

By Mr. KEOGH:

H.R. 11124. A bill for the relief of Stefano Corda; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 11125. A bill for the relief of Sylvan H. Miller; to the Committee on the Judiciary.

H.R. 11126. A bill for the relief of O. P. Becken; to the Committee on the Judiciary.

H.R. 11127. A bill for the relief of Ralph W. Heneman; to the Committee on the Judiciary.

H.R. 11128. A bill for the relief of Arnold E. Remmen; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 11129. A bill for the relief of Charles Verbeke; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 11130. A bill for the relief of Melba Calve Smith; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11131. A bill for the relief of Isidoro and Antonina Albino; to the Committee on the Judiciary.

H.R. 11132. A bill for the relief of Mary Brown; to the Committee on the Judiciary.

H.R. 11133. A bill for the relief of Salvatore Episcopo; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 11134. A bill for the relief of Joseph Yung-Tsin Yao; to the Committee on the Judiciary.

SENATE

THURSDAY, SEPTEMBER 16, 1965

(Legislative day of Wednesday, September 15, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. JOHN SHERMAN COOPER, a Senator from the State of Kentucky.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God, we realize it is futile to pray and not believe. By Thy grace we are saved through faith. It is a gift of God.

We have been given the light of faith in our inheritance. Bless the new candle we light by this faith, that the proceedings of the conference table of the world will stamp out the darkness of the battlefields.

Open hearts and minds in this new day to hope and understanding, that prophets and messengers of peace will overcome hate and distrust by the victory of love.

Surround and captivate the proceedings of this day with Thy presence that intentions, debate, and decisions will be worthy of the trust given to this important few by so many.

We do believe. Help Thou our unbelief. We pray in the Master's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 16, 1965.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN SHERMAN COOPER,

a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. COOPER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 15, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT— APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On September 14, 1965:

S. 949. An act to promote commerce and encourage economic growth by supporting State and interstate programs to place the findings of science usefully in the hands of American enterprise.

On September 15, 1965:

S. 2420. An act to provide continuing authority for the protection of former Presidents and their wives or widows, and for other purposes; and

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H.J. Res. 309) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes; and

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734-736).

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 309) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House, was read twice by its title and referred to the Committee on Rules and Administration.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, all committees were authorized to meet during sessions of the Senate for the remainder of the week.

EXECUTIVE SESSION

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

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore (Mr. COOPER) laid before the Senate messages from the President of the United States submitting several 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. MAGNUSON, from the Committee on Commerce:

Charles F. Reid, and sundry other officers, to be permanent commissioned officers in the Coast Guard.

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I also report favorably sundry nominations in the Coast Guard. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

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

John J. Soltys, Jr., and sundry other officers, for promotion in the Coast Guard.

The ACTING PRESIDENT pro tempore. 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 nomina-

tions on the Executive Calendar for the Department of Justice only.

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

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations to the Department of Justice.

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

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. 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.

SCENIC DEVELOPMENT OF ROAD BEAUTIFICATION OF THE FEDERAL-AID HIGHWAY SYSTEMS

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2084) to provide for scenic development and road beautification of the Federal-aid highway systems which had been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause and insert:

TITLE I

Sec. 101. Section 131 of title 23, United States Code, is revised to read as follows:

"§ 131. Control of outdoor advertising

"(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) No Federal-aid highway funds heretofore or hereafter authorized shall be apportioned on or after January 1, 1968, to any State which 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. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he determines necessary, the application of this subsection to a State.

"(c) Effective control means that after January 1, 1968, such signs, displays, and devices shall, pursuant to this section, be limited to (1) directional and other official signs and notices which are required or au-

thorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this section, and (2) signs advertising the sale or lease of property upon which they are located or activities conducted on such property.

"(d) It is also provided 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 signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards which are hereby authorized to be promulgated by the Secretary hereunder. Such national standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this subsection.

"(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, or which are not zoned under authority of State law, but are used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States, which shall be consistent with the purpose of this section. Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws.

"(f) Notwithstanding any provision of this section, any sign, display, or device in existence on or before the effective date of this subsection, which does not conform to this section shall not be required to be removed until July 1, 1970, or until the end of the fifth year after it becomes nonconforming, whichever shall last occur.

"(g) Just compensation shall be paid upon the removal of outdoor advertising signs, displays, and devices, provided they were erected and maintained on the effective date of this subsection pursuant to agreement with the owner, or one claiming through the owner, of the real estate on which they are located, and Federal funds shall be used to pay the Federal pro rata share of such compensation. Such compensation shall be paid for the following:

"(1) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in the fixture; that is, such sign, display, or device at such location, as secured by the agreement in effect on the effective date of this subsection; and

"(2) The taking from the owner or leaseholder of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon, as secured by the agreement in effect on the effective date of this subsection.

"(h) All public lands or reservations which are adjacent to any portion of the Interstate System and the primary system shall be controlled in accordance with the provisions of this section and the national standards.

"(i) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secre-

tary, a State may also establish information centers at safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as a State may consider desirable.

"(j) Any State highway department which has, under the law in effect on June 30, 1965, entered into an agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, provided that the right of any such State highway department to such payment shall not be affected by amendments to the statute of such State imposing such controls if such statute as amended meets the requirements of this section. Such payments shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as provided in this section.

"(k) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$20,000,000 for the fiscal year ending June 30, 1966, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1967."

TITLE II

Sec. 201. Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 135. Control of junkyards

"(a) The Congress hereby finds and declares that the establishment and maintenance of junkyards in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(b) No Federal-aid highway funds heretofore or hereafter authorized shall be apportioned on or after January 1, 1968, to any State which has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, any portion of which is within one thousand feet of the nearest edge of the pavement and visible from the main traveled way of the system. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Wherever he determines it to be in the public interest, the Secretary may suspend, for such periods as he determines necessary, the application of this subsection to a State.

"(c) Effective control means that by January 1, 1968, such junkyards shall be screened by natural objects, plantings or fences or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

"(d) The term 'junk' shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, oddments, waste, litter, leavings, ruins, castoffs, rummage, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or non-ferrous material.

"(e) The term 'automobile graveyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicle or motor vehicle parts.

"(f) The term 'junkyard' shall mean an establishment or place of business which is maintained or operated for the use of storing,

keeping, buying or selling such junk, or for the maintenance or operation of an automobile graveyard, and the term shall be construed to include garbage dumps and sanitary fills.

"(g) Notwithstanding any provision of this section, junkyards, auto graveyards and scrap metal processing facilities may be operated within areas adjacent to the Interstate System and the primary system which are zoned industrial under authority of State law, or which are not zoned under authority of State law, but are predominantly used for industrial activities.

"(h) Notwithstanding any provision of this section any junkyard in existence on or before the effective date of this section, which does not conform to the requirements of this section and which the Secretary finds as a practical matter cannot be screened, shall not be required to be removed until July 1, 1970.

"(i) Landscaping or screening costs under the provisions of this section shall be allocated in the following manner: the first \$1,500 of such costs shall be assumed by the owner of the facility screened; all costs in excess of \$1,500 shall be the Federal and State responsibility. Federal funds shall be used to pay the Federal pro rata share of the costs of landscaping or screening under the provisions of this subsection.

"(j) If any junkyard or auto graveyard cannot be effectively screened under the provisions of this section, either by plantings or other means on the property line of the owner or between the property line and at a safe distance from the edge of the pavement, whichever is the more economical and effective, just compensation shall be paid the owner for the relocation, removal, or disposal of such facilities. Federal funds shall be used to pay the Federal pro rata share of the costs of providing effective control by purchase or condemnation and relocation, removal, or disposal.

"(k) All public lands or reservations which are adjacent to any portion of the Interstate and primary systems shall be effectively controlled in accordance with the provisions of this section.

"(l) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$20,000,000 for the fiscal year ending June 30, 1966, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1967."

SEC. 202. The table of sections of chapter 1, title 23, United States Code, is amended by adding at the end thereof the following:

"Sec. 135. Control of junkyards."

TITLE III

SEC. 301. Section 319 of title 23, United States Code, is revised to read as follows:

"§ 319. Landscaping and scenic enhancement

"(a) The Secretary may approve as a part of the construction of Federal-aid highways the costs of landscape and roadside development, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities reasonably necessary to accommodate the traveling public.

"(b) An amount equivalent to 3 per centum of the funds apportioned to a State for Federal-aid highways for any fiscal year shall be used for acquisition of interests in and improvement of strips of land necessary for the restoration, preservation, and enhancement of scenic beauty adjacent to such highways, without being matched by the State. The Secretary may authorize exceptions from this requirement, upon application of a State and upon a showing that such amount is in excess of the needs of the State for these purposes. Any funds not used as required by this subsection shall lapse.

"(c) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$120,000,000 for the fiscal year ending June 30, 1966, and not to exceed \$120,000,000 for the fiscal year ending June 30, 1967."

SEC. 302. Section 101(a) of title 23, United States Code, is amended by deleting the word "and" immediately before the words "elimination of hazards of railway-grade crossings" in the definition of the term "construction", by changing the period at the end of such definition to a comma, and by adding the words "and landscaping and scenic enhancement authorized by law."

SEC. 303. In order to provide the basis for evaluating the continuing programs authorized by amendments made by this Act, and to furnish the Congress with the information necessary for authorization of appropriations beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of carrying out such programs, and shall submit such estimate to the Congress not later than January 10, 1967.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. In accordance with the previous order, the Senator from Missouri [Mr. SYMINGTON] is recognized.

RECOMMENDATIONS FOR OVERCOMING THE CONTINUING UNFAVORABLE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, in an address last August, I presented the impact of military and foreign aid expenditures upon our unfavorable balance of payments. Today I would make some suggestions as to what should be done to correct that unfavorable balance.

The premise of these thoughts is one I have presented many times in the past; namely, that the military strength of the United States is essential to the liberty of all free people in their resistance to totalitarian aggression; and also that, in our way of life, our defense strength can only come from our economic strength.

In the past it is fair to say that "we have done our share." A great statesman of this century, Sir Anthony Eden, now Lord Avon, nailed that down when he said:

Happily for Europe, we were not left alone. In the United States were statesmen of wisdom, authority and courage who wrought a revolutionary change in their country's traditional policies. There was to be no repetition of the withdrawal into isolation as after the First World War. On the contrary, the United States lent of its extensive resources to restore Europe's industrial and commercial life. Europe today is economically flourishing and shows many signs of recovering her ancient leadership. This is largely due to the efforts of her own peoples, but the help of the United States was indispensable and it was freely given.

There is no criticism on my part of these generous actions of the past. Primarily as the result of such action, however, we now face a serious and growing problem, best illustrated by our continuing unfavorable balance of payments.

The United States would not be faced with this problem if many of our now prosperous Western European allies had shown a greater willingness to share in the burden of their defense; and also in the economic progress of the less-developed countries.

Why have not the surplus countries in question, whose recovery came about in large part as a result of contributions from the United States, assumed a more equitable share of the defense and aid costs of the free world?

These countries have excess dollar holdings. Instead, however, of supporting the cost of their own defense, and assisting our efforts to stem Communist imperialism in Asia, Latin America, and Africa, they are crippling the monetary position of the United States by continuing to purchase gold from our limited stock.

In addition, these Europeans seem reluctant to reduce their surpluses by importing from this country more items such as coal, wheat, and feed grains, even though we are much more competitive in these areas than are they.

West Germany, the Netherlands, France, and in this case the United Kingdom, have almost prohibitive quantitative restrictions, quotas, licensing arrangements, and so forth, on the imports of coal.

According to the Nathan Report of 1963, these nontariff barriers cost the United States as much as \$500 million a year.

In addition, recently the Common Market has proposed the freezing of grain at a high level of price supports. This action, supported by a highly protective variable levy, can only result in large losses in U.S. grain exports.

The United States is now spending \$1.5 billion a year to maintain its military establishment in Europe; and this expense is only partly offset by the some \$600 million in military hardware purchased from us.

Is it not ironical that this Nation, bearing by far the most of the financial burden for the defense of Europe 20 years after the end of hostilities, and in spite of European affluence and desire for self-sufficiency, cannot persuade the NATO allies, either to assume the cost of their own defense, or remove their carefully planned restrictions on many of our most competitive exports?

If the United States could save \$1.5 to \$2 billion annually in its Government overseas expenditures, that saving would go a long way toward balancing our international accounts. With that premise, one is entitled to raise the question: Is the presence of five divisions of U.S. soldiers, plus a large air contingent, along with families—nearly a million people—still necessary in Europe?

Also, what can be done with respect to our aid program in order to help reduce our Government expenditures overseas? What action can be taken commensurate with our international commitments which at the same time would protect the value of the U.S. dollar?

Here are some specific suggestions.

First. Phasing out program loans: In spite of efforts incident to "tied aid," it is a fact that program loans are still adding heavily to our balance-of-payments deficits. They should be curtailed.

These loans are made for general budgetary and balance-of-payments support, in order, so it is said, to "stabilize" the economies and currency values of the recipient countries; and also to help them import goods. They are tied to U.S. procurement through letters of credit, on which one can draw for expenditures in the United States. The net effect, however, is to substitute credit sales for cash sales.

In many instances this frees foreign exchange resources for both debt service and procurement in other countries. In both instances, program loans add to our own deficits.

Moreover, as a long-term means of providing economic development capital, they are wasteful, because balance-of-payments support finances mainly current consumption, as against growth-creating projects.

We should phase out program loans, because we cannot continue indefinitely to absorb the budgetary and balance-of-payments deficits of other countries into our own budgetary and balance-of-payments deficits.

It has been reported that the Inter-American Committee for the Alliance for Progress will recommend to the Inter-American Economic and Social Council assistance to Argentina in the amount of \$317 million for 1966 and \$163 million for 1967 so as to assist Argentina to repay its debts, many of which were committed by the Peron administration.

One could question the advantages, either to the economic growth of Argentina, or to U.S. political and economic interests, to have the American taxpayer bankroll these commitments of Argentina's predecessor governments.

It has also been stated that we must increase our commitments of aid to India, mostly through the International Development Association, in order to make it possible for India to pay its capital obligations and interest due the World Bank and European countries.

What are the advantages in committing U.S. taxpayers' money to pay the past debts of these countries? Such use of aid money will not create any new economic growth.

These transactions would appear an attempt to make good on obligations of the past; and one is misled who believes that this part of either the Alliance for Progress, or contributions to IDA or other international organizations, are either creating economic growth or helping the United States balance-of-payments deficits. In actual fact, they are no more than attempts to catch up with obligations contracted for purposes long since past.

Those who have lent money to these countries in the past should now accept the consequences of a moratorium or stretchout; and further U.S. aid should be devoted to further economic development.

After a reorganization of the debt commitments of such countries as Ar-

gentina, Chile, Colombia, India, and Pakistan, the United States Government should be prepared, through the aid program, to be of help; not on a balance-of-payments basis; but on specific identifiable projects such as schools, hospitals, utilities, and factories which require external dollar financing.

If we do that, emphasizing especially the importance of technical assistance, we would be helping the underdeveloped countries in their economic progress without further damaging our own economy with balance-of-payments deficits.

Second. Emphasis on shipment in kind for scientific incremental development projects: By emphasizing technical assistance instead of general budgetary and balance-of-payments support, we would not only relieve the U.S. taxpayer of the debt burdens of the underdeveloped nations, but also make a more solid contribution to the economic development of the recipient country. Once these countries realize that such general budgetary aid is no longer forthcoming, they would make more realistic effort to put their own house in order, thereby obviating the need for further program loans.

It is my conviction that the United States should revert more to a lend-lease concept of foreign aid—plus technical assistance—as against large grants or loans for various public works projects and budgetary assistance.

Third. Increase the dollar sales portion of our Public Law 480 farm surplus shipment: American agriculture is the most competitive in the world. There is no reason why we cannot maximize the dollar portion of our Public Law 480 sales. If, for example, we made a condition that a certain portion of our Public Law 480 sales should be repaid in dollars, say 20 to 25 percent, while giving the rest away free—or for local currency counterpart funds—there would continue to be a budgetary cost to the United States, but our balance-of-payments position would be much improved.

In addition, private commercial sales of agricultural products, even to Communist countries, should not be hampered by cargo preference requirements, along with various other types of restrictions which make U.S. agriculture uncompetitive. I made a talk on this particular aspect last August 19.

The sale of farm products to the Eastern countries is now accepted national policy. Why then make it difficult to compete with other countries by placing artificial and costly restrictions on any possible transaction?

As but one illustration of what the ideology first group is doing to the economy of this country, consider the fact that France, chief economic opponent of the United States in the free world, recently sold a million tons of wheat to Eastern Europe, most of it to Soviet Russia.

