	Stibler, Robert W.	Voss, John W.	Altaker, Lawrence L.	Gable, Thomas W.
Quinn, Richard H.	Schulz, William J.	Stinson, William O.	Wachter, Gary L.	Andrews, Enos T.	Gail, Thomas A.
Ragen, Jerome C.	Schwannemann, William L.	Stockton, Cecil G.	Wagner, William F.	Armino, Anthony	Gaskins, Ronald D.
Ramsden, Gerald L.	Schwartz, Donald M.	Stokes, Carl J., Jr.	Wales, Frederick L.	Ashworth, Halbert E.	Gaudry, Charles L., Jr.
Ranes, George J.	Scott, Milton M.	Stone, Robert L.	Walker, Dodson D., Jr.	Baker, Fred L.	Gibbons, James A.
Rasmussen, John D.	Scott, Wayne E., Jr.	Storey, Edward L.	Walters, Robert L.	Baksic, Russell W.	Godbey, Asa L., Jr.
Rasmussen, Keith L.	Scram, Andrew D.	Story, Roy K.	Wandell, John J., Jr.	Basiliere, James L.	Goldstein, Norman A.
Ratto, Lawrence J.	Sedam, Glenn J., Jr.	Stoudt, William E.	Wanglie, Eugene E.	Batcheller, John W.	Godsienki, Philip J.
Rauber, Carl A., Jr.	Seeberger, John J.	Stred, Gordon J.	Wardwell, Arthur F., Jr.	Bendixen, Romaine L.	Graham, Curtis G.
Rauch, Leo A.	Segelbacher, George F.	Streeter, Gregory F.	Warner, James S.	Bendorf, Ronald L.	Greene, James N.
Raudio, Victor J.	Seger, Ralph L., Jr.	Strickland, George W.	Warner, Lloyd	Billharz, David W.	Griffin, George E., III
Reed, John C.	Sendeck, Joseph M.	Strole, Dennis S.	Warren, Robert L.	Blackburn, Frank C.	Griffin, William M.
Reed, William T.	Severson, Laverne E.	Stubbs, David W.	Wartenberg, Ernest H., Jr.	Blanchard, Peter B.	Grumblin, Hudson V., Jr.
Reeger, Harold L.	Shand, Richard M.	Stubbs, George R.	Wasloski, John E.	Blanton, Terrell D.	Halley, Stanley W., Jr.
Rehder, William A.	Shane, Louis P.	Stumcke, Frederick B., Jr.	Waters, Ronald L.	Bobo, Charles B.	Hale, Ralph W.
Reich, William F.	Shaper, Allen L.	Sturgill, Jack D.	Watkins, Robert M.	Bohans, Lawrence D.	Hall, James N.
Reid, Lawrence R., Jr.	Shattuck, George W.	Sturr, Henry D., Jr.	Watson, Ian McE.	Bohan, Michael E.	Hammer, David J.
Reilly, Robert K.	Shattuck, William D.	Sullivan, Donald K.	Watts, Donald T.	Bork, Duane L.	Hand, John J.
Reinhardt, Richard L.	Shaw, Paul M.	Sullivan, Gerald F.	Wear, Lawrence E., Jr.	Bowman, Robert L.	Hayden, Donald J.
Reister, Walter A.	Shawkey, Dallas W.	Summers, Carl E.	Weaver, Daniel C.	Bradley, Bruce E., Jr.	Hayworth, Ray M.
Remoll, Charles M.	Sheehan, James E.	Surratt, Henry C., Jr.	Weaver, Robert E.	Bradley, Charles K.	Heath, Victor C.
Rennie, John C.	Shelton, James W.	Sutton, Jack D.	Webster, Stephen T.	Bradley, Mark E.	Heinz, Wilbur A., Jr.
Rentsch, Russell B.	Shepherd, Harold D.	Swain, Donald D.	Weeks, Theodore G., Jr.	Braun, William E.	Hemmings, Ira L., Jr.