Fourth. Disallow bond flotations by international institutions: A thorough review of ways and means of reducing the impact of the operations and practices of international institutions on our balance of payments is in order; in fact

it is long overdue. Not only is the size of our commitments inconsistent with the current balance-of-payments crisis, but the practice of floating bonds on our capital markets also seems inconsistent with the now pressing need to eliminate these persistent balance-of-payments deficits.

Between 1958 and 1964, the International Bank for Reconstruction and Development floated \$820 million worth of securities in the U.S. capital market. Since the record of procurement of goods under the Bank's loans indicates that only about 35 percent was procured in the United States, about \$533 million of this amount was spent in third countries.

In addition to our large contributions, the Inter-American Development Bank has also borrowed \$225 million in the U.S. capital market. At least half of that money was, or is being, spent in third countries.

Flotations of security issues by the International Bank for Reconstruction and Development and the Inter-American Development Bank, therefore, have cost the U.S. balance of payments over \$600 million during recent years.

As long as the United States has a deficit in its international accounts during the preceding year, it would appear logical for the Secretary of the Treasury, or his delegate to these institutions, to vote against such bond issues in the American money market.

They have the right of such veto under the charter provisions of said institutions. Article IV, section 1(b) of the Articles of Agreement of the World Bank, states that the Bank may borrow funds "only with the approval of the member in whose markets the funds are raised and the member in whose currency the loan is denominated, and only if these members agree that the proceeds may be exchanged for the currencies of any other member without restriction."

Similarly, article VII, section 1(i) of the Inter-American Development Bank Charter states:

Before making a sale of its obligations in the markets of a country, the Bank shall have obtained the approval of that country and of the member in whose currency the obligations are denominated.

It is a fact that this authority was written into these charters in order to protect countries such as the United States suffering from continuous balance-of-payments deficits. Because of the increasing gravity of the balance-of-payments position of this country, therefore, why do we not use this authority, instead of continuing to go along with the management of these banks in their desire to tap the low cost U.S. market?

Fifth. Stop making future commitments of aid to international institutions without prior congressional approval: With respect to the practice of making commitments to international institutions without congressional discussion, such action places the Congress in the position of having either to choose between offending other Governments and very possibly embarrassing our own, or automatically approving commitments that have already been made.

It has been reported that the President has instructed officials of the AID agency not to make commitments under the AID program until the Congress has appropriated the money. That procedure would appear wise to us; therefore, we would hope that the same practice would be adopted in the case of international institutions.

With our continuing unfavorable balance of payments, plus the steady drop in our gold holdings, I believe that no further international commitments to the World Bank, its subsidiary, the International Development Association, or the Inter-American Development Bank, should be made without prior congressional approval.

This is particularly important in the case of the IDA, whose aid disbursements result only in 12.8 percent identifiable procurement in the United States.

Sixth. The cost of tourism: Tourism is another condition which operates heavily against the U.S. balance of payments. Tourism is costing this country many billions of dollars. Nevertheless, there would appear little reaction to the suggestion of President Johnson that, in order to help reduce the unfavorable balance of payments, Americans should take their vacations in the 50 States.

Actually, traveling to foreign countries this year is reaching unprecedented levels. Secretary of Commerce Connor stated—press conference, August 17—that in 1965 he expected a net outflow of \$2 billion from tourism alone; an increase of over \$300 million.

Seventh. Investments abroad: U.S. bank loans not used to finance U.S. exports, therefore, rather to finance either third country trade or inventory and plant expansion programs, should be limited.

The \$100 million exemption of Japan from the interest equalization tax, already granted for 1965, should not be extended. If the Japanese prefer to avoid the 1 percent tax, they can borrow in Europe.

The transfer to foreign countries of funds by insurance companies, pension funds, and corporations, solely to take advantage of a higher interest return, should either be curtailed or taxed.

Direct investments by American companies, which result in the export of American machinery, semimanufactured and raw materials, and bring back earnings in dividends and interest, are in a separate category. In 1963 they brought back \$9 billion, \$4 billion in dividends, interest, and royalties; and \$5 billion in related exports.

Eighth. Liquidity: There are those who are now trying to merchandise a somewhat mysterious thing called liquidity, in order to provide further means for financing international trade. These people say that if the United States reaches either a position of balance, or one of surplus in their international accounts, the means of payment in international trade will dry up; and then there will be a depression.

Mr. President, I will not discuss in detail at this time this question of liquidity. But let me leave a few thoughts on the subject.

There are two separate aspects of liquidity; and we should be careful not to confuse them.

The first problem of liquidity is to finance legitimate day-to-day, cash, commercial trade between countries. As illustration, suppose there are three countries, A, B, and C.

Country A has a product, with a market value, that country B is willing and eager to import. Country B has a product that has a market in country C, and country A wants to import something it needs from country C. It should be emphasized that there is no shortage of money, loans, or liquidity to finance such a commercial trade.

In most cases, this is a straight clearing house transaction. If the amount of trade between these countries were equal, there would be no need for exchange of currency, or gold, between them.

This kind of trade is no different from California buying Detroit- or St. Louis-made cars, and then shipping oranges and vegetables in exchange. The clearinghouse system takes care of such a commercial transaction without any shift of funds.

If there is a difference in the amounts between regions in the United States, or between countries, then the question of settlement comes up; and we can be sure that there are enough resources in the banking systems of the developed countries, backed up by the International Monetary Fund, to settle any resulting temporary fractional short falls between countries, which arise from comparable commercial transactions.

The second kind of liquidity problem is something else, and results from the inability of many countries to pay, year after year, for the goods and services they wish to buy from other countries. If over a period they do not earn, by the sale of exports and services, enough to pay for the things they wish to import and consume, then they have a persistent balance-of-payments problem.

This is a foreign aid problem, not a liquidity problem.

To go back to our country A, B, and C analogy, if country A consistently does not export enough goods or services to countries B and C, but definitely needs to import certain materials from countries B and C, country A has a real problem—either a shortage of cash, or a shortage of export goods which other people want.

The question is, How do you finance, year after year, the needs of countries such as A? There are many nations in this category—India, Turkey, Chile—in fact, most of the underdeveloped or relatively underdeveloped countries.

To repeat, this is a foreign aid problem, not a liquidity problem. Somebody has to give these countries either, first, the cash with which to buy imports, or, second, the goods themselves, with little expectation of being repaid.

The PRESIDING OFFICER (Mr. Bass in the chair). The time of the Senator has expired.

Mr. SYMINGTON. I ask unanimous consent that I may proceed for 5 minutes longer.

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

Mr. SYMINGTON. In the 20 years since the end of World War II, the country that has supplied a very large majority of both this cash and these goods has been the United States. As everyone knows, since World War II we have put out over \$100 billion of such assistance.

Unfortunately, since 1949 the United States has not been able to earn enough, through exports of goods and services, to support these contributions designed to help the shortfall of earnings in other countries.

Now the United States in turn has a grave problem incident to paying its bills abroad. As long as we could pay other peoples' bills through exports, foreign aid, sales of gold, even by borrowing abroad, trade moved between countries, with the United States paying the bills. Now that this country is also short of foreign exchange, however, and therefore is finding it increasingly difficult to pay the bills of these other countries, many well-meaning but misguided people have begun to talk liquidity.

Let us be honest with ourselves. Whenever you and I individually, or our families, or our States, or this or any other nation, do not earn enough to pay for all the things desired or needed, we have a problem of liquidity.

If in turn, we chronically persist in our inability to pay our bills, there are three choices. Either we cut back on our expenditures, or borrow the money as long as our creditors have faith in our capacity to repay, or apply for relief. At the international level, the latter is foreign aid.

To confuse this issue as a matter of liquidity, therefore, one that can be solved by creating further credit, or using the printing press to print more national—or some form of international—currency, is to fudge the issue.

I will discuss in greater detail at another time this question of liquidity. Suffice it to say now that, except for the preservation of the peace in this nuclear age, nothing is more important than putting in order our fiscal and monetary position.

In recent days, three developments have been foremost in the minds of the American people—South Vietnam, the mobs in the streets of Los Angeles, and the Gemini 5 flight. Two of these three cost a great deal of money.

The way of life in this Nation has as one of its primary foundations working in the early part of a citizen's life so as to insure as much security as possible in the later years. Various forms of insurance, and pensions, and retirement agreements, preserve and enrich our concept of democracy.

If, through well meaning programs designed to assist foreign countries, the value of the dollar is reduced to the point where the savings of our people do not provide a decent living standard upon retirement, there could be additional and much more unfortunate developments; developments which could exceed in intensity any that have been experienced up to this time.

As an able and dedicated public servant, Secretary of the Treasury Fowler, said only last month:

We must never forget that America's ability to succeed in its difficult and demanding role as leader of the free world—that all the political, diplomatic, and military resources at our command—depend upon a strong and stable American economy and a sound dollar.

We must never forget that our lives can be vitally affected, not only by the events in Saigon or Santo Domingo, but by such apparently far removed occurrences as the outflow of American gold and dollars abroad.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Wisconsin, who is an authority in this field.

Mr. PROXMIRE. I warmly commend the distinguished Senator from Missouri on the speech he has made this morning; I do so although I disagree in important part with what he has said. A number of newspapermen, in commenting on the Senate this year, have written that the failure to debate the balance-of-payments problem is a serious omission on the part of the Senate. This is one of the most important problems facing our country. It has not been discussed as it should be. Certainly, no one can fault the Senator from Missouri for that. He has spoken out, and he has been the Senate leader in calling to the attention of the country how very serious is our balance-of-payments problem.

The Senator is no doubt aware that the balance of payments has been the subject of lengthy congressional hearings. The Senate Banking and Currency Committee has held hearings on this subject under the chairmanship of the Senator from Maine [Mr. MUSKIE]. The Joint Economic Committee has held hearings, under the chairmanship of Representative REUSS. I serve on both those subcommittees, and also conducted hearings on this subject in the Statistics Subcommittee of the Joint Economic Committee which I head. But there has been no extended discussion on the Senate floor of the problem which the Senator from Missouri has talked about in his speech today. I agree wholeheartedly that the balance-of-payments problem is far from solved.

Is it not true that, although in the second quarter of this year this country ran a balance-of-payments surplus, this surplus is very temporary indeed?

Mr. SYMINGTON. The able Senator from Wisconsin is correct. This year we will lose over \$1 billion more of our gold as against a loss of around \$125 million last year.

It is a serious problem; one which we have been unable to solve by means of the programs suggested or stipulated to date.

I know of the hearings the Senator referred to, and of his fine work in them. They have been constructive in pointing up this problem to the people of the country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. PROXMIRE. I thank the Senator.

Is it not true that in order to solve our balance-of-payments problems the Commerce Department and the Treasury Department both agree that one of the best ways, perhaps the only real way on a constructive basis, is to increase our exports relative to imports? And is it not extraordinarily hard to do this because we already have a highly favorable balance of trade? At the same time we have had an unfavorable balance of payments until recently because of our governmental payments abroad, our tourist travel abroad, and all of the things the Senator from Missouri discussed.

To improve our balance of trade even further will be extremely difficult. While the balance of payments looked good in the second quarter, that was in part because there was a shipping strike in the first quarter, and we had a postponement of exports into the second quarter which distorted the picture.

Mr. SYMINGTON. The Senator is right. The problem today is not one of our exports, because since 1949, exports have heavily exceeded imports. With the exception of one year, 1957, the year after the Suez crisis, heavy expenditures of our Government abroad have negated our excess of exports over imports in the private sector.

In addition, the activities of France under General de Gaulle would seem to be crippling our opportunity for maintaining a successful export position with those countries.

As our balance-of-payments problem increases, and as the Senator points out, we also are bound to lose some of our previous export advantages in the private sector.

Mr. PROXMIRE. It is also true that, although the administration should be credited with a gallant effort to correct the balance-of-payments problems, the voluntary loan limitation program which the President and the Secretary of the Treasury successfully fostered is nevertheless showing predictable short, one-shot benefits that in large part will not be continuing. That means a fine second quarter showing may well deteriorate during the rest of the year and in 1966. The constructive effects can continue to some extent, but they will be a limited force from now on.

I wish to say one more thing to the Senator from Missouri, and that is that I believe that while he is dead right in emphasizing the importance of correcting our balance of payments—and we will not solve the longrun liquidity problem until we do—I believe that there is a persuasive argument that when and as we correct our balance-of-payments problem we may have a liquidity problem in the world, because as world trade expands—and it has far more than doubled in the past 10 years—and as world economies expand, we shall need more liquidity. That liquidity has been supplied for more than a decade by the American dollar deficit. That deficit cannot and should not continue.

Mr. SYMINGTON. I would associate myself with that position of the Senator from Wisconsin. But I do not believe that additional liquidity should come as the result of additional paper dollars while there is a continuing unfavorable balance of payments.

Mr. PROXMIRE. I agree with the distinguished Senator from Missouri.

Mr. RANDOLPH. I yield to the distinguished Senator from Missouri, who is discussing this subject in colloquy with the Senator from Wisconsin. If the time has expired, I ask unanimous consent that the time be extended for 2 minutes.

The PRESIDING OFFICER. The time has expired. The Senator may continue for 2 additional minutes.

Mr. RANDOLPH. I listened with intense interest to the cogent comments of the Senator from Missouri on this subject. It is of vital interest to the State of West Virginia in connection with many of our products, particularly coal. We are constantly faced with certain diminishing markets abroad, and the matter of payments is a pertinent one to the industry which is, in a real sense, the major industry in the State of West Virginia.

I would like to have the record reflect that in the omnibus flood control—rivers and harbors legislation, passed by the Senate and reported by the House Public Works Committee, there is proposed authorization for a project that will have impact for good on our coal export prospects.

I refer to the project for vastly improving the navigability of the James River estuary channels serving the ports of Newport News and Norfolk in the Hampton Roads.

The deepening of the channel from 40 to 45 feet, and the widening, would allow the ships of France and Italy to come into the area and use coal which would be exported from the country to those people in need of our product.

According to available figures, this project, which includes the deepening of the Thimble Shoal, Newport News, and Norfolk Harbor Channels upstream to Lamberts Point, two widening operations, and four anchorage deepenings will cost the Federal Government \$25.6 million. It is my view that the expansion and deepening of these shipping lanes to accommodate existing and prospective traffic of vessels engaged in foreign and coastwise trade will more than justify the Federal expenditure. This project will be especially important to the coal industry and coal-hauling railroads of West Virginia and Appalachian region portions of other neighboring States.

At a meeting in February, shipping officials from Italy and France reported on plans of their countries to build 75,000- to 80,000-ton vessels which will not be able to load or carry full capacity loads of American coal, until channels in Hampton Roads of the James River estuary are widened and deepened. We have been informed that Italian and French shipping interests have tremendous market potentials equal to perhaps 11 million tons of Appalachian bituminous coal annually for export through

the Newport News-Hampton Roads docking and loading facilities. It has been estimated that additional exports will add \$90 to \$100 million in new business to the U.S. economy when both coal and transportation are considered.

The prospects for the future exporting of coal are extremely encouraging. A recent study by the Stanford Research Institute at Menlo Park, Calif., indicated that U.S. coal exports to Japan and six major industrial European countries will experience a continuing increase, perhaps at a rate of 5-percent annually for the next 10 to 15 years.

With this projection of a growing foreign market for our coal, there is the vital requirement for better ports facilities through which the coal can be moved. The Norfolk channel enlargement is an essential proposal in this future progress. The urgency of this project is emphasized by the fact that the first of the new design French coal-carrying vessels is already under construction and will be in operation by the end of 1966. An Italian ship is to be ready the following year.

Although the completion of proposed waterway modifications will require 5 years, a sufficient portion of the project to accommodate outgoing vessels could be accomplished in 3 years from the time Congress appropriates the first funds.

It appears, then, that the work will be 2 years behind the availability of the new coal colliers. Further delays will restrict the coal-hauling ships from carrying capacity loads, thereby preventing full realization of the economic possibilities of our foreign market.

Gov. Hulett C. Smith, of West Virginia, has been active in forming an economic bond between coal-producing areas. He is well aware of Europe's need for quality coal from West Virginia and other nearby mines, and he has expressed his desire to be associated with these remarks.

It is our genuine hope that the Hampton Roads and related channel improvements so essential to shipment of our coal to export markets will be included in the final version of the 1965 omnibus rivers and harbors bill. As a member of the Senate Committee on Public Works and its Subcommittee on Flood Control—Rivers and Harbors, I shall continue to give it my support.

I commend the Senator for his enlightening discussion and I appreciate the opportunity to make this comment in respect to our own State.

Mr. SYMINGTON. I thank the distinguished Senator from West Virginia.

In coal, as in feed grains, this country is most competitive with respect to the rest of the world. And yet, because of quotas and other such limitations beyond tariffs, we are not allowed to merchandise coal in countries where we have expended vast sums of money for many causes, including, of course, the prosperity and actual freedom of those countries.

If things continue to go this way, it is only a question of time before the basic source of the defense strength of the free world, the economy of the United States, is going to have very serious problems,

indeed, with respect to the value of the measuring stick of the status of that economy—the value of the dollar. That is the thrust of my talk today.

When we realize that this defense strength can only come from economic strength, we can appreciate how serious this problem is to all free people.

The PRESIDING OFFICER. The Chair advises the Senate that the time is under control. Who yields time?

Mr. RANDOLPH. I yield 3 minutes to the distinguished Senator from Maine.

APPOINTMENT OF HON. FRANK M. COFFIN AS A JUDGE ON THE FIRST JUDICIAL COURT OF APPEALS

Mr. MUSKIE. Mr. President, I know President Johnson attaches great importance to the qualifications of his appointees to the Federal judiciary. His nomination of Frank M. Coffin, of Maine, to be a judge on the First Judicial Circuit Court of Appeals is in the Johnson tradition of outstanding appointments.

Mr. Coffin has a unique combination of talent and experience which is well suited to an appellate court. The American Bar Association Standing Committee on the Federal Judiciary has rated him as "exceptionally well qualified" for appointment to the circuit court.

Mr. Coffin had an outstanding academic record in his undergraduate work and in law school. In addition to his A.B. and LL.B. degrees, he holds a degree in business administration. He was a Navy veteran in World War II. Following graduation from law school he served as law clerk to Federal District Judge John D. Clifford, of Maine. His law practice was devoted primarily to trial work where he distinguished himself before both State and Federal courts. He served two terms as Congressman from Maine. In the executive branch of the Federal Government he has been Director of the Development Loan Fund, Deputy Administrator of the Agency for International Development, and U.S. Representative to the Development Assistance Committee in Paris.

Over the years I have come to know Frank Coffin as a friend, fellow attorney, political associate, and colleague. I have admired him as a student of the law, as an imaginative public leader, as a law-maker, and as an administrator. He combines the best attributes of an intellectual with the practicality, human understanding, and wisdom which is so important to great judges. In our system of government, where the strength of our democratic institutions depends on the strength of all three branches—executive, legislative, and judicial—it is well to have judges, particularly at the appellate level, whose experience and understanding includes all three branches.

I am more than pleased, as I know Frank Coffin's many friends and admirers in Maine must be, that President Johnson has selected him for this important post.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

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, an amendment is pending. Perhaps the Senator from Delaware [Mr. WILLIAMS] might wish to discuss his proposal. As he knows, at this point we are considering a modification. We have discussed it with the Senator from Delaware. He might wish to speak now, but if he would rather wait, I shall make the point that a quorum is not present.

Mr. DIRKSEN. Perhaps there should be a quorum call.

Mr. RANDOLPH. 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. DIRKSEN. Mr. President, I ask unanimous consent that the time for the quorum call be charged to neither side.

The PRESIDING OFFICER. The Senator's request is not in order. The quorum call is in progress.

Mr. DIRKSEN. Oh, Mr. President, I was on my feet seeking recognition.

The PRESIDING OFFICER. The Chair advises the Senator from Illinois that the quorum call is in progress. The Senator could ask that the order for the quorum call be rescinded.

Mr. DIRKSEN. But I was addressing the Chair.

The PRESIDING OFFICER. The Chair has ruled that the Senator from Illinois is not in order because the quorum call is in progress.

Mr. DIRKSEN. Let it proceed.

Mr. RANDOLPH. 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. RANDOLPH. Mr. President, with the consent of the Senator from Delaware, I ask unanimous consent that his amendment be temporarily laid aside so that I may offer an amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. 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. On page 14, delete lines 12-24 inclusive and insert in lieu thereof the following: "(b)".

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the 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, ordered to be printed in the RECORD, is as follows:

Page 14, delete lines 12-24 inclusive and insert 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 establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within 1,000 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, on yesterday my first amendment was agreed to by the Senate. Today I am offering my amendment No. 5. It is a conforming amendment, similar in form and identical in purpose with the amendment which was agreed to in the Senate yesterday.

The amendment of yesterday went to title I, with respect to outdoor advertising. Title II, as the Senators know, goes to the matter of junkyards.

The earlier amendment provided, for title I, a withholding of 10 percent of the Federal-aid highway funds from the States which failed to comply with this section by January 1968. This withholding would replace the originally proposed withholding of 100 percent of such funds. The same now would apply to title II.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH] to the committee amendment in the nature of a substitute.

Is all time yielded back?

Mr. RANDOLPH. I yield back the remainder of my time.

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. FONG. Mr. President, I call to the attention of the distinguished Senator—

The PRESIDING OFFICER. The Chair advises the Senator that the time is controlled, and the Senator should request time.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the distinguished Senator from Hawaii.

The PRESIDING OFFICER. The distinguished Senator from Hawaii is recognized for 5 minutes and the time shall be charged on the bill.

Mr. FONG. Mr. President yesterday the Senate passed the first amendment offered by the distinguished Senator from West Virginia. My attention has been called to the fact that we made a mistake in agreeing to the first amendment offered by the distinguished Senator because in deleting the lines mentioned, we deleted too much from page 9 of the bill.

If the distinguished chairman will turn to his amendment and turn to page 9 of the bill, he will note that he requested that lines 12 to 24 be deleted.

Mr. RANDOLPH. Mr. President, the matter referred to by the distinguished Senator from Hawaii was corrected in the amendment which was sent to the

desk. The RECORD will reflect that fact. I have not looked at the RECORD today.

Mr. FONG. We have looked at the RECORD and the RECORD reflects that lines 12 to 24 have been eliminated.

CORRECTION OF THE RECORD

Mr. RANDOLPH. The RECORD should reflect that the amendment was intended to delete from line 15 on page 9 through line 3 on page 10 inclusive.

Mr. President, I ask that the permanent RECORD be corrected to reflect what I have said in response to the distinguished Senator from Hawaii.

The PRESIDING OFFICER. The correction will be made.

The first amendment offered by the Senator from West Virginia [Mr. RANDOLPH] reads as follows:

Delete from line 15 on page 9 through line 3 on page 10 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. FONG. Mr. President, reserving the right to object, I ask the distinguished Senator how far that correction would go. Would it delete all of line 24, or would it leave a part of line 24 in the bill? There is a sentence which deals with the discretion of the Secretary to suspend the penalty of withholding 10 percent of a State's highway apportionment if he deems it in the public interest. Has that been stricken?

Mr. RANDOLPH. That has been deleted.

Mr. FONG. That was the intent of the distinguished Senator from Virginia?

Mr. RANDOLPH. The Senator is correct. I love my friend from Hawaii, but he keeps saying that I am from Virginia.

Mr. FONG. I am sorry. I meant to say West Virginia.

Mr. RANDOLPH. Mr. President, yesterday the Senator said it over and over again. I did not correct him. Today I really do not correct him, but I just want to say a good word for West Virginia.

Mr. FONG. West Virginia is a very fine State and is represented by a very fine Senator.

Mr. RANDOLPH. I thank the senior Senator from Hawaii. He is an esteemed friend and an able Senator.

The PRESIDING OFFICER. The time of the Senator has expired.

The question recurs on the amendment of the Senator from Delaware [Mr. WILLIAMS] to the committee amendment in the nature of a substitute.

Mr. WILLIAMS of Delaware. Mr. President, I have modified my amendment somewhat. I send to the desk the

modified amendment and ask that it be stated.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The clerk will read the modified amendment.

The LEGISLATIVE CLERK. On page 13, between lines 17 and 18, in the committee amendment, it is proposed to insert the following:

(k) For the purposes of this section effective control also means that notwithstanding the provisions of subsection (f), after January 1, 1968,

(1) no sign or display promoting the Federal Government or any of its departments, agencies, programs, projects, or expenditures shall be allowed if such sign or display is inconsistent with the purposes of this section, nor

(2) shall the Federal Government erect or construct any sign or display promoting any of its departments, agencies, programs, projects or expenditures. 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.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself such time as is necessary. I do not believe that it will take more than a few moments.

The purpose of my amendment is very simple; it would merely provide that the U.S. Government and its agencies would come under the same rules with respect to the placing of signs along our highways as the pending bill proposes to establish for all commercial enterprises.

I have discussed this amendment with the Senator in charge of the bill, and I understand that he is willing to accept the amendment. The Senator agrees with the Senator from Delaware that the amendment is meritorious. Therefore, if that is the understanding I shall not labor the point.

Mr. BASS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. BASS. Mr. President, the Senator from Tennessee would like to have an example of what kind of sign the Senator refers to.

Mr. WILLIAMS of Delaware. We see many of these signs extolling the virtues of various programs while we are riding down the highway. After this bill was introduced, I took particular note of it. I counted nine such signs on the way back from Rehoboth a few weeks ago.

As we ride down the highway we see big 3-by-5 and 5-by-7 signs stating that this is a project partly built and paid for by Federal Bureau of so-and-so. The sign advertises the great merit of the project and how the taxpayers will benefit. Perhaps it has a meritorious objective in the eyes of some. However, if one kind of advertising is to be removed from the highways all kinds should be removed.

This amendment merely provides that the Federal Government and its agencies shall come under the same regulations in the erecting of their signs as does all other commercial advertising.

Mr. BASS. Does the Senator include State signs in his amendment, such signs as we all have seen, "Welcome to the State of Oblivion, Joe Jones, the greatest Governor in the world"?

Mr. WILLIAMS of Delaware. If it is paid for by the Federal Government or partly paid for by the Federal Government, it would be included, too.

Mr. BASS. If we are going to eliminate the possibility of advertising by the Federal Government, the States will still be able to erect signs saying, "This highway is paid for to the extent of 10 percent by funds contributed by the people of the State of Oblivion, Governor So-and-so."

Mr. WILLIAMS of Delaware. I think the Senator will find that that situation is covered by the amendment also. I intend that advertising to the effect that "This highway is being built by Governor So-and-so" will be covered if the amendment is adopted. I assure the Senators that that is the intention of my amendment. Because, after all, the Governors of the States may be candidates for office, and why should it be permitted under the bill that the Governor of a State can say, "This highway is built under program such-and-such," and add his name? If he can add his name he can put his picture on the sign. Why should such advertising as that be allowed for government agencies if other types of advertising are not permitted? So, to avoid any misunderstanding, I wish the Senator from Tennessee to know it is my intention that this amendment covers that type of advertising.

Mr. BASS. In other words, it is the Senator's intention that his amendment cover that situation?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. BASS. I thank the Senator.

Mr. RANDOLPH. The amendment of the Senator from Delaware, which he has discussed with several of the members of the Public Works Committee, was given to us last evening and again this morning. We find ourselves in agreement, in principle, with the modification as embodied in the amendment. It is certainly in keeping with the thinking of the chairman and members of the committee. We accept it.

Mr. WILLIAMS of Delaware. I thank the Senator, and yield back the remainder of my time.

Mr. RANDOLPH. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS], as modified, to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment to the amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. Mr. President, will the distinguished Senator from West Virginia yield for 1 minute?

Mr. RANDOLPH. Mr. President, I yield 1 minute to the distinguished Senator from Hawaii.

Mr. INOUE. Mr. President, the Members of the Senate have been deeply impressed by the warm, eloquent, and very effective management of the pending measure by the distinguished Senator from West Virginia [Mr. RANDOLPH].

I am happy to report that the President of the United States also has recognized the Senator's great efforts toward bringing the measure to complete and effective resolution. I therefore ask unanimous consent that a letter from the President dated September 15, 1965, be printed in the RECORD at this point.

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

THE WHITE HOUSE,
Washington, September 15, 1965.

HON. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: I want to thank you and your staff for the hard work you have devoted to my proposals to improve the beauty of our highways. The bill which the Senate is acting upon today, together with the amendments I understand you have worked out with administration officials, is a far-reaching and acceptable step toward achieving the purposes of this program.

We are all grateful for your efforts to make this step possible.

Sincerely,

LYNDON B. JOHNSON.

Mr. RANDOLPH. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Page 13, lines 9 through 13, after the word "agreement," delete the following: "Provided, That the right of any such highway department to such payment shall not be affected by amendments to the statute of such State imposing such controls if such statute as amended meets the requirements of this section.", and insert in lieu thereof ", but no such State highway department shall be entitled to such payments unless the State maintains the control required under such agreement or the control required by this section, whichever control is the stricter. Nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to signs, displays, and devices on Federal-aid highway systems than those established under this section."

Mr. RANDOLPH. Mr. President, this amendment is offered to amend subsection (j) of section 131 of the measure pending before the Senate.

I call to the attention of the Senators that the administration proposal, as originally introduced by me, would have continued the payment of bonuses amounting to one-half of 1 percent on project construction costs where agreements to control advertising had been entered into between a State and the U.S. Bureau of Public Roads.

The provision we are now offering would continue those bonus payments only when the State required either the stricter provisions of this legislation or the procedure under an agreement which had been entered into prior to the enactment of this act.

Under the terms of the original bill control would have been exercised primarily through the police power. The

present proposal requires compensation when signs are eliminated. This has been a matter of concern to the Senator from Hawaii, who spoke on this matter in committee and in consultation with Members of the Senate. Under the proposed legislation, States may choose to effectuate the agreements or not, as they deem best. The Federal Government, I believe, is bound to honor agreements if States decide to utilize them. Therefore, logic and equity dictate that the States should be paid only to the extent they adhere to the strict requirements of the agreements if, in isolated instances, the application of the agreement might result in stricter control requirements than would be involved under the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH] to the committee amendment in the nature of a substitute.

Mr. COOPER. Mr. President, I have no objection to the amendment because it would prescribe, as I understand it, where States have entered into agreement under Public Law 85-767 relating to the Interstate Highway System, that by reason of having entered into the agreement they are receiving bonus payments of one-half of 1 percent apportioned for the Interstate Highway System. It would be required that they continue to maintain those standards in order to continue receiving the bonus payments.

Mr. RANDOLPH. The Senator from Kentucky is correct.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kentucky will state it.

Mr. COOPER. First, I offered in committee an amendment to strike the entire section referring to the Interstate Highway System. My purpose in offering it was to insure that not only the standards to which States have agreed shall be maintained, but also that the amendment would not permit, with respect to the Interstate Highway System, the creation of additional zones along the Interstate Highway System upon which advertising could be established.

It has been my position, consistent with action taken in the past in connection with the vigorous efforts of the distinguished Senator from Oregon [Mrs. NEUBERGER], that the Interstate Highway System, being a different kind of system, and a new system, should be maintained as free of advertising and other establishments for the enjoyment of the public as possible.

Mr. President, having explained my prior amendment in the committee, which was defeated, let me now ask, whether, notwithstanding adoption of the amendment, I could later introduce an amendment which would maintain the standards of the Interstate Highway System in accordance with the standards which were established when the law was adopted in 1958.

The PRESIDING OFFICER. The Chair would have to know precisely the terms of the proposed amendment before a ruling could be made, and also at what

point it would be proposed as an amendment to the existing bill.

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.

Who yields time? Is all time now yielded back?

Mr. RANDOLPH. Yes.

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. RANDOLPH] to the committee amendment in the nature of a substitute.

The amendment to the committee amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. COTTON obtained the floor.

Mr. COTTON. Mr. President, I call up my amendment to the committee amendment at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from New Hampshire proposes an amendment, on page 11, line 10, insert after the word "which" the following: "in the case of the Interstate System and new construction in the Primary System shall be found by the Secretary of Commerce to be consistent with the purposes of this section."

Mr. COTTON. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 10 minutes.

Mr. COTTON. Mr. President, the committee, in its report, and I believe on the floor of the Senate, has indicated that line 10 on page 11 of the bill is the line which gives to the Secretary of Commerce—and I now use my own words—the veto power over States and their legislatures in the matter of zoning the interstate and primary systems. Without that line, the State legislatures could still zone those localities where signs have been in existence, and the approval, concurrence, or agreement—whatever semantics one wishes to use—of the Secretary of Commerce would not be required.

Mr. President, I am not asking that that line be deleted. My amendment would not do that. It would merely remove the necessity of approval by the Secretary of Commerce in the case of the Interstate System and new construction in the primary system.

I recall some of the history which led up to the particular amendment and this particular point of controversy.