Reitz, Michael J.	Sheppard, Donald D.	Swain, John R.	Weibly, Robert L.	Brien, Robert L.	Henrie, Edwin J.
Retzlaff, Robert R.	Sherman, John E.	Swallow, James R.	Weigand, James G.	Broussard, Nicholas D.	Hensley, Ronald V.
Reveal, Leonard T.	Shifflett, Edward E.	Swarthwood, Willis M.	Welles, Bradford W.	Buchanan, Robert D.	Hesse, Charles F.
Rice, Lloyd K.	Shope, Theodore L.	Swendsen, Donald M.	Wells, Robert D.	Burmeister, Ronald E.	Hochheiser, Louis I.
Rice, William L.	Showman, Loyd "C", Jr.	Swisher, Dale W.	West, Ralph W., Jr.	Burnes, Keith C.	Hodgman, Joseph
Richard, Ronald D.	Shriver, Norman W.	Szczecinski, Jose L.	Westbrook, Dale A.	Burrow, Woody G.	Hood, Richard N.
Riches, Raymond C.	Shriver, Robert A.	Taft, Denis J.	Westerman, William R.	Butler, Patrick L.	Howell, James W.
Rigdon, William H.	Sickman, John F., Jr.	Tarkowski, Ronald C.	Wheeler, George C.	Carmick, Edward S., Jr.	Huff, Arden L.
Riggs, Donald E.	Siegwarth, Charles E., Jr.	Tarquin, Donald C.	White, Charles E.	Carr, Raymond E.	Huurman, Walter W., Jr.
Riley, William E.	Simmons, James L.	Taylor, Brent W.	White, Clayton R.	Casey, David F.	Jackson, Neil D.
Ring, William R.	Simons, Gerald L.	Taylor, Donald A.	White, Fred D.	Cassady, Calvin R.	Jay, George R.
Ringler, Arnold H.	Skezas, George C.	Taylor, James T., Jr.	White, Howard G.	Cattano, Andrew N.	Johnson, William C., Jr.
Rjord, William P.	Skinner, Albert G.	Taylor, James R. C.	Whitehead, James L.	Cloherly, John P.	Johnston, Charles E.
Risen, Larry G.	Skinner, George R.	Taylor, Phillip H.	Whitmire, Robert L.	Collins, Terence R.	Jones, Lawrence A.
Ritmire, Kenneth D.	Slaven, Robert K., Jr.	Taylor, Thomas P.	Wickham, David W., II	Combs, James A.	Joyner, Raymond K.
Rivenbark, David C., Jr.	Slayman, Kelson E.	Taylor, Vance A.	Wicklund, Richard J.	Condrin, William R.	Jung, Robert M.
Rivera, Daniel R.	Sluyter, Verlin C.	Tedder, James E.	Wiedemann, Franz R.	Conrad, Frederick E.	Karney, Walter W.
Roach, Alan G.	Slye, Richard E.	Tenefrancia, Ambrose J.	Wiener, Thomas F.	Cook, James H., Jr.	Kenny, Geves S.
Robbins, Berton A., III	Smedberg, Edwin B.	Tennent, Richard E., Jr.	Wilburn, Donald L.	Cook, John P.	Killing, Robert P.
Robbins, John E.	Sminkey, Robert L.	Ferry, Bert D.	Wilcox, Bruce A.	Cook, Joseph V., Jr.	Kloek, Jan G.
Roberts, Gary K.	Smith, Charles J.	Terry, Ross R.	Wilcox, John B.	Corcoran, Francis H.	Kraus, Edward D.
Roberts, James H.	Smith, Darryl W.	Thacher, Eric F.	Wilder, Wallace G.	Cottingham, James W.	Landis, Michael N.
Roberts, Jack L.	Smith, David R.	Therrien, Leo E., Jr.	Wilhelmy, Christopher B.	Crittenden, Frank M., Jr.	Leupold, Arthur J.