In the long, hard-fought battle for legislation which resulted in the present law, back in 1957 and 1958, it was the opinion of many of us on the committee—and that opinion was finally sustained by the Senate in the so-called Cotton amendment—that we were embarking upon a new Interstate System, the major portion of which was being built through new country; that there had been no previous construction, no advertising rights, no opportunity for billboard advertising or the expenditure of funds on advertising along the newly constructed portions. The value of it was being created by the investment of the Federal Government in paying 90 percent of the cost. So, in order to protect the rights of those who had for years been in business and of those adjacent owners who had had the opportunity to advertise or to contract for billboard advertising on highways already in existence, we decided, in order to get the bill through the Senate, to leave unhampered those portions, and applied the 1½-percent formula and the Federal pressure only to new highways where advertising and business were not established.

So far as I was concerned, I would have been willing to go forward and do what is proposed in the present bill, and permit the authorities to stop advertising, rather than use the carrot approach of offering a bonus, as the late Senator Kerr referred to it. I felt that when the Federal Government was spending 90 percent of the money to create a new highway system, not all of which, but most of which was absolutely new highway, in a new location, it was not an unjustified exercise of the Federal power to protect it from the defacement and oftentimes ugliness of advertising and to permit control of advertising on such highways.

Mr. President, the pending bill in its present form goes so far that not only as to the 41,000 miles of Interstate System, but the approximately 224,000 or 225,000 miles of the primary system, the States, through their legislatures, or through other bodies such as municipalities, acting on authority conferred by the legislatures, must zone in order to protect the rights of those who are in business and who are advertising. This is all premised on the point which has been brought out. There is no way to get around it. The States must bow to one Federal official, the Secretary of Commerce. They can zone, but when they are all through with zoning, the Secretary of Commerce must approve or agree or concur in the various forms and use, and, whatever semantics one employs, the Secretary can reject it.

Mr. President, I feel very strongly that I could not vote for a bill, even though its objectives were most desirable, objectives for which I fought in 1957 and 1958 on the floor of the Senate, as a member of the Public Works Committee, that gives power to the Secretary to override the legislatures of the States and the States themselves when it comes to the right of zoning.

But I am willing—and this is important—to give him that power insofar as the Interstate System is concerned,

which either has been constructed or is being or will be constructed with 90 percent of the cost to be paid by the Federal Government. I am willing that he should have that veto power. I am willing even that he should have that veto power—and this is a concession in the case of new construction in the primary system.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. TALMADGE. Does the Senator's amendment purport to relate to new highways, and not highways some of which have been in existence for 40 years?

Mr. COTTON. That is the very question I was coming to. By new construction I mean new highways in the highway system. I do not mean repair or replacement or widening or altering of highways in the primary system.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. I yield myself 5 additional minutes.

The Senator from Georgia's question is pertinent. By new construction I mean new highways where there have not been highways before. My amendment leaves the veto power in the Secretary of Commerce. I repeat to make it clear, it refers to line 10, page 11, the line which it has been stated puts "punch" into it and gives the Secretary of Commerce veto power.

The amendment simply limits it by providing, after the word "which," "in the case of the Interstate System and new construction in the primary system, shall be found by the Secretary of Commerce to be consistent with the purposes of this section."

It is a very modest amendment, but it is very clear, provided the legislative history shows what new construction means in the primary system. We are not going to change the veto power by juggling words and saying "agreement" or "concurrence" or using any other language. The veto power will be there. It means that when 90 percent of the cost is paid by the Federal Government for construction in the Interstate System the power of the Secretary would be returned.

But with respect to the 224,000 miles of the existing primary system in this country, it leaves to the States and their legislatures the power to determine how they shall zone it for business and for advertising.

Mr. TALMADGE. Mr. President, will the Senator yield for a brief observation at that point?

Mr. COTTON. I am glad to yield to the Senator from Georgia.

Mr. TALMADGE. I heartily commend the able Senator for his amendment. As he so wisely pointed out, we have approximately 225,000 miles of primary roads in existence. In my State some of the roads have been in existence for as long as 40 years. Many go from county seat to county seat of our rural counties. Some of the population centers involved do not exceed 2,000 people. It is rural area and farmland.

It would be utterly unrealistic if we were to vest the Secretary of Commerce with the power to override the zoning authorities of the county and the zoning authorities of the cities, and have the State legislatures require farmers—who have been utilizing that land as they have seen fit for all of these years—to clear off some sign or billboard on their property for a right-of-way of 660 feet on each side of the widest point of the road.

To my mind it would give the Secretary of Commerce the power retroactively to determine utilization of the property that is now inherently vested in the owner of the land and a power that I believe the general assembly of all States should have some voice in handling.

Mr. COTTON. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding.

I could not be in more accord with the statement the Senator made, and the statement by the distinguished Senator from Georgia. I am glad that that sentiment is being strongly espoused by both of them.

Mr. COTTON. Mr. President, I reserve the remainder of my time.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. RANDOLPH. I yield to the junior Senator from Oregon for 5 minutes on the amendment.

The PRESIDING OFFICER. The junior Senator from Oregon is recognized for 5 minutes.

Mrs. NEUBERGER. Mr. President, I have long been interested in the subject which we have been debating yesterday and today, having to do with control of outdoor advertising along our interstate highways, and now our primary highways.

One of the things we must keep clearly in mind as we discuss the proposed legislation is the distinction between the interstate system and the primary system. The Senator from New Hampshire and the Senator from Georgia have been making that point rather clearly.

The main concern seems to be the State roads or primary roads which are a new approach in the control of signboards along the highways of America.

During debate yesterday, and again today, I gathered that there is great concern about what the Secretary of Commerce will do.

I find it somewhat of a paradox that my worry is different from that of Senators who spoke in opposition to the amendment and the Secretary having the decision in determining the control of sign boards. My worry is that the Secretary will be too lenient. The worry of some Senators is that he will be too stringent.

I base my worry on the fact that the Secretary, Mr. Connor, was before this august committee to testify to his opinion concerning the legislation.

In a colloquy with the Senator from Kentucky [Mr. COOPER] and the Senator from New Mexico [Mr. MONTOYA], the Secretary aroused in my mind a real

concern in regard to the national viewpoint on the control of the sign boards.

I will comment on a few things from the report, which is on the desk of each Senator.

At page 45, Senator COOPER said to the Secretary of Commerce:

The exemption relates to areas which are not zoned under authority of State law but are used predominantly for industrial and commercial activities as determined in accordance with the national standards to be established by the Secretary.

I think you just said that where the State zones an industrial or commercial area, that area would be exempted from the requirements of this act. Is that correct?

I do not see any necessity to continue reading this colloquy, because it is here for all Senators to read. But in every case, Secretary Connor said, as in this example—the language, perhaps, could be improved—that the intent is that the State zoning determinations would be conclusive on the Secretary.

We go on to page 46 for the same sort of colloquy with Senator MONTOYA, where he reiterates—and this is in the legislative record—that the Secretary is beholden to the State authority.

This is my worry, because of what I have observed over the years since 1948 when we first made an effort to do something about controlling signboards.

I have seen in that period only 25 State legislatures come into the aura of this attempt at roadside beautification. We have given them all kinds of time and spelled out the bonus to them to come in.

My worry is that the States are going to lag behind on taking a great deal of license with their designation of what is commercial or industrial zoning.

Therefore, I like the idea of the Secretary of Commerce being there, although this one says he will not exercise his power to have some kind of national standard established. We find it difficult to write into the legislation such a standard.

Believe me, I am as sympathetic as anybody else toward the small motel owner. Oregon has as many of them, proportionately, as any other State.

But if we are to have a system of conservation and beauty, I do not see how we can allow willy-nilly an industrial zone or commercial zone to spring up where somebody thinks it would be appropriate as a place to have a little business. It would defeat the purpose of the legislation.

My intention is that State legislatures, under this bill as proposed, would have authority to zone any stretch of the interstate and primary road system as industrial or commercial and, therefore, exempt it from all billboard control.

This is my concern. I am not one who advocates that all billboards be done away with. That is unnecessary. People have even implored me to work on an amendment which would provide that on-premise advertising be done away with. That, I think, is impracticable.

If we expect to accomplish what we really have in mind—that is, the beautification of the roads and the ability to see the beautiful scenery, whether in the gorgeous White Mountains of New

Hampshire, or in Glacier Park, in Montana, or anywhere else in this beautiful country—we must make up our minds that we are going to enforce some of the limitations.

On that I rest my case.

Mr. RANDOLPH. Mr. President, I yield myself such time as I may desire on the pending amendment.

During the hearings on the bill, we were privileged to have the counsel of the junior Senator from Oregon [Mrs. NEUBERGER]. Her long standing and knowledgeable interest in the subject has been helpful to the subcommittee and to the Committee on Public Works. Whether or not we are in agreement on the points which are stressed by the junior Senator from Oregon, I wish to compliment her for the attention she has given to the programs of beautification of the America we love, the America whose people are mobile, the America which increasingly in the future will be an America on wheels.

Mr. President, I yield 5 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I oppose the amendment offered by the senior Senator from New Hampshire. It ought to be clear, first, that the amendment he has offered is not to the proposed amendment which was discussed yesterday. The Senator from New Hampshire has offered an amendment to section (e), on page 11, of the committee amendment in the nature of a substitute. It might be worthwhile again to outline the effect of section (e). Section (e) would authorize the prohibition of the erection of signs both on the interstate and the primary highway systems.

But the section does have an open end, if it may be called that. States which in the future might zone certain areas as industrial or commercial, or declare that other areas may be used for industrial purposes, would then open to such areas for advertising.

I shall cite an example of the effect of prohibitions against advertising, particularly on a primary system. Assume that there is a 50-mile stretch of primary system, such as runs from the town of Somerset, which is my home town, to the town of Denver. Under existing law, advertising has been constructed and could be established upon the entire length of the 50-mile stretch. Under the committee provision, in the future advertising could not be established in that 50-mile area, except in two cases: In areas which are now zoned or may be zoned in the future by a State for commercial or industrial use, advertising could be established; or where the State declared that even though an area had not been zoned, but was predominantly used for industrial or commercial purposes, advertising could be established.

So if we can imagine a 50-mile stretch, we can see that there would be open spaces—rural spaces, as the Senator from Georgia [Mr. TALMADGE] so aptly described them—which in the future could not be used for advertising.

On the other hand, the committee amendment recognized that there are such commercial and industrial areas now established, or which might be established in the future, where adver-

imating is necessary for the use of legitimate commercial and industrial enterprises.

Even that was objected to at the last moment by the administration, because yesterday the Senator from West Virginia offered an amendment which would give to the Secretary control over the whole 50 miles.

I thought that in committee we had considered all these factors and felt that we had reached a fair solution. The effect of the amendment offered by the distinguished Senator from New Hampshire—and I believe he will agree with me—would be more restrictive on the interstate system, because on that system the Secretary would not be enabled to create additional zones in the future. That is a worthy objective. I offered that amendment in committee, and it was rejected. I intend to offer it again, separately, sometime before action on the bill is concluded.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. RANDOLPH. Mr. President, I yield 3 additional minutes to the Senator from Kentucky.

Mr. COOPER. With respect to the primary system, the amendment of the Senator from New Hampshire would eviscerate the whole purpose of achieving some kind of legislative controls to further the beautification of the road system. I intend to stand by the committee version, which was adopted unanimously. So far as I know, there is no opposition from the administration. Whether there is opposition or not, the amendment was the result of the judgment of a committee which worked hard on the bill.

I shall offer an amendment to try to protect the Interstate System from future zoning, which the bill before the Senate does not do. But so far as the primary system is concerned, the judgment of the committee was based on common sense. It would promote and extend the beautification of the primary system in ways that have never been tried. At the same time, it would admit that there are areas used for commercial and industrial purposes where advertising is legitimate and necessary.

For these reasons, I oppose the amendment offered by the Senator from New Hampshire.

Mr. COTTON. Mr. President, I yield myself as much time as I may require.

I have profound respect for the opinion of the distinguished Senator from Kentucky, particularly in view of his long and painstaking study of the bill and the subject. I am frankly disappointed and am somewhat surprised at his opposition to my amendment and at the reasons he advances for that opposition.

I call the attention of the Senate again to the fact that my amendment was drawn carefully so that it would not gut the bill. It was carefully drawn so that it left subsection (e), which 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, or which are not zoned under authority of State law, but are used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States—

My amendment retains the remainder of the subsection, which reads as follows:

except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws.

In the case of the entire interstate system, my amendment applies the full power of this bill retroactively. It does not attempt to disturb the penalty of 10 percent loss of Federal aid. It leaves all the weapons in the bill.

Back in 1957 and 1958 I believed that we should not have used the "carrot" system. I wanted them to do what is being done under greater difficulty now. I wanted them to see to it that not a mile of new interstate highway should be built until the States accepting 90 percent of the funds from the Federal Government should cooperate with the Federal Government and see to it that advertising was controlled. I believed it then. I believe it now. That is the reason why my amendment does not strike out that very vital part.

Mr. President, I have more confidence in the State legislatures than does apparently my friend, the Senator from Kentucky.

I happen to believe, having served for many years in the State legislature of New Hampshire, that State legislatures are not prey to any particular lobby, including the advertising lobby.

I find, in the instance of my own State, as I found back in 1957 and 1958, that many of those who come here in the interest of the control of advertising are members of the legislature of my State.

I have confidence in the Governors of the States. I applaud the efforts of the First Lady of our land, for whom, in common with every Senator, I entertain the highest respect. Her interest and the interest of the administration in the beautification of this country and the preservation of its natural beauties constitute a most laudable endeavor. I planned to vote for the bill and expected to vote for it. I wish I felt I could vote for it at this moment.

Mr. President, this is an entering wedge. Listen to what the committee itself said. The committee said, on page 6 of the report:

It is the committee's opinion that this is primarily an issue of land use which should not be left to an administrative decision.

That is what the committee said. Those are the words of the distinguished Senator from West Virginia and the distinguished Senator from Kentucky and all the rest of them. The committee said further:

It is an extension of the concept of zoning and therefore more appropriately belongs to the same authority—i.e., the legislatures 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.

Those are not the words of the Senator from New Hampshire. Those are the words of the committee.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. COTTON. I shall yield in a moment.

In a subsequent paragraph on the same page, in fairness, I must add that the committee wobbled a bit on that and said that unless there were some restrictions in the hands of the Secretary, that perhaps some State legislatures might use their authority to defeat the purposes of the bill by opening up the opportunities of advertising which would defeat the purposes of the bill in certain localities.

I now yield to the Senator from Nevada.

Mr. CANNON. Mr. President, I ask the Senator whether the committee has given any explanation as to the reason why it should state one thing in the report and then completely reverse its position on the floor. Has any explanation been given?

Mr. COTTON. There has not been any explanation other than the statement I just made that, after saying that this was a matter which traditionally, historically, and properly was in the hands of the State legislatures, because they were in a better position to judge the merits of the case. The committee did go on to say that perhaps in some instances the State legislatures might do something that would defeat this nationwide pattern, and that therefore they were going to give this authority to the Secretary.

Mr. CANNON. The committee went on to state in the report on page 6:

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.

If that statement was true when the committee wrote the committee report, I wonder what has happened between then and now to make them change their minds and say that the Secretary needs additional authority.

Mr. COTTON. Mr. President, I thank the distinguished Senator, and I join him in wondering that same thing. I was about to refer to that language.

Mr. President, my amendment is absolutely not in any sense a handicap to this bill, nor would it gut the bill.

I lean over backwards in this amendment. I leave everything as it was with regard to the entire 41,000 miles of the Interstate Highway System, 90 percent of which is paid for by the Federal Government.

I leave in the hands of the Secretary the veto power which the committee did not believe was necessary, but then attempted to incorporate in the bill. I leave the veto power in the hands of the Secretary with reference to any new highways that are constructed in the future.

I want it to be clearly understood that that means new highway, not reconstruction, repair, or change in established highways in the system.

This change would take the committee at its word and provide that, in the last analysis, zoning should be in the hands of the State legislatures or such authority as they may designate, since they are on the ground and know what is best with relation to zoning.

I can find only one point with respect to which my amendment is in disagreement with my friend the Senator from Kentucky.

The only point upon which we have any disagreement is that I happen to trust the legislatures of our respective States. No doubt they make mistakes at times. It occurs to me that the Congress of the United States makes mistakes at times. However, I happen to believe, and not entirely with happiness, that if the vote of the American people and of the various States in the latest presidential election means anything, it means that the people of most of the States of the Union are solidly behind President Lyndon Johnson. They believe in him and have confidence in him. I, too, have confidence in him.

That being the case, why are we so afraid? Why must we seek to take the last ounce of power, the last scintilla of the right to judge their own affairs in their own sections, their own communities, and their own States away from the people in this insidious manner?