Robins, Harry B., Jr.	Smith, David P., Jr.	Thiemann, Henry J. F., Jr.	Wilkerson, Charles A.	Davis, Donald F.	Lewis, David H.
Robinson, Kenneth G.	Smith, David F.	Thomas, Angus B.	Wilkinson, Alan C.	Davis, James E.	Lewis, Rodger P.
Robison, Delma C.	Smith, Frank W.	Thomas, Jack R.	Williams, Eldon G.	Davis, Henry F.	Lieberman, Edward W.
Rocray, Samuel E.	Smith, James C.	Thomas, John D.	Williams, James D.	Day, Daniel H.	Lignell, Gregory J.
Roder, Peter S.	Smith, Leon T.	Thomas, John D.	Williams, James R.	Delzell, Allen W.	Ling, Louis A.
Roegiers, Eugene L.	Smith, Nepler V.	Thomas, Kinnison H.	Williams, Kenneth W.	Dennison, William L., Jr.	Llewellyn, Henry J., II
Rogers, Gerald W.	Smith, Peter T.	Thomas, Richard S.	Williams, Robert C.	Dooley, John R.	Lloyd, Morgan P.
Rogers, Richard D.	Smith, Ralph E.	Thomas, Robert H.	Williams, Wayne A.	Dorazio, Edward A.	Lowry, Louis D.
Rohrbough, John D.	Smith, Samuel	Thomasson, William O.	Wills, Everette D.	Doxey, Clem M., Jr.	Lucas, John T.
Rokowski, Ernest L.	Smith, William B.	Thompson, Tyler H.	Wilner, Arthur I.	Driscoll, John M., Jr.	Mansfield, Donald L.
Rosen, Robert S.	Smolnik, Daniel	Thurston, John K.	Wilson, Claude D., Jr.	Duncan, William C., III	Maraist, Donald J.
Rowden, Donald R.	Snow, Barry I.	Tibbatts, Thomas N.	Wilson, Dennis K.	Dunn, William C., III	Marriott, John D.
Royle, Perry R., Jr.	Snyder, Jerry E.	Tilger, Billy R.	Wilson, James S., Jr.	Earis, Jim H.	Martin, Miles H., Jr.
Ruby, Scott McM.	Sommer, Henry J., Jr.	Toby, Kenneth R.	Wilson, Richard J.	Espenchade, Park W., Jr.	Martin, Russell D.
Rueckert, Nils	Sorensen, Richard S.	Topping, Robert L.	Wilson, Robert D.	Evans, Donald T.	Masar, Maurice F. P.
Rufe, Robert W.	Sorna, Ronald E.	Torsen, Richard M.	Withers, William Z.	Evans, Donald C.	Matan, Joseph A.
Rumney, Robert E.	Soules, Charles W.	Trayer, Edgar G.	Wolfe, Philip W.	Eyre, Warren G.	Mattern, Allan L.
Runzo, Melvin A.	Southworth, Frank C., Jr.	Triebes, Carl J., Jr.	Wood, Leland E., Jr.	Farmer, Raymond M.	Maxwell, George D.
Ruona, Keith V.	Spadoni, Eugene A.	Troolin, Leslie P.	Woodbury, Michael G.	Farrell, Robert E.	McCabe, John S.
Russell, Harold B.	Spane, William T., Jr.	Trout, Michael D.	Woodley, Richard P.	Field, Marshall P.	McCarthy, Joseph C.
Ruth, John	Spencer, Thomas J.	Troutman, Darrell C.	Woods, Daniel C.	Flagler, Nicholas R.	McCreedy, James E.
Sachse, Clark D.	Spires, Fred, Jr.	Tuft, Markham D.	Woods, Robert N., Jr.	Fong, Don L.	McDonough, Edward R.
Sachse, William R.	Spraker, Irvin L.	Turlay, William E.	Woody, Melvin R.		McLean, William E.
Salmon, Walter W., Jr.	Spydell, Robert E.	Turner, Danny W.			Meler, Gerald F.

Meighan, Jacob W.
 Millikan, Larry E.
 Mills, Robert D.
 Mixon, William A.
 Moffat, James W.
 Mollycheck, Ralph
 Moynan, Roland W.
 Mueller, Maurice J., Jr.
 Mulder, Martien A.
 Mullen, James E.
 Murray, James A.
 Musser, John R., Jr.
 Neel, Rufus G.
 Nelms, Robert J., Jr.
 Newman, Paul K.
 Niebaum, Lowell T.
 Nugent, Clifton "C"
 Nuss, Robert C.
 Obenchain, Theodore G.
 Park, Richard K.
 Parsons, David E.
 Pepino, Alfred T.
 Peters, Norman E.
 Pierce, William B.
 Prizzi, Anthony R.
 Putnam, Theodore I.
 Redfield, William J.
 Reimer, Donald R.
 Robbins, Thomas O.
 Roberts, James G.
 Robinson, Jerry M.
 Rubottom, Richard L.
 Ruggiero, Joseph A.
 Sandri, Sandro E.
 Schalk, David E.
 Schmid, William H.
 Schmidt, Rainer S.
 Sheskey, Michael C.
 Smith, David A.
 Smith, Lee E.

SUPPLY CORPS

To be lieutenants

Asche, Richard E.
 Austin, Walter I.
 Baker, James H.
 Basley, Raymond C.
 Bell, Thomas A.
 Beyer, Robert K.
 Blackburn, Richard C., Jr.
 Blackford, John H.
 Blazina, Joseph B.
 Bonbright, John M., Jr.
 Boorman, William B.
 Bowne, Charles J., Jr.
 Boylan, Charles T.
 Brown, George C.
 Brown, James W.
 Buell, Robert M.
 Burden, David G.
 Caro, James McD.
 Carver, Roy E.
 Cefka, Joseph L.
 Charette, Paul E.
 Clarkson, James S.
 Cobb, James L.
 Cole, Brady M.
 Cone, Paul J.
 Coogan, Timothy P.
 Cooper, Jackie R.
 Craft, Thomas G.
 Craig, Alan M.
 Davis, Arthur R.
 Davis, John R.
 Dellis, Donald O.
 Denny, James L.
 Deruggiero, Saverio A.
 Doddridge, Benjamin F.
 Dolan, Henry J.
 Drake, Claude H.
 Drury, William R.
 Dyches, James W.
 Eilberg, James S.
 Ekholm, Harry H., Jr.
 Eye, Charles G.
 Fischer, Gregory F.
 Fish, Dennis J.
 Flanagan, Patrick F.
 Fraher, Jeremiah

Smith, Raphael F.
 Sokolowski, Joseph W.
 Sotheron, Warren H., Jr.
 Stern, William K.
 Stone, George M., II
 Stone, Robert S.
 Stone, William A.
 Stoughton, Richard R.
 Talcott, Donald A.
 Terry, Warren O.
 Texter, John H., Jr.
 Thomas, Jerry L.
 Thurmon, Theodore F., III
 Turaidis, Talvaris
 Uhl, Richard R.
 Vacanti, Charles J., Jr.
 Vanderhoof, Gerard F.
 Van Genderen, Larry
 Vanpelt, Philip R.
 Vidacovich, Richard P.
 Wages, Tommy L.
 Wagoner, Don J.
 Wallin, John D.
 Wandalowski, Roman T.
 Warner, John F.
 Wasson, Robert D.
 Weinstein, Sheridan L.
 Willard, Willis W., III
 Williams, Arthur K.
 Woods, Thomas A.
 Worsham, Jerry C.
 Wright, James W.
 Yohn, Kenneth C.
 Young, William D.

Masters, Edward R.
 Maxwell, John R.
 McCarthy, Donald L.
 McCauley, Joseph M.
 McCloskey, Michael A., Jr.
 McElyea, Quinton L.
 McGee, William A.
 McKelvey, Paul N.
 McNall, Phillip F.
 McNary, William F.
 Miller, Winston B.
 Montgomery, Samuel S.
 Nace, Wilbert J.
 Natelson, Lawrence S.
 Nix, Harvey W., Jr.
 Oberhofer, Andrew O., Jr.
 Olson, Engwall A., III
 Owens, James C.
 Patterson, James F.
 Pollard, James O.
 Powell, Hal B.
 Powers, Richard F.
 Rader, Lynden L.
 Reed, David A.
 Regan, Francis J.
 Risinger, Robert E.
 Rock, Peter
 Rogers, William J., Jr.