Mr. President, that is a matter more far reaching than the beautification bill. When we, for the first time, so far as I know, in the history of Federal aid and assistance to the States and communities of this country, write into a bill a penalty, a price the States must pay for losing Federal assistance if they do not bow down to the will of a single Federal official in Washington, the question arises, Where are we going?

Into an otherwise meritorious and praiseworthy bill, a bill for which every Senator wishes to vote if he can, in a cause that we all agree is laudable, we are writing power that spells the end, if this pattern is followed. And if the pattern is followed, there is no need of any of us sitting in these chairs any longer, because some official downtown will have the dictatorial power to make our decisions for us. The best they are willing to do for us is to say, "He shall consult the legislatures." "He shall consult the local officials." Or perhaps, "They shall have his concurrence or agreement."

We can spell it any way we wish. It means, in the last analysis, that the legislatures must bow to his will. They may be compelled to put people out of business—and I am concerned for some of the people who have all of their savings invested in motels, gasoline stations, restaurants, and other businesses up and down the highways of my State, which is the most beautiful of the Union. I am concerned about them, and I do not want to see my State placed in a position where the legislature is ever going to be compelled to put some of those people out of business, or face the penalty

of losing 10 percent or any percent of its primary system highway aid from the Federal Government.

That is the basis for my concern, Mr. President; and it should be a subject of concern to all of us. The beauty and cleanliness of our countryside is an asset we must never lose. But there are things even more precious than the beauties of nature; and one of those things goes to the rights of the individual citizen in relation to his Government, and the rights of our respective States and their legislatures.

I could not vote for this bill, no matter how meritorious it is, if such supreme power, under any language devised, were vested in a Federal official in Washington.

Mr. RANDOLPH. Mr. President, I yield myself such time as I may need.

The persuasive Senator from New Hampshire speaks with his customary vigor. I know that his conviction, as stated here, is reflected not only in his address today, but in his preparation of the amendment.

I suggest that perhaps the Senator is somewhat inconsistent, because he would trust the Secretary in the matter of the Interstate System, but would not trust the Secretary in the matter of the primary system. I yield 2 minutes to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I appreciate the very strong and sincere views of the Senator from New Hampshire [Mr. COTTON]. I wish only to say that I see nothing in my remarks that in any way impugned a State legislature. It was once my honor to serve as a member of the Kentucky General Assembly, and I carry the same high regard for our State legislatures as does the Senator from New Hampshire. On many occasions they act with perhaps more wisdom than we do.

But that has nothing to do with the amendment I proposed, and in my opinion nothing to do with the Senator's amendment. So let us turn to my amendment and examine it.

If the Senator will read—and I know he has—subsection (e) on page 11, there is not a thing in that amendment, as recommended by the full committee, which gives the Secretary any authority over the power of a State legislature to zone. Let us not be led astray by that diversion, because there is nothing in the subsection we have recommended which gives the Secretary any control or veto over the power of State legislatures to zone. We are talking about what the committee did, and not what the Senator from West Virginia proposed yesterday.

I also opposed that proposal. But I repeat, with all deference, that if the Senator's amendment should be adopted, it would remove the primary system from the bill. Of course, that means we would have no bill.

One other point: I shared with the Senator his concern about the 100-percent penalty. It was the efforts of the minority side of the Senate and of the committee which finally, I believe, persuaded the administration to reduce its

recommendation to 10 percent, which is still a penalty, but I should say it is not wholly compulsive.

Mr. RANDOLPH. I yield whatever time he may need to the distinguished chairman of the Senate Committee on Public Works [Mr. McNAMARA], a man closely associated with the bill in the Senate.

Mr. McNAMARA. Mr. President, the Committee on Public Works was faced with two major problems in regard to highway beautification legislation.

First, we wanted to carry out the objectives sought by the administration in eliminating ugliness insofar as possible along our interstate and primary highways.

With our increasing population, greater mobility of the public and growing demands for land use, it is in the national interest to make this our public policy.

We can all agree, I am sure, on this principle.

But in drafting legislation to meet this goal, we were faced with our second major problem, which was to protect the rights of the individuals involved.

One may object to the lack of aesthetic qualities of a junkyard or a billboard.

The point is, however, that these are legitimate businesses, and it is not a proper role for Congress to trample on their rights and destroy their investments to merely meet a definition of beauty.

Therefore, our committee sought to meet both of these problems fairly.

I believe the bill before the Senate accomplishes this.

We have established the standards which would govern the placement of outdoor advertising and the screening of roadside junkyards.

At the same time, we have worked out a formula for the just compensation of those whose businesses will be affected.

There undoubtedly will be those on both sides of this issue who will say that we have gone too far, or not far enough.

But I am confident that this bill is a sincere effort to do justice to the issue, while still carrying out the principle of creating more beauty along our highways.

I want to express my appreciation and congratulations to Senator RANDOLPH who, as chairman of the Subcommittee on Public Roads, had the major responsibility of producing this difficult legislation.

He has done an excellent job under sometimes trying circumstances, and he deserves great credit for his diligence and fairness.

Mr. COTTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. COTTON. How much time have I remaining?

The PRESIDING OFFICER. Thirty minutes remain to the Senator from New Hampshire.

Mr. COTTON. At this point I wish to take only a few minutes. I refer to the statement made by the distinguished

Senator from Kentucky that the power to be given the Secretary was embodied in the second amendment proposed by the administration and that it was not in the bill as reported by the committee.

Mr. President, I heard at least one member of the committee on the floor of the Senate yesterday afternoon, and I have been informed by members of the committee staff that line 10 on page 11 is the line in the bill which would confer upon the Secretary of Commerce a veto power.

Even without such assurance from any member of the committee or its staff, if we read the English language, I do not see how anyone can claim that it would not have that effect.

Referring to subsection (e) on page 11 of the bill, after stating that it is up to the States to determine the zoning—the words are: “as determined in accordance with provisions established by the legislatures of the several States”—it stopped there. But it also states, “which shall be consistent with the purposes of this section.”

Mr. President, who decides?

Clearly it means that if the zoning is not consistent with someone's opinion, for the purposes of this section that, too, shall not stand, because it is so provided in so many words.

Mr. President, if we leave that line unamended in the bill—I do not care what the Senator from Kentucky or anyone else says, even though I greatly respect their opinions—the Secretary of Commerce would be the boss and the dictator of the zoning, no matter how we slice it.

I have no doubt—at least I hope and believe—that the present Secretary of Commerce would be reasonable and benevolent in his exercise of power. However, we have always adhered to the principle that this great Republic is a government of laws and not a government of men. Therefore, it makes no difference whether the present Secretary of Commerce would be reasonable and lean over backward to respect the wishes and opinions of the States, we shall be writing into the law of the land and vesting power in some Secretary of Commerce to absolutely override the Governors, legislatures, zoning boards, municipalities—and the people—of every single State in the Union. If they do not submit to being overridden, they will pay a fine. It is just that simple. It is dangerous legislation.

Mr. President, I say to my esteemed friend the Senator from West Virginia that I hope we could have a quorum call, because I should like to have 3 minutes merely to explain what my amendment would provide, before a vote is taken.

Mr. RANDOLPH. Mr. President, I wish to be courteous, but it is also my desire that Senators be fully informed on amendments which are being offered and, therefore, I would not oppose the suggestion of the Senator from New Hampshire.

Mr. COTTON. Let me say to the Senator from West Virginia that I feel very deeply about this amendment. Frankly, I am afraid that my vote on the bill

will depend on this issue. I am most anxious that at least the Senate should know what the amendment provides, and why. That is why I do not wish to surrender my time. For that reason, Mr. President, I ask unanimous consent to suggest the absence of a quorum, without the time being taken from either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Who yields time?

Mr. COTTON. Mr. President, I am willing to yield back the remainder of my time if the Senator from West Virginia is willing to yield back his time.

Mr. RANDOLPH. Mr. President, I believe I shall speak for only 1 minute.

Mr. COTTON. If the Senator wants 1 minute, then I do not yield back my time.

Mr. RANDOLPH. Very well, I yield back my time.

Mr. COTTON. I yield back my time.

The VICE PRESIDENT. All time on the amendment of the Senator from New Hampshire [Mr. COTTON] to the committee amendment has been yielded back. 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 Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Rhode Island [Mr. PASTORE] 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.

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Utah [Mr. BENNETT]. If present, and voting, the Senator from Maryland would vote “nay,” and the Senator from Utah would vote “yea.”

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from New York would vote “nay,” and the Senator from Nebraska would vote “yea.”

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Wyoming would vote “nay,” and the Senator from Iowa would vote “yea.”

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Rhode Island would vote “nay,” and the

Senator from Pennsylvania would vote “yea.”

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 Nebraska [Mr. CURTIS], and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS], and the Senators from Iowa [Mr. HICKENLOOPER and Mr. MILLER] are necessarily absent.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Maryland [Mr. BREWSTER]. If present and voting, the Senator from Utah would vote “yea,” and the Senator from Maryland would vote “nay.”

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Nebraska would vote “yea,” and the Senator from New York would vote “nay.”

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Iowa would vote “yea,” and the Senator from Wyoming would vote “nay.”

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Pennsylvania would vote “yea,” and the Senator from Rhode Island would vote “nay.”

The result was announced—yeas 33, nays 48, as follows:

[No. 262 Leg.]

YEAS—33

Allott	Hill	Russell, S.C.
Byrd, Va.	Holland	Russell, Ga.
Cannon	Hruska	Saitonstall
Carlson	Jordan, Idaho	Simpson
Cotton	McClellan	Sparkman
Dirksen	McIntyre	Stennis
Dominick	Mundt	Talmadge
Eastland	Murphy	Thurmond
Ellender	Pearson	Tower
Ervin	Prouty	Williams, Del.
Fannin	Robertson	Young, N. Dak.

NAYS—48

Aiken	Harris	Morton
Bartlett	Hayden	Moss
Bass	Inouye	Muskie
Bayh	Jackson	Nelson
Bible	Javits	Neuberger
Burdick	Jordan, N.C.	Pell
Byrd, W. Va.	Kennedy, Mass.	Proxmire
Case	Kuchel	Randolph
Church	Long, La.	Ribicoff
Clark	Mansfield	Smathers
Cooper	McGovern	Smith
Dodd	McNamara	Symington
Douglas	Metcalf	Tydings
Fong	Mondale	Williams, N.J.
Fulbright	Montoya	Yarborough
Gruening	Morse	Young, Ohio

NOT VOTING—19

Anderson	Hartke	McGee
Bennett	Hickenlooper	Miller
Boggs	Kennedy, N.Y.	Monroney
Brewster	Lausche	Pastore
Curtis	Long, Mo.	Scott
Gore	Magnuson	
Hart	McCarthy	

So Mr. COTTON's amendment to the committee amendment was rejected.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. McNAMARA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I yield to a member of the committee, the Senator from Ohio [Mr. Young], for 10 minutes.

The VICE PRESIDENT. The Senator from Ohio [Mr. Young] is recognized for 10 minutes.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may speak without regard to the rule of germaneness.

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

DR. MARTIN LUTHER KING, JR.

Mr. YOUNG of Ohio. Mr. President, in newspapers this last weekend I read a news dispatch from Washington wherein my colleague, the distinguished senior Senator from Connecticut [Mr. Dodd], denounced Dr. Martin Luther King, Jr., charging that "he has taken advantage of his pulpit to meddle in U.S. foreign policy." He also accused Reverend King of being "alined with the forces of appeasement of communism. Dr. Martin Luther King, Jr., needs no defense in this forum from any Senator. Nor does he need defense anywhere in the United States. He has proven himself a great leader of his people. He has proven himself a great American. In fact, he has won international acclaim. The Nobel Peace prize has been awarded to him. May I say that I hold Rev. Martin Luther King, Jr., in the highest admiration as a fine American citizen.

The news article went on to state that the Senator from Connecticut [Mr. Dodd] said:

Reverend King, by his recent statements, would endanger the respect in which he is held by Government leaders, including the Senate Foreign Relations Committee of which Dodd is a ranking member—

Stated the news item—

if he (Reverend King) continued his alinement with the forces of appeasement.

I take violent exception to the accusation that Reverend King has said or done anything that alines him even remotely "with the forces of appeasement."

What my colleague allegedly said in denouncing Reverend King is as erroneous as is the statement in the news item of the UPI reporter who wrote that the distinguished Senator from Connecticut is a ranking member of the Foreign Relations Committee. There are, I believe, 13 majority members of the Senate Committee on Foreign Relations, and the distinguished Senator from Connecticut is 10th in seniority among the majority members. I withhold further comment on that, but I do not withhold comment on the accusation that Rev. Martin Luther King alined himself "with the forces of appeasement" or, in other words, is a disloyal American and is giving aid and comfort to Communists in speaking out in support of the viewpoint that the Peiping government, or Communist China, should be admitted to

membership in the United Nations. Nations and individuals should not ignore the facts of life. Communist China has been an independent nation under the present regime for some 17 years. The facts of life are that in all probability Red China is likely to be admitted to membership in the United Nations within the next 12 months, or so, regardless of how the delegates of the United States vote. Admission to membership in the United Nations certainly does not mean approval of the ruling regime of the country admitted.

It is dead wrong for any self-appointed vigilante to infer that Rev. Martin Luther King, Jr., is a Communist sympathizer or by his statements is continuing his "alinement with the forces of appeasement." The senior Senator from Connecticut sometimes uses the phrase "Communist conspiracy." I don't believe in individuals seeking to play God with the patriotism of other Americans. It would be a rash statement for anyone to allege that Dr. Martin Luther King favors appeasement of communism when he advocates the admission of Communist China to membership in the United Nations.

Very peculiarly, there are self-appointed vigilantes in Congress and out of Congress who regard themselves, and only themselves, as super-duper patriotic Americans. Some speak glibly of a "Communist conspiracy," charging that there are Communists on faculties of universities in our country. They could not name one. They charge that there are Communists in the State Department. They could not name one official of our State Department who is a Communist or Communist sympathizer. They talk irresponsibly about Communists on our Supreme Court and urge impeachment of the Chief Justice of the United States, Earl Warren, who is a distinguished and loyal American. Just who are the persons who are leaders in the United States of the "Communist conspiracy" referred to repeatedly by self-appointed vigilantes?

There is a Representative in Congress from my home city of Cleveland who is the ranking member of the House Committee on the Judiciary. He likewise talks about the "Communist conspiracy," and he has placed on the Government payroll, and that of a joint committee, so-called, on immigration and nationality policy, of which he is chairman, two crackpot "bushleague Joe McCarthys," Edward M. O'Connor and Philip Corso—O'Connor at a salary in excess of \$22,000 per annum.

Too many self-appointed vigilantes seem to have no fear whatever of Communist aggression from abroad, but they talk about Communist infiltration into organizations such as the PTA, into the Protestant clergy, in our State Department and on college faculties. They express horror and charge appeasement of communism when, for instance, sensible faculty members propose eliminating the speakers' ban against leftwing speakers at Ohio State University by action of a majority of the trustees who overruled the wishes and views of the president of

that university and a majority of faculty members.

I repudiate the statement made by the Senator from Connecticut [Mr. Dodd] wherein he made an utterly irresponsible charge that Dr. Martin Luther King, Jr., is "alined with the forces of appeasement."

In the New York Journal American of September 11 a staff reporter, Dan Brigham, also reported that Senator Dodd charged the Reverend Martin Luther King, Jr., with "abusing his position to meddle in matters of U.S. foreign policy." This reporter also went on to state that the distinguished Senator from Connecticut was a ranking member of the Foreign Relations Committee.

I am the ninth member on the majority side of the aisle on the Armed Services Committee. I consider myself pretty low on the totem pole of that committee.

I see close to me the distinguished junior Senator from Nevada [Mr. Cannon], who was elected at the same time as I to the Senate, but he is my senior on that committee.

I do not believe that the 10th member in seniority of a committee is the ranking member of any committee except in the estimation of a friendly newspaper reporter.

The news item stated Dr. King had "called for an end to U.S. opposition to the seating of Red China in the United Nations: A public statement of U.S. willingness to negotiate directly with the Communist Vietcong for peace in Vietnam and a reevaluation of U.S. international relations along lines advocated by Senator WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee."

The Senator from Connecticut stated:

When Dr. Martin Luther King takes advantage of his pulpit, as a prime leader of the civil rights movement in this country, to call for Red China's admission to the U.N., he ventures into dangerous waters, but when he advocates that the United States reorient its foreign policy along lines of accommodation with the Communists, then I can only regret that * * * (such) * * * intemperate alinement with the forces of appeasement in foreign policy has alienated much of that support he previously enjoyed in Congress.

The fact is that the Reverend Martin Luther King, Jr., has the same right to express his views on the foreign policy of our country as have the senior Senator from Connecticut and the junior Senator from Ohio.

Furthermore, the Senator from Connecticut took the occasion, according to the news article, to criticize Senator FULBRIGHT's position on a domestic issue. This is comparatively unimportant. Dr. King called for direct negotiations with the Communist Vietcong for peace in Vietnam and for a reevaluation of international relations, both of which views were advocated by Chairman FULBRIGHT and express what I consider was the absolutely correct viewpoint.

Of course, the very able chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. Fulbright],

needs no defense from me or any other Senator.

In my considered judgment, the Reverend Martin Luther King and Senator FULBRIGHT are correct in their views, and my colleague, Senator DODD, is wrong in his views. It may be that this detour on his part to advert to Chairman WILLIAM FULBRIGHT, of the Committee on Foreign Relations, is a result of Chairman FULBRIGHT exposing the fact that of 13 recent meetings of the Committee on Foreign Relations, Senator DODD attended only one. Naturally, any Senator becomes more fully informed on subjects dealt with by committees of which he is a member if he attends committee meetings instead of being chronically absent from them.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. RANDOLPH. Mr. President, I yield an additional 2 minutes to the Senator from Ohio.

Mr. YOUNG of Ohio. Furthermore, as a Senator I have never felt degraded when I would go to the offices of the Committee on Foreign Relations and ask to read classified and secret testimony given in executive sessions of that committee. I have done this in the past. I thought nothing of sitting in the committee at a table receiving and reading the classified material and then later looking up the clerk who handed me the typed testimony and returning it.

Again I assert I admire and respect Dr. Martin Luther King, Jr., and assert the Senator from Connecticut is 100 percent wrong when he assailed him as he did with his allegations that Dr. King had engaged in "ill-advised adventures into the sphere of foreign policy." Senator DODD is quoted as having stated that Dr. King "has absolutely no competence to speak about the complex matters of foreign policy." I respect Dr. King as being entirely competent. I do not consider that a Senator's attendance at one meeting of 13 of the Committee on Foreign Relations gives him superior competence in the field of foreign policy.

Finally, regarding the statement that it has been repeatedly charged that Dr. King was "under Communist influence," I repudiate this snide reference to a respected American leader.

Mr. President, I note that frequently persons refer to themselves as dedicated anti-Communists, and become self-appointed vigilantes and play God with the patriotism of members of the Protestant clergy, professors on the faculties of our colleges, and respected leaders in public life. Such persons would do well to study the very first amendment to the Constitution of our country, adopted on the demand of men who won the Revolutionary War.

Mr. President, the Plain Dealer, a nationally known newspaper with a long history and noted tradition, in its issue of Saturday, September 11, has a fine editorial entitled "Admit Red China to the U.N." I commend the editorial to Senators, including the Senator from Connecticut, and ask unanimous consent

that it be embodied in the RECORD as a part of my remarks.

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

[From the Cleveland (Ohio) Plain Dealer, Sept. 11, 1965]

ADMIT RED CHINA TO THE U.N.

It is time to let Red China join the United Nations.

It is folly to pretend that 700 million Chinese on the continent do not exist.

It is folly to believe that mainland China is ever going to be conquered by Chiang's little army in virtual exile on Formosa.

And it is folly to hope that Red China will sit cowering silently in a corner while other great powers settle affairs under its very nose.

We agree with U Thant, Secretary General of the U.N., that all nations of all ideologies should take part in U.N. councils.

Thant feels that the first fright over the horrors of nuclear war has worn off. While nations still feared enough, they trimmed their national demands warily and prudently took less. But now, Thant says, the world is "backsliding."

Tensions are mounting. Nations are now willing to risk massive war over a patch of disputed territory.

India and Pakistan are at each other's throats. And there is nothing to rely on as a peacemaking tool but the U.N.

Yet the U.N. excludes Red China, the biggest power in that Asian war arena.

This leaves a gaping hole in any peace arrangement that might be made, because any such arrangement could be nullified if Red China decides to take unilateral action and wreck it.

Every peace document, every disarmament treaty painfully achieved at Geneva, has this same defect—there is still one power outside which can destroy it any instant it chooses.

Being outside the U.N. conferences, Red China is not constrained to keep its actions in harmony with any web of collective agreements. It can keep on ignoring, insulting, defying world opinion.

And as long as it is treated as the one big outcast from world society, it can go on being unrealistic, as lone dwellers usually are.

The U.N. has just been shaken by the crisis over peacekeeping assessments. Each power has the freedom now to default on its assessments if it was not in favor of some peacekeeping venture that rubbed some skin off its own nose.

By keeping Red China out of the U.N. is a second critical weakness in the world peace machinery. The U.N. has no absolute power to keep Red China or any nation in leash. But it does have systems of persuasion. And that is a great deal more than the isolation which now keeps Red China apart from the rest of international society.

Mr. YOUNG of Ohio. Mr. President, now let the Senator from Connecticut, if he dares, condemn Publisher Thomas Vail of the Plain Dealer and the junior Senator from Ohio as being "alined with the forces of appeasement."

Last April Senator DODD spent a week or thereabouts in South Vietnam and early in May upon his return he spoke on "Meet the Press" announcing that the United States was winning the war in Vietnam and that the morale of the South Vietnamese soldiers had never been so high. Of course, he was proven 100 percent wrong. Instead of winning the war, at that time the South Viet-

namese and we Americans were losing the war.

Anyone taking a look at the map of South Vietnam showing the positions held by the Vietcong in April 1964 and then in April 1965 could readily see that the Vietcong had taken over control of large areas, including provincial capitals. Furthermore, it was acknowledged that desertions from the South Vietnamese army amounted to thousands each month. To me this would seem to indicate low morale instead of high morale. The Senator was "whistling in the cemetery" when he made those rash statements.

Time and events since then and our being compelled to send in additional thousands of soldiers and marines proves him 100 percent wrong. He is just as wrong in his conclusions regarding Rev. Martin Luther King, Jr. as he was in his victory statements just before the Vietcong offensive, which for a time swept South Vietnamese forces and our own forces before it.

NATURE AND PURPOSE OF ALLIANCE FOR PROGRESS

Mr. RANDOLPH. Mr. President, I yield 10 minutes to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, yesterday the chairman of the Committee on Foreign Relations reported on the findings and the conclusions he reached from the hearings held by the Committee on the American expedition into the Dominican Republic.

I want to endorse what he said 100 percent, both in its generalities and in its specifics.

But I want to add some observations of my own.

It is obvious from our activities in the Dominican Republic that the American Government does not have a clear idea, an idea appreciated uniformly throughout all its departments, of the nature or purpose of the Alliance for Progress.

Its purpose is to help reform the social, economic, and political systems of all nondemocratic nations of the hemisphere. We think of it as a peaceful, nonviolent revolution, perhaps more in the nature of rapid evolution than true revolution. It is inconsistent with support of economic or military oligarchies or political dictatorships.

We believe that the economic, political, and social institutions which have prevailed in many places in South and Central America for the past 50 years are totally inadequate to the present needs of the people. We saw the rise of Castro as the handwriting on the wall, and we took it as a warning that if affairs continued in the southern half of the hemisphere uninterrupted by any voluntary efforts, the Communist elements which won power in Cuba would be able to lead a Communist revolution in many more neighboring countries.

So the Alliance for Progress was devised not to suppress the demand for change, but to aid it and direct it in certain paths. That is the message the Department of Defense and the Central

Intelligence Agency have not yet understood. The Alliance for Progress is intended to change the status quo in Latin America. We are pouring a billion dollars a year of private and public money into that endeavor. Yet the Defense Department and the CIA spend millions more trying to offset the Alliance and to forestall its purposes.

Certainly they do so at the behest of many of the people in the countries to the south who are intended to be displaced by the Alliance. The landlords and industrial oligarchs whose economic strangleholds must be broken, will always cry "Communist" when they see a threat to their domination. They do not care much whether the threat is genuinely Communist or comes from democratic reform elements. They stand to lose out either way, and to many of them there is no difference.

As Senator FULBRIGHT has pointed out, Juan Bosch and his party were bringing to their country the kind of revolution envisioned by the Alliance for Progress. But by 1965, the Defense Department, the U.S. Ambassador to the Dominican Republic, and many other high officials in the State Department and on the White House staff were frightened by the prospect. They were frightened by the prospect of returning to the practical application of the Alliance.

My own fears for the future of the Alliance, and for the future of Latin America are well known.

I think the demands of the huge population growth there are going to overwhelm the Alliance at its present rate of progress. We must go much further, much faster, if rates of material progress are to be achieved in those countries that will avert a turn to outright communism.

The big bottleneck to progress is not the Treasury of the United States, nor the Congress. It is the factions in the nations of Latin America that cling to the past and to their present power to block reform. So long as these elements are aided and encouraged by the U.S. military aid missions and CIA in thinking they will be sustained and preserved by American military might if they can just demonstrate that a threat of communism exists they will continue to block essential economic reform.

I would remind the Secretary of Defense that he already has an Army of 125,000 men in South Vietnam, because we backed an oligarch there with 9 years of American financial support, yet he still failed to accomplish anything useful with it. We still have an Army of several thousand in the Dominican Republic, although U.S. aid to the Reid junta had been resumed and was in full supply. Between January 1964 and April 1965, the incredible sum of 61 million American dollars were made available to the Reid government, in a country of about 3½ million population. That means per capita aid of about \$17 for every man, woman, and child in the Dominican Republic, for one of our largest aid programs anywhere in the world.

How many countries can we occupy at one time? That is a question the Defense Department and its counterparts in the State Department had better

answer before they commit U.S. backing and intervention to every junta and potential junta in Latin America that comes up to them and whispers: "Communists are about to get us." Granted that we are approaching Halloween, the Defense Department and the State Department should be told that Halloween goblins have no place in United States-Latin American foreign policy.

Many of these Latin American oligarchies and would-be military dictators are using the American military to stay in power. They count on its gullibility, and on our overriding obsession with communism, to hold back the tide that would otherwise sweep them away. That is the surest way I know to hasten the day when the great masses of people in Latin America will have no other path to follow to the promise of economic freedom than the Communist path.

It is a false promise; but we are in danger of making the Alliance a false promise, too. Another intervention on behalf of the likes of Donald Reid and Wessin y Wessin, and the people of Latin America will know once and for all that the real Alliance for Progress died with John Fitzgerald Kennedy.

In closing, I want to stress again that the critical problems of economic growth that confront the people of Latin America cannot be solved in economies that continue to be dominated by landed aristocracies. Their control must be broken before economic populism and industrial democracy can develop, and I ask unanimous consent that an article dealing with this topic which appeared in the July issue of the *Annals of the Academy of Political and Social Sciences* appear at the conclusion of my remarks.

Mr. President, I commend the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Committee on Foreign Relations, on which I have the honor to serve, for his speech yesterday which I consider to be an act of far-seeing statesmanship.

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

URBAN AND RURAL DEVELOPMENT IN LATIN AMERICA

(By John P. Powelson and Anatole A. Solow)

(John P. Powelson, Ph. D., Pittsburgh, Pa., is professor of economic development, graduate school of public and international affairs, University of Pittsburgh. He was formerly professor of economic development at Johns Hopkins University and has been visiting professor at the University of San Andrés (Bolivia) as well as an economist on the staff of the International Monetary Fund and Director of the National Accounts Program, Latin-American Monetary Studies Center (Mexico). He is the author of numerous books and articles on Latin America.)

(Anatole A. Solow, Ph. D., Pittsburgh, Pa., is associate professor of urban and regional planning, graduate school of public and international affairs, University of Pittsburgh. He was formerly regional and urban planning advisor for the Agency for International Development in Central America and chief of the Division of Housing and Planning of the Pan-American Union. He is the author of a number of books and articles on Latin America.)

Abstract: Abundance of population, shortage of land, and maldistribution of income

affect Latin American rural and urban areas in analogous fashion. Throughout the area, population is growing at the rate of 3 percent per year, rural populations by about 1½ percent and urban populations by more than 4 percent. The concentration in urban areas is greater in the larger cities, but the cities are not able to absorb the entire annual increment, and unemployment remains high. More rational use of land is called for in both areas. In the cities, progressively higher percentages of people live in shanty towns. There has been little rational planning of urban facilities to accommodate them. Provision of adequate water, sewage, and transportation would be more costly than most governments—or consumers—can afford. In the country, the maldistribution of population and income has resulted in many landless people. Colonization on vacant lands will not solve the problem because of high capital costs and distance from markets. Furthermore agricultural output is progressively less capable of meeting the growing cities' demands. No government is able to afford the necessary rational distribution of land. Nor are governments politically oriented toward the dimension of reform needed. Latin America must look forward to an intensification of rural and urban poverty and its consequences.

Abundance of population, shortage of land, and maldistribution of income are the most serious forces to impede rational planning for economic growth in Latin America. The shortage of land is not measured in its physical sense, for land, qua land, is abundant. Unfortunately, it is either located in the wrong place, not fertile enough, insufficiently rained upon, or owned by the wrong people, so that its combination with other factors of production—abundant population and scarce capital—becomes difficult.

Problems of city and country are more closely analogous than would appear at first sight. In each case a limited supply of usable, properly located land is subject to the pressure of a rapidly increasing population. In each case overwhelming numbers of people are denied access to good land because they do not have the wealth or income with which to buy or rent. In each case an irrational combination of factors of production results, characterized by wasted capital and labor, and often by insufficiently utilized land as well. In each case the labor could be more effectively utilized if it were deployed differently, in other combinations, with available capital and land.

These are sweeping generalizations, to which there are many exceptions. Still, the universality of shantytowns ringing the major cities of all Latin American countries and the incapacity of agriculture to meet the growing urban demands are testimony to the ubiquitousness of the problem. It is the purpose of this paper to plead that a more rational distribution and utilization of land, in both city and country, is essential to economic growth, quite apart from the more obvious social considerations. In short, land reform requires both an urban and an agrarian dimension.

URBAN LATIN AMERICA

National economic-development planning is becoming an established governmental function in most Latin American countries. Yet, in preparing short-term as well as long-range development plans, national planning offices have paid surprisingly little attention to the relatively recent phenomenon of the urban explosion. What are its effects in terms of positive and negative factors, and what planning strategy can be adopted to minimize possible negative effects of urbanization on economic development or to maximize its positive aspects?

The spectacular growth of urban areas in Latin America has been described by many writers ever since the first pioneering study

was made by Ana Casis and Kingsley Davis in 1947.¹

In Latin America urban population² increased by about 30 million during the last decade, from 65½ million to almost 96 million people, and is expected to increase by another 42 million to a total of 138 million by 1970, or double that of 1950. This represents an annual growth of between 4 and 5 percent as compared to a rural growth rate of only 1.5 percent and a total population growth of about 2.5 to 3 percent.³

Furthermore, the population of large cities—over 100,000 people—is growing at a much faster rate than that of small ones. In fact, from available statistics, it would appear that many of these cities have doubled in population during the past 10 years and are growing at an annual compound rate of about 6 to 10 percent. About 50 million people lived in cities of over 100,000 people in 1960. Even at a conservative 6-percent annual growth, this may amount to 80 million people by 1970, or an increase of 30 million during the next 10 years only in cities of 100,000 or more. This would be the equivalent of 300 new cities of 100,000 people each, requiring employment, developed and serviced urban land, industrial sites, transportation and marketing facilities, electric power, streets, highways, terminal facilities, water supply and distribution, sewage and refuse disposal, housing, schools, and many other types of public and community facilities and services.

One other characteristic of the geographic distribution of the growing urban population is of importance: the disproportionately large concentration of people in the capital cities and a few large metropolitan areas, including the central city as well as the surrounding suburban areas. For example, the population of Metropolitan Buenos Aires grew from 4.7 million in 1950 to 5.6 million in 1955. It is estimated that in 1960 both Rio de Janeiro and São Paulo had over 5 million people in their respective areas. Lima and its suburbia had over 2.5 million in 1960, or three times the 1940 population. A spectacular increase occurred in the urban area in Bogotá, from 675,000 in 1950 to 1,233,000 in 1960, and it is expected to increase to 2,334,000 by 1970, or practically doubling in 10 years.⁴

The capital cities and a few other metropolitan areas are absorbing an ever-

increasing percentage of the country's total population. Thus, in 1950 Bogotá had 6 percent of the country's 11 million people. This had risen to over 8 percent of the country's 14.8 million in 1960 and is expected to increase to almost 12 percent of 19.6 million in 1970. In Mexico 14 percent of the total population were concentrated in the metropolitan area of the capital city, in Costa Rica 22 percent, in Panama 24 percent, in Chile 24 percent, in Paraguay 16 percent, in Peru 14 percent. All indications point to the continuation of these trends at least for the next decade.