CHAPLAIN CORPS

To be lieutenants

Ahern, Bernard J.
 Beach, Stanley J.
 Brennan, Joseph F.
 Cowart, William G., Jr.
 Ferguson, Edmond B.
 Garver, Frank E.
 Healer, Carl T.
 Hunsicker, David S.
 Jordan, Richard E.
 Lefils, Leslie M.
 McDonnell, Francis W.
 Muenzler, Leroy E., Jr.
 Ahern, Bernard J.
 Relf, Gerald N.
 Rushing, Leslie W.
 Scheer, Rodney R.
 Schuster, David P.
 Stewart, Wayne A.
 Swierenga, Raymond C.
 Threadgill, Cecil R.
 Toland, Paul L.
 Vogel, Leroy E.
 Windle, David L.
 Winslow, William J., Jr.
 Witt, George R.

CIVIL ENGINEER CORPS

To be lieutenants

Alexander, Robert E.
 Bednar, George J.
 Blondo, Donald J.
 Bodamer, James E.
 Boennighausen, Thomas L.
 Bolinger, Donald S.
 Brockwell, John A.
 Byers, Eugene W.
 Carden, Orelan R., Jr.
 Carter, Robert L.
 Caughman, James B., Jr.
 Cervenka, Norman L.
 Christenson, James E.
 Christiansen, Von O.
 Connor, William C.
 Cook, Jan W.
 Dallam, Michael M.
 DeVicq, David C.
 Donovan, Lawrence K.
 Dozier, Herbert L., Jr.
 Engle, Richard M.
 Enyedy, Joseph M., II
 Fabianic, William S.
 Farbarik, John J.
 Fort, Arthur W.
 Gilmore, Gordon R.
 Harkless, Gerald A.
 Harned, David W.
 Harrell, Haywood H.
 Harwell, Thomas W.
 Holmes, Henry A.
 Hutto, Robert E.
 Kelley, Frederick G.
 Key, Joe W.
 Kirkley, Owen M.
 Knox, Kenneth B.
 Kohler, Arthur D., Jr.
 Krauter, George E.
 Lanoue, Robert J.
 Leonard, Daniel B., Jr.
 Lowery, Richard A.
 Lutz, Donald F.
 Lyons, James R.
 Marshall, Jimmie G.
 McLaughlin, Edwin W.
 Montoya, Benjamin F.
 Moody, Thomas W.
 Peltier, Eugene J., Jr.
 Riley, James L.
 Sayner, William V., Jr.
 Schroeder, Clyde C.
 Simmons, William A., Jr.
 Skiles, Alvin V., III
 Smyth, Wayne S.
 Steadley, Alfred M., Jr.
 Stewart, Jack D.
 Thourne, Thomas H.
 Tinker, Gordon W.
 Updegrave, Loyal R.
 Walter, John A.

DENTAL CORPS

To be lieutenants

Abeyta, Edward L.
 Bass, Ernest B., Jr.
 Beck, Ralph A., Jr.
 Bies, Peter E.
 Canal, John W.
 Carmody, Robert B.
 Clark, George E.
 Coleman, Robert Y.
 Copeland, Richard A.
 Cunningham, Peter R., II
 Debs, John F.

Donoho, Donald H.
 Flynn, Dennis D.
 Groat, Jack E.
 Habis, Louis C.
 Hohlt, William F.
 Hurst, Thomas L.
 Johnston, William C.
 Kelty, Joseph P.
 Kepley, Benjamin F.
 Kulas, John P.
 Leonard, Edward P.
 Longenecker, David P.
 Luhtala, Jay L.
 Mach, Joseph S.
 MacPherson, John H.
 McGivney, Glen P.
 Menges, Paul B.
 Mohr, Richard W.
 Nordberg, Kenneth J.
 Oldfield, Ronald E.
 Parrino, Patrick A.
 Pierce, William F., III
 Reed, Harold H., Jr.
 Russell, Harold L.
 Sabala, Clyde L.
 Salmon, Thomas N.
 Scorallo, Donald L.
 Sewell, Richard H.
 Sheller, Donald F.
 Shiracuse, Joseph T.
 Smith, Carl J.
 Steff, Charles T.
 Switala, Robert G.
 Taba, Seikichi
 Walters, Melvin W.
 Wickord, Richard W.
 Young, Guy E.