The urban explosion is the result of a large rate of natural population increase combined with a continuing rural-urban migration. Much has already been written on this latter subject. The United Nations Educational, Scientific, and Cultural Organization's Seminar on Urbanization in Latin America summarized the situation as follows:

The sheer awareness of alternative modes of living, particularly if combined with a realistic sense of increasing rural poverty, is largely accountable for the massive migration to urban centers.⁵

Employment and housing

Of even greater significance for the strategy of resource allocation is the qualitative aspect of the numerical increase, namely the socio-economic composition of the population in relation to resources. If the resources (capital, productive capacity, income) were in balance with the quantity of urban facilities and services needed by the growing urban population for the expansion of industrial and other productive activities, as well as for the maintenance of minimum levels of health, safety, decency, and amenity, the problem would be greatly reduced.

The principal characteristic of the Latin-American urban areas is precisely that such a balance does not exist. On the contrary, the large majority of urban families have such a low level of productivity and income that they can neither produce enough nor possibly pay for even the minimal urban services.

Even though an industrial worker in Latin America in 1960 earned three times as much as one employed in agriculture a large part of this gain is offset by more rapid increases in costs of living in urban areas and the larger percentage in income which workers' families have to devote to food, usually 50 percent of their wages.

The uneven distribution of incomes is as serious a factor as the generally low per capita income. For example, in 1962, 34.8 percent of the economically active population in Bogotá was employed in commerce and services, receiving 50 percent of all income, against 28.2 percent in industry and construction, receiving only 23.3 percent of the total. At the other end of the scale, 20 percent of the economically employed were in so-called marginal occupations (street vendors, domestic servants, and the like), earning only 4.5 percent of total income or about \$200 (U.S.) annually per economically active person.

According to a very rough estimate by Butler⁶ 60 percent of the urban families in all Latin America had annual incomes of less than \$1000 (U.S.), and 33 percent less than \$500 (U.S.) in 1960. On a per capita basis (at an average family size of five persons) this would amount to \$200 and \$100 respectively. Only 13 percent were estimated to have family incomes of over \$4000 per year. If this income distribution is applied to the expected increase during the next 10 years of 30,000,000 people, or 6 million families, only in urban areas with over 100,000 people, it would mean that additional urban facilities would have to be provided for a population of which 60

percent would have per capita annual incomes of less than \$200.

Case studies in several countries indicate that the above figures are optimistic, and that in reality incomes are lower, and larger percentages of the urban population are to be found in the low-income groups.

It is clear that the total resources of the country and the productive capacity of the urban community are not nearly big enough to permit the amounts of subsidy required to bridge the gap between available resources and the needs for urban services, taking into account the vast number of low-income, low-productivity families. Nor does the productive or industrial base of the cities expand in proportion to the growing number of urban people.

In spite of the booming appearance of many cities, the creation of new urban jobs is not keeping pace with the increase in population. In Bogotá for example, it was estimated that in the period 1964-69 the labor supply would increase by 34,000 persons per year, but that the demand could absorb only 25,000 to 30,000 per year, leaving a deficit of 5,000 to 9,000 unemployed per year. The capital investment needed to create one industrial job per year was estimated at 93,000 pesos (or \$7,440), so that the creation of 3,000 additional jobs per year would require an additional investment of 1,674 million pesos over a 5-year period.⁷

The cost of providing urban facilities for the concentration of masses in large conglomerations is relatively higher than in rural areas, in part because the expectations of urban people are rising faster than rural, demanding higher levels of services and facilities, in part because health and safety are more costly to protect under conditions of high-density urban living. Furthermore, the cost of living, the levels of consumption and the costs of building and servicing in large urban areas are usually higher. In other words, the entire economic, social, and technological base of urban conglomerations is different from that of rural areas.

According to United Nations estimates 1.5 million urban dwellings are needed a year for 30 years to overcome present deficits and meet population growth. At \$2,000 per unit the cost would be \$3,000 million annually. If to this were added all the other essential urban and community facilities, utilities, and services, the investment required could easily be doubled.

Even now vast capital sums, both internal and external, are being expended on urban infrastructure even though planners consider this investment of low priority due to its relatively high capital-output ratio. It has been estimated that from 30 to 50 percent of all investment in Latin America is presently being dedicated to housing and related urban facilities. Indeed, economic theories notwithstanding, and perhaps as the result of political pressures based on "the revolution of rising expectations," vast amounts of capital resources have started to flow into the urban infrastructure sector. Between June 1961 and December 1963, the U.S. Government, through both the Agency for International Development and the Social Progress Trust Fund, has made loans amounting to \$300 million for housing and \$114 million for water supply and sewage disposal in Latin American urban areas.⁸ If to this is added the contribution of the recipient governments, which may amount to 50 percent, the quantities are staggering.

⁷ The free rate of exchange in 1962 was United States \$0.125 to 1.00 peso. Source: Harry Hansen (editor), "The World Almanac" (New York: World Telegram and the Sun, 1962).

⁸ Eric Carlson, "El Problema de la Vivienda en la America Latina," "Desarrollo Economico," vol. 1, No. 3 (Septiembre-Octubre 1964).

¹ Kingsley Davis and Ana Casis, "Urbanization in Latin America," "Cities and Society," ed. Paul K. Hatt and Albert J. Reiss, Jr. (New York: Free Press, 1964).

² The definition of what is considered urban varies from country to country but generally corresponds to places of 2,000 or more inhabitants.

³ The following publications were used as sources for these and subsequent figures on urbanization: U.S. Congress, Senate Committee on Banking and Currency, "Study of International Housing" (Washington, D.C.: U.S. Government Printing Office, 1963); "World Urbanization—Expanding Population in a Shrinking World," Urban Land Institute, Bulletin 43, Washington, D.C., 1963; W. Stanley Rycroft and Myrtle H. Clemmer, "A Study of Urbanization in Latin America" (New York: Commission on Ecumenical Mission and Relations, United Presbyterian Church in the U.S.A., 1962); T. Lynn Smith, "Urbanization in Latin America," International Journal of Comparative Sociology, vols. 3-4 (1962-63), University of Florida; "Report on the World Social Situation" (New York: United Nations, 1957); Philip M. Hauser (ed.), "Urbanization in Latin America" (New York: International Documents Service, Columbia University Press, 1961).

⁴ "La Planificación en Bogotá" (Bogotá: Departamento Administrativo de Planificación Distrital, 1964).

⁵ Hauser, op. cit.

⁶ U.S. Congress, Senate Committee on Banking and Currency, op. cit.

Yet all indications are that the gap between need and supply is widening.

In Bogotá, for example, it has been estimated that the amount available for capital investment in 1969 would be only 5.6 percent of the estimated revenue as compared to 18.3 percent in 1964, and that if a desirable 20-percent ratio of capital investment to total municipal budget were to be maintained, and if urban services and facilities were to keep pace with urban growth, a very substantial increase in revenue would be required.

This key issue of the growing discrepancy between the economic urban base and the costs of providing facilities is reflected, especially during the past 20 years, in the formation of the immense slum areas and entire squatters' towns. These are found on the periphery of urban areas, where the urban utility systems are wholly inadequate, especially water supply and sewage disposal, lack of street paving, and lack of schools. Metropolitan Lima is said to have more than 400,000 people, or roughly 25 percent of its population, living in 123 squatter settlements.⁹ In Mexico City over 50 percent of the more than 5 million people are estimated to live in substandard housing. According to data compiled by various national housing agencies, similar conditions prevail in practically all of Latin America.

In the face of these problems, Latin American governments face two sets of policy decisions: (1) Those directed toward urban problems, to achieve a more balanced distribution and growth of large urban concentrations and to maximize their efficiency and minimize costs and (2) those directed toward rural problems, to hold people on the land and to slow down rural-urban migrations.

More balanced distribution and growth of urban areas

Policies on distribution and growth focus on three possibilities: Those that strengthen small- and medium-sized urban areas; those that concentrate public investment on a limited number of selected urban centers; or those that would establish entirely new towns, especially in connection with natural resource development.

Although only a few countries have implemented definite policies, the importance of a regional approach is becoming of increasing concern. The Government of Guatemala has established a special office to study a national policy that would give impetus to urban regional centers in competition with the capital city. The El Salvador National Economic Development Council has recently prepared, for the first time in that country, a regional analysis leading to a national policy for spatial allocation in development programs. In the past 5 years the Government of Venezuela has formulated regional development policies, and with some success implemented them. It has lent substantial effort to planning new towns in the Guayanas, where basic natural resource development is taking place. One of the far-reaching bases for huge investment in Brasilia is the decentralization of Brazil's population from Rio and the opening of new interior regions, thus counteracting the pull of urban areas on the southern coast. Puerto Rico has experimented with industrial location programs designed to decentralize employment and population. In some countries, like Venezuela and Guatemala, administrative-financial institutions, such as national municipal development banks, are assisting the development of small municipalities away from the large urban centers.

Nevertheless, the centripetal attraction of large metropolitan areas for industry, capi-

tal investment, and population has proved to be a difficult force to counteract in practice. If industry is to be attracted to other than metropolitan areas, smaller urban areas must be enabled to compete in attractiveness. They must create superior public services, industrial buildings, and transportation facilities, and must be permitted tax exemptions. But all this presents inordinate problems. The more-or-less even distribution of public investments throughout large and small urban areas is costly; the positive effects are not accurately predictable; and the possible long-run benefits must compete with immediate results obtained through industrial investments in existing metropolitan areas.

In some areas where it has been tried, the indiscriminate dispersal of public resources throughout small urban areas has not proved practical. Puerto Rico's original decentralization program, providing factory buildings to small urban communities, attracted limited industry. Productive facilities would have had to be accompanied by utilities, housing, and community facilities to attract managerial and technical personnel, and the amount of simultaneous infrastructure investments in many communities was prohibitive. In a revised plan, a few urban centers were selected in various parts of the island for concentrating and coordinating public investments, thus counteracting the pull of the San Juan metropolitan area.¹⁰

A study of the location of industrial parks in Central America undertaken by the Stanford Research Institute¹¹ went a step farther. While admitting that decentralization would be desirable, the researchers concluded that only the capital cities could economically provide the infrastructure needed to attract industries. Overhead public investment to make secondary cities attractive would be out of proportion with present resources.

Nevertheless, it would appear that a clearly defined policy of industrial development and location in development programs ought to encourage the growth of selected medium-sized and even small cities to the extent economically feasible.

Maximizing efficiency and minimizing costs of development

Policies to encourage urban decentralization must be long range. Meanwhile, development planners face the immediate problem of the continued rapid expansion of metropolitan areas.

Economic planners have tried to limit urban overhead investments to the minimum, on grounds of low priority. They argue that limited resources should be allocated to more "productive" activities, and that once production and income have increased conditions in urban areas will automatically improve. Such postponement is not realistic. Urban conditions will continue to deteriorate and, owing to social and political pressures, increasing funds will continue to flow into urban infrastructure and housing facilities. Their inefficient use will put an additional burden on already limited resources. What is more, the growth of the productive and industrial sector may be retarded by inadequate urban support.

Thus, coordinated development policies for the entire metropolitan area become imperative to national plans. Even though little concerted action has been taken in this di-

⁹ Howard and Greeley Adams, "A Regional Model for Programming Industrial Development in Puerto Rico," report prepared for the development branch of the Puerto Rico Industrial Development Co. (San Juan, P.R., 1962).

¹¹ "An Industrial Park Development Program for Central America" (Menlo Park: Stanford Research Institute, 1964).

rection, awareness is increasing, and various approaches are tried.

Perhaps the most urgent practical goal should be the greatest economy in application of funds to urban infrastructure and maximization of total return. A second important consideration is a more equitable distribution of benefits to lower income groups. Here the public sector may play a role.

To achieve these objectives, at least six approaches suggest themselves within the framework of a comprehensive metropolitan area development plan: (1) coordination in time and space of sectorial investments such as water supply, housing, transportation, and schools, and the establishment of priorities for urban services; (2) setting of realistic standards at levels corresponding to economic development; (3) guidance of expansion within the urban area to achieve efficient land use and to minimize waste in urban services; (4) urban land reform; (5) harnessing and mobilization of local community resources; and (6) technological and managerial improvements to reduce costs.

The first two are intimately interrelated. In order to reach low-income families and to provide the benefits of limited resources to as many as possible, a number of public agencies are experimenting with new approaches to reduce cost. Instead of spending \$5,000 or more per dwelling to build a limited number of heavily subsidized showcase projects, as in the past, some communities are now limiting cost to \$1,000-\$2,000 per unit or even less. This is achieved through a reduction of standards, mass production and standardization, and rigid priorities. Core housing is a good example. This consists usually of a semifinished shelter with roof and minimum sanitary facilities, which occupying families can further improve and expand.

A realistic appraisal of the growing squatter colonies and shantytowns has led some agencies to establish the following priorities: first, the provision of minimum lots within a well-laid-out land development plan which will reserve adequate land for streets and community facilities; second, water supply and sewage and refuse disposal; third, drainage and hard surfacing or paving of principal streets; fourth, provision of minimum essential community facilities; and, only fifth, a core or minimum shelter, in some instances this latter being left to the family to build as best it can.

The rationale is that the acquisition and efficient subdivision of large tracts of land with absolute minimum advance improvements will, at a minimum total cost, prevent the disorderly and overcrowded type of shantytown development which is extremely difficult to improve once it has been created. Thus, at least a minimum workable urban pattern would be established for the future.

However, many programs of this type have run into the problem of excessively high land acquisition costs, the unwillingness of owners to sell, and the speculation in urban land which has driven prices so high that they are out of proportion to costs of other goods.

While power of eminent domain has been used, condemnation procedures are slow and do not overcome the basic problem of paying prices beyond the means of low-income families and Government budgets. Realistic improvements in urban development and large-scale, minimum facility programs for the benefit of the low-income masses depend on governments' facing the problem of urban land reform in order to force prices down, or to permit acquisition within available public resources.

The haphazard and uncontrolled sprawl of residential, commercial, and industrial establishments into the countryside surrounding the urban nucleus, often skipping vacant land, generates pressures for the

⁹ "La Vivienda en el Peru" (Washington, D.C.: Union Panamericana, 1963).

wasteful extension of streets and utility systems. It increases travel distances and transportation costs, nullifying economies of scale. Sites for housing projects have often been chosen on the basis of availability of vacant land rather than suitability in terms of services and proximity to employment sources. On the other hand the extension of public water supplies and highways has often been uncoordinated with the location of housing projects or the siting of industries. Only in a few instances have programs called for advance acquisition of large enough tracts of cheap land in suitable locations on the urban periphery where services and highways could be economically provided and industrial sites developed close to workers' housing. There are only a few cases of industrial land planning in which industrial parks have been located close to good transportation, electric power, and utility lines, thus providing cheap and suitable sites to attract industries. Yet only through a more rational land-use pattern in urban areas can substantial savings be made in public investment, space utilization, and transportation, thus lowering costs (and taxes) to encourage industrial growth.

Those few examples should suffice to demonstrate the importance of establishing comprehensive urban development policies as prerequisites for public investment allocations within the framework of national economic planning.

It has been said that "urbanization cannot be isolated from general economic development,"¹² but the reverse also holds: economic-development planning cannot proceed successfully without concerning itself deeply with urbanization problems.

RURAL LATIN AMERICA

In rural as well as urban Latin America, the heterogeneity among countries makes any problem classification all too glib. Nevertheless, a common thread of issues can be identified. All are related to a maladjustment between two fundamental forces: population and product.

It has already been shown that rural population is growing so rapidly that, despite heavy immigration to the cities, the number left on the farm is steadily increasing. Furthermore, the rate of increase in agricultural production, which averaged slightly over 4 percent from 1950 to 1959,¹³ dropped to less than 1.6 percent¹⁴ from 1960 to 1964. If rural population has continued to grow in the last 5 years, as it did in the 1950's (at 1.5 percent per year), then the per capita increase in income has tapered off to zero. Were it not for heavy emigration to the cities, this income would be falling.

Not only has per capita income ceased to rise, but also the country is less and less capable of meeting the rising urban demands for foodstuffs. The pitiful increases in agricultural output for the last 5 years have not kept pace with population increase. Rising food prices and growing shortages have led to imports of those very products in which Latin America has traditionally held a comparative advantage.

The disproportion between population and product has led to deficits of a sociopolitical, as well as economic, nature. Schools, irrigation facilities, roads, and housing are all in desperately short supply. The Inter-American Development Bank has estimated a deficit in rural housing of close to 8 million units, about half of them belonging to Brazil,¹⁵ compared to 7 million for the cities.

The impoverished economic conditions of the country are not only reflected in statistical summaries. That they are real is seen by the ever-increasing flow of population from country to city, not only attracted by the advantages of the latter but repelled by the decline of the former. Nor can it be supposed that this movement will solve the problem of the country. The cities are unable to employ the whole annual increment in population, and even if this increment should move entirely from the country (which it has not been doing), the agricultural population would remain undiminished. Latin America faces a critical problem of employment and productivity on the farms.

We shall contend in this paper that agricultural output will not increase substantially, or at least not sufficiently to avoid political upheaval, without a radical change in traditional farm structure. With the exception of Uruguay and Argentina, whose cattle- and wool-export economies place them in a different class, and of Mexico and Bolivia, whose land has been redistributed to those who till it, we propose that only radical changes in tenure and incentives can, in the long run, increase productivity on the farms.

We furthermore propose that those changes that will be sufficient for long-run increase will probably in themselves cause a short-run decline in output. They, therefore, become doubly unpopular, in the first place because they upset an existing sociopolitical system, and in the second place because their immediate impact is negative.

Statistics on landholding in Latin America have been quoted so often that there is no need to recite them again here. The immense holdings of the few and the small amount of land owned by the many are cited in national data, in publications of the Organization of American States and the Inter-American Development Bank, and in previous work of one of the coauthors.¹⁶ Let us here comment on the relationships among size of holdings, types of employment, and output.

Our contention is that the traditional structure of large farms in Latin America, of greater-than-family size and employing large quantities of labor (either as contract workers or as feudal peons) has built-in supply inelasticity. It is incapable of meeting the challenge of urban industrialization that demands ever-increasing quantities of food. Only a complete change in land-tenure systems, plus massive application of social overhead capital to the country, will break the bottleneck.

Agrarian reform

The agrarian reform programs initiated under the Alliance for Progress fall far short of meeting this goal, both in their concept and in their implementation. One often hears that agrarian reform is slow because governments do not carry out the laws they have put on their books. We do not think that this is so. We think that the laws themselves are deficient.

The principal limitation of agrarian reform, as currently conceived in most Latin-American countries, is that it seeks to avoid the parceling of so-called productive land, placing its major emphasis on expropriation of idle or poorly cultivated land and on colonization of State-owned territory. Such programs are politically easier to implement than expropriation of productive lands. Furthermore, they are the only possibilities consistent with the intention of governments to compensate, in full market value, for lands expropriated. Governments simply do not have the resources to pay for the most productive farms, and it is neither their

policy nor that of the United States or the Alliance for Progress to urge expropriation without payment in full.

Yet alternative programs always fall short. Colonization, both expensive and of questionable success in increasing the flow of food to the cities, has been undertaken in many countries, notably Brazil, Peru, Ecuador, Guatemala, and Venezuela. The cost of transporting peasants to new lands, clearing them, building houses, roads, and marketing facilities, is often so high that, if amortized over a reasonable number of years, it will result in foodstuffs whose social cost (that borne by the government as well as the farmers) is prohibitive.

A further disadvantage of agrarian reform by colonization is that it often takes farmers so far from their markets as to make commerce impossible. This objection is not so relevant to Colombia, where colonization is taking place in all states and where full penetration of the eastern jungles has not been attempted, or to Venezuela where it is hugging the northern areas and is at least within a road's reach of urban centers. But it does apply to Peru and Ecuador, and to some extent to Bolivia, where colonized areas lie beyond the eastern slopes of the Andes and far removed from the cities that are both market and source of manufactured goods. Self-sufficient jungle economies neither improve the prosperity of the farmer nor contribute to the national agricultural supply.

To the extent that they do expropriate farms from landowners, agrarian reforms have tended to take only idle or poorly cultivated lands. Virtually all the reform laws provide that these lands will be expropriated first. In Colombia, 20,306 hectares of such land were acquired from private owners during 1964 and distributed to families (together with 393,067 acres of public lands for colonization).¹⁷ But questions may always be asked concerning why the lands were idle in the first place and whether the peasants who receive them are not beneficiaries of submarginal parcels whose cultivation will add only a pittance to the national agricultural output.

When the limitations of colonization and expropriation of idle and poorly cultivated lands are faced, we are led to the nub of the Latin-American rural problem: that of restructuring productive activity on large farms so as to increase supply elasticity. We will argue here that longrun increase in supply will be possible only when the peasant becomes a more crucial factor in production decisions. This will occur either because he owns the land himself or because he is in such short supply that his wages will rise with increased productivity. Since he is not likely to become in short supply, we are confronted by the specter of subdividing large-scale, productive farms.

Quite apart from political difficulties, two economic arguments are frequently advanced against the parcelization of productive land. The first is that small farms, individually owned, could not take advantage of management economies. The direction of production, application of managerial techniques, marketing, and absorption of technical assistance—so it is said—would suffer if the number of managers were proliferated.

In theory this need not be so, as has been demonstrated by the history of so many countries. In Britain, Europe, and the United States, the family farm has always been a viable management unit. In those few activities where economies of scale could be found, such as in marketing, co-operatives have been formed. In practice, however, the management of the large Latin American farms has so long been concentrated in a few educated landowners, and skilled management is so scarce, that a sudden change

¹² Hauser, op. cit.

¹³ United Nations, Economic Bulletin for Latin America, Statistical Supplement, November 1961, p. 54.

¹⁴ Inter-American Development Bank, Social Progress Trust Fund, 4th Annual Report, 1964, pp. 107-108.

¹⁵ Ibid., p. 117.

¹⁶ John P. Powelson, "Latin America: Today's Economic and Social Revolution" (New York: McGraw-Hill, 1964), pp. 36-37.

¹⁷ Social Progress Trust Fund, Fourth Annual Report, p. 245.

to small units would diminish production severely. Such was the case in Bolivia following the revolution of 1953, where agricultural output went into a slump from which it is only recovering in current years. It was also the case in Cuba and was doubtless a leading force in the regrouping of co-operative farms into large-scale, state-owned production units and in the centralizing of private farms under control from Havana.

The management argument has considerable merit, but it is usually overstated. Here is an area in which generalization is difficult, since some of the larger-than-family-size farms in Latin America are well organized and producing as much as could be expected. No doubt this is so for cotton plantations in northern Mexico, for large banana holdings in Central America, and for large coffee plantations in Brazil, as well as for smaller ones in Central America and Colombia. There are some efficient cattle ranches in Colombia. But many large-scale farms, which depend on feudal labor, are far from efficient and far from well managed. Extensive (as opposed to intensive) cattle operations and lands devoted to the production of cash crops (potatoes, fresh vegetables, cereals, corn) fall in this group. One wonders whether management practices will ever be improved unless the present owners are displaced and new ones trained. And in the process, production will fall temporarily.

Mechanization

The second economic argument against expropriation of productive lands is that the peasantry in Latin America is so numerous that any division with land for all would result in units so tiny that the individual farmer would not have enough to feed his family. In many countries this is so. It is not, however, a valid argument against redistribution. We are forever faced with a comparison between two grim situations, and the question of whether the farmer would be worse off, or total production less, with tiny farms than with the large units now in existence.

It is frequently argued that small units are bound to produce less because they cannot take advantage of mechanization. It is not economic to use a tractor on a 5-hectare farm, and all the work would have to be done by hand or with rudimentary tools. Those who advance this argument somehow suppose that tractors, combines, and other machines can produce more than man alone on a given quantity of land. But this is not so. Except for drilling wells and building irrigation systems, machines were not introduced in more developed countries until labor became scarce. Tractors will replace labor that is attracted away from the farms by greater opportunities elsewhere and whose price is high. But if there is no interference with free markets, and if man acts rationally, labor will not be replaced by tractors if it thereby becomes unemployed. In 1960, there were only about 300,000 tractors in use in all of Latin America, and almost half of these were in Mexico and Argentina.¹⁸

Aside from irrigation (which could be provided by the state equally well for small or large parcels), the limitations to agricultural productivity lie in natural forces (such as climate, rainfall, and fertility) and in techniques—the amount of fertilizer, the type of seed, ways of plowing, weeding, and the like—and not in whether or not machinery is used. There is nothing a tractor or combine can do that a man cannot do equally well with a shovel and a hoe, provided there are enough men.

This being so, how does one account for the existence, side by side, of a few highly

mechanized farms in Latin America and widespread unemployment? How is it that, next door to the traditional agriculture of the wooden plow are large, mechanized farms, in which machinery has displaced labor while that same labor remains, unemployed, within the range of the farm or feels forced to move to the city to seek jobs?

There are several reasons. One is the belief that economic development requires capital; hence laws and institutions make the private cost of machinery less than its social cost. In Colombia, for example, the exchange rate for importing machinery, with permits, is nine pesos to the dollar, while the free rate, covering most exports and imports, hovers in the neighborhood of 14 or more. Agricultural credit institutions, intent on low interest rates and assets pledged as security, have sometimes made machinery purchases attractive. Union and political pressures have kept money wages high. Finally, wherever skilled labor is needed, or unskilled can be replaced by machinery, given the paucity of literate farmers, it has frequently been easier to train one man to operate a machine than many to do the job by hand.

For all these reasons, the economics of the situation are not likely to lead Latin-Americans voluntarily to the conclusion that productive farms ought to be expropriated. Yet the statistical evidence that these same productive farms have not been responsive to the demands of increasing urbanization justifies our conclusion that family-sized management units must be developed and encouraged. Although production would fall in the short run, only through the creation of individual incentive—such as is provided by ownership—can the crisis in Latin-American agriculture be solved over the long run.

There are those who argue that such changes will come only with violent revolution and will stem, not from the needs of the cities, but from the deteriorating social conditions in the country. They may be right. To suppose, however, that a peaceful redistribution of productive lands is impossible is to ignore a strong and favorable economic force. Finding their incomes stunted by the high cost of foodstuffs (and hence high labor costs), growing urban interests are beginning to favor structural reforms to decrease the rigidity of agricultural output. As the swing of political power moves from landowners to industrialists—or as the landowners themselves become industrialists—agrarian reform becomes not only politically acceptable, but a political necessity.

This was the case in Mexico. The redistribution of Mexican land did not occur during the war of the revolution or even as a direct result of it. Widespread distribution did not begin until 25 years after the first blood was spilled and almost 20 years after the Constitution was amended. It came because an administration (that of President Cardenas) found its natural inclinations in favor of the peasantry to be more acceptable to the business community, which in turn was growing in economic and political power. There are signs that the State of São Paulo, and the country of Venezuela, and possibly Colombia and Peru, have begun the same evolution.

In addition to the redistribution of productive lands, capital available to agriculture ought to be invested in farm-to-market roads, irrigation, the opening of new areas provided they are adjacent to growing urban centers, and, above all, in technical assistance and education. In their emphasis on rational investment in social overhead, our recommendations for the country are therefore similar to those for the city.

Already the pressure to expropriate is being felt more strongly each year. To date it has been resisted because of the inability of governments to pay market value and the failure of the Alliance for Progress to de-

mand expropriation on any other terms. Somehow it is necessary to find a face-saving device, such that payment would appear to be in full market value, but in fact would not turn out to be so.

The most graceful expropriation would be paid in government bonds that would depreciate with the currency so that the issuing government would never have to redeem them at face value. Such was the condition imposed by General MacArthur on defeated Japan, but whether a government will choose it of its own free will is another question. Bonds maturing in 20, 15, and 10 years have been used by the Government of Venezuela as part payment for expropriated properties. Countries whose currency is historically less stable than Venezuela face serious political difficulties in accepting such a plan. However, Chile introduced a constitutional amendment in 1963 to permit part payment in bonds, but expropriation to date has been painfully slow.

CONCLUSION

In summary, land redistribution in quantities far bolder than are currently undertaken or contemplated, plus massive investment in urban and rural infrastructure, technical assistance, and education, and emphasis on farm mechanization are essential to feeding the growing urban population and increasing the per capita income of rural sectors. Land reform is essential to both city and country. If not precipitated by bloody revolution first, changes will come as the growth of industry forces a shift in the focus of political power from rural landowners to urban industrialists. Owing to present complacency and respect for property rights by both Latin American governments and that of the United States, there is bound to be a continued period of stagnation, intensification of rural and urban poverty, and violence before the required changes occur.

QUESTIONS AND ANSWERS

Question. What percentage of U.S. agricultural output originates from small family farms?

Answer. I do not know what you mean by "small" family farms. I am talking about family farms, and they may be large. In this sense, virtually all farms in the United States are family farms; that is, there are very few corporate farms. The average farm consists of a farmer, his wife, and maybe one hired man. About 85 percent of U.S. farms are between 10 and 50 acres. These may seem like large farms, but they are tiny compared to some of the latifundios in Latin America.

Question. You argue that, aside from irrigation, there is nothing a tractor can do that a man cannot do in agriculture?

Answer. Yes, provided you have enough men. Mechanization comes from shortage of labor. If labor is abundant, mechanization does not make sense.

Question. Yes, but how much will the farm workers, who are employed instead of tractors, eat of their product? Will there not be a lower net product because the workers have eaten some?

Answer. I hope the workers will eat some. That is just the point. They will have to eat anyway, whether they are working or not. I do not accept net output, in this sense, as a valid variable. To carry it to an extreme, the net output of agriculture is always zero, because it is always eaten, or used in some other way.

Question. Where land has already been distributed—take Bolivia, for example—has there been a large increase in output?

Answer. In the three real land reforms of Latin America—Mexico, Bolivia, and Cuba—a drop in output followed immediately upon the confiscation of property. Only over the long run does it rise. And here there are so many other—factors that it is hard to tell

¹⁸ "Statistical Abstract of Latin America, 1962" (Los Angeles: Center of Latin-American Studies, University of California), p. 49.

whether the increase was attributable to reform or not. Mexican output is very definitely increasing. There are some indications also that output is increasing in Bolivia, even on the Altiplano. The Cuban reform, however, does not imply the same conditions that I was talking about. I am in favor of agrarian reforms that provide the peasant with an incentive, through land ownership, to increase his output and income. The Mexican and Bolivian reforms did this; the Cuban did not.

Question. What do you think of Latin America? You have been talking about vandalism, immorality, and corruption. As a Venezuelan I want to know if there is nothing positive that Latin Americans have contributed to the world?

Answer. I may sound like a politician in answering this question, but I do not mean it to be that way. In fact, the agrarian reform in Venezuela is one of the most successful of any that is being carried out without violence. There has been some expropriation of fertile lands and division of it among the peasants, to provide them with family-size farms. This land has been paid for in 20-year bonds, payable in the historically most stable currency of all Latin American countries. The colonization program in Venezuela also makes more sense than it does in some other countries. Colonists are still hugging the northern areas and are within means of transportation to urban centers. Venezuela appears to me to be on the threshold of a peaceful economic transformation.

Question. Is it not true that many Latin Americans are not willing to invest in stocks and bonds in their own countries, but are sending their money abroad to Swiss banks and other private accounts?

Answer. This is the case, and the answer to this problem is not an easy one. Most Latin American savers have the same options that you do about where they will invest their savings, and I dare say there are not many in this hall who have put their money into savings banks in Latin America. Investment capital goes where it can earn a return and is safe. I think you see that the answer to this question brings us into all the time-honored problems of why a country is or is not underdeveloped.

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.

The PRESIDING OFFICER. Who yields time?

Mr. METCALF. Mr. President, I yield 4 minutes to the distinguished Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I commend the Senator from West Virginia for his amendments to the pending bill.

Yesterday the distinguished minority leader offered an amendment, which was agreed to, under which \$5 million would be used to study how to get rid of junkyards. This is very worthy and I was all for it. However, I believe that something very important has been overlooked by the committee.

The Committee on Public Works presented to the Senate a few weeks ago a bill which became Public Law 89-139 on August 28 in which the Secretary of Commerce was ordered to undertake a

massive study and coordination of traffic safety and to come forth with a program of national standards for traffic safety.

Unfortunately, in doing that the Senate failed and the committee failed to authorize any funds for this very same purpose.

I do not understand how the committee could order the Secretary of Commerce to do something about the highway safety problem, which takes 50,000 lives a year, involves 4 million people in serious injury, and occasions an \$8 billion loss in property damage without giving the Secretary the means with which to make the study.

If we can spend \$5 million to study how to get rid of junkyards, I think the Senate can certainly authorize \$500,000 for the Secretary of Commerce to carry out the orders given to him by the Committee on Public Works and the Senate.

I suggest that the committee accept the amendment which I intend to offer. However, if the Committee is not willing to do so, it is my intention to have a full debate