MEDICAL SERVICE CORPS

To be lieutenants

Anderson, Walter C.
 Angelo, Lewis E.
 Baker, George F., Jr.
 Bender, Allen E.
 Brown, Charles R.
 Bullard, Henry B.
 Cannady, John W., Jr.
 Celeste, Vincent J.
 Chipman, Albion P.
 Comfort, Gerald G., Sr.
 Corder, James E.
 Crodick, William J.
 DeWitt, James E.
 Elfstrom, Berger R., Jr.
 Fanning, Graydon E.
 Hodges, Richard C.
 Holliday, James P., Jr.
 Hussey, Theodore A.
 Keller, Eugene R.
 King, William U.
 Kovarik, Clifford V.
 Lakey, Dean E.
 Law, Malcolm K.
 Livingston, Donald K.
 Madison, Howard D.
 McIntyre, Max N.
 McNair, Harold E.
 Mulvey, Joseph R.
 Owen, Ivan B.
 Perry, Vernon P.
 Redding, Francis J.
 Richards, William E., Jr.
 Scott, Floyd C., Jr.
 Shedlosky, Albert F.
 Smith, Fred E.
 Smith, Robert W.
 Spurgeon, Troy L.
 Stuck, Leo A.
 Waters, Carl R.
 White, Sheldon A.

NURSE CORPS

To be lieutenants

Allen, Janet N.
 Barnes, Julia O.
 Bushley, Nancy L.
 Calloway, Emily F.
 Cornwell, Norma J.
 Henstock, June A.
 Hudson, Marilyn R.
 Kelly, Mary
 Leonard, Mary J.
 Lucerne, Dolores A.
 Lundquist, Nancy L.
 Lynch, Marie A.
 Lyons, Barbara A.
 Madden, Anne S.
 Nelson, Marijean V.
 Orofino, Gloria A.
 Ruud, Donna R. E.
 Scherer, Carolyn E.
 Schrock, Doris M.
 Scott, Frances A.
 Sowash, Patricia A.
 Spellman, Georgia E.
 Stelzer, Kathleen
 Stuart, Irene M.
 Sullivan, Elinor M.
 Uebel, Donna J.
 Ueblacker, Martha M.
 Weidt, Bew P., II
 Zens, Nadine A.

Kenneth A. Gaines (Naval Reserve officer) to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Jack E. Giddings
 James P. Senn

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Blair M. Barnett
 Jon B. Closson
 Bryan C. Crafts
 Robert G. Kaufman
 Charles F. Schroeder
 Robert C. Sharp

The following-named (Naval Reserve officers) to be permanent lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

George A. Cervera, Jr.
 Walter C. Wittgow, Jr.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the

Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Paul E. Hensley William H. Maastricht
Thomas A. Hunter James D. Shelton

Glen W. Poore (U.S. Navy retired officer) to be a permanent lieutenant in the line of the Navy, limited duty only (deck), subject to the qualifications therefor as provided by law.

The following-named candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

George A. Danchuck, Jr.
Donald J. Scott
Anthony R. Graham
Conrad L. Lapp
George R. Martin
Dale C. Vawter
Richard J. Dvorchak
Jerry S. Calabough
Lyndel W. Wilson
Charles W. Burton
Walter H. Lecompte, Jr.
Paul J. Simard
David A. Johnson
Larry L. King
Ronald W. Atkins
Richard Marcinko
Michael B. Manko
Gary Q. Phillips
Richard L. Lyons
Harvey F. Richt

Francis J. Januszewski
Guy L. Swendson
William E. Simons
Patrick M. Shepherd
Earl R. Wilson, Jr.
Raymond P. McPartlin
William R. Chambers
Carvel C. Gage
Barbara L. Clark
Daniel P. Stua
Armando A. Wiley
Eugene R. Egger
William M. Rule
Dale R. Dunn
Robert A. Dorsi
Frank I. Burley, Jr.
Robert T. Wroblewski
William L. Lupton
Thomas M. Syrko
Bruce Van Heertum
Ivan E. Hughes

The following-named candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

Thomas J. Moore
Freddie R. Lewers
Donald R. Holland
Gordon J. Sarver
Patrick P. Valenty, Jr.

Kenneth W. Lerner
Harry N. Wright
Ronald L. Moir
John M. Cain

IN THE MARINE CORPS

The following-named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

George R. Fitzgerald
John C. Maynard

The following-named (meritorious non-commissioned officer) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Ronald L. Czarnecki
Thomas L. Franklin
Marvin L. Jackson

Marion E. Mann
Philip H. Ray
Robert R. Stout

CONFIRMATION

Executive nominations confirmed by the Senate September 15, 1965:

UNITED NATIONS

Mrs. Marjorie McKenzie Lawson, of the District of Columbia, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations.

Arthur J. Goldberg, of Illinois, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Charles W. Yost, of New York, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

BARRATT O'HARA, U.S. Representative from the State of Illinois, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

PETER H. B. FRELINGHUYSEN, U.S. Representative from the State of New Jersey, to

be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

William C. Foster, of the District of Columbia, to be representative of the United States of America to the 20th session of the General Assembly of the United Nations.

James M. Nabrit, Jr., of the District of Columbia, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

JAMES ROOSEVELT, U.S. Representative from the State of California, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Mrs. Eugenie Anderson, of Minnesota, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

William P. Rogers, of Maryland, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

Miss Frances E. Willis, of California, to be alternate representative of the United States of America to the 20th session of the General Assembly of the United Nations.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 15, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with this verse of Scripture:

Matthew 5:9: *Blessed are the peacemakers: for they shall be called the children of God.*

Almighty God, Thou hast granted to our age to discover and explore the wonders of Thy mind and the mysteries of Thy handiwork and all to be used for the good of humanity and never for any cruel and unworthy ends.

We beseech Thee to deliver the mind and heart of mankind from the lust of power, from vanity of spirit, from envy, and ill will and fill them with that wisdom from above which is pure, peaceable, and full of mercy.

Touch our mind and heart that we may have a right understanding, compassion, and courage, patience, and perseverance, ever working with Thy help for a clear insight, a more just and wiser spirit and may all humanity labor for a better social order and be set free from the bondage of hatred and fear and be governed by the light of love.

Help us to reorder our thoughts and actions to fit our faith that Thy increasing purpose of good will is running through the ages and that a better day is dawning for it is the manifest will of God and His love never faileth.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amend-

ment a bill of the House of the following title:

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act.

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

H.R. 9811. An act to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 9811) entitled "An act to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HOLLAND, Mr. EASTLAND, Mr. TALMADGE, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks National Recreation Area, in the State of West Virginia, and for other purposes;

S. 1317. An act to authorize the Commissioners of the District of Columbia to prescribe penalties for the handling and collection of dishonored checks or money orders; and

S.J. Res. 5. Joint resolution designating the bridge crossing the Washington Channel near the intersection of the extension of Thirteenth and G Streets Southwest the "Francis Case Memorial Bridge."

The message also announced that the Senate receded from its amendments Nos. 2 and 3 to the bill H.R. 948, an act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia.

RULES AND REGULATIONS GOVERNING THE HOUSE OFFICE BUILDINGS, HOUSE GARAGES, AND THE CAPITOL POWER PLANT

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, on August 26, 1965, the House Office Building Commission adopted rules and regulations governing the House office buildings, House garages, and the Capitol Power Plant.

I ask unanimous consent that these regulations be printed in the CONGRES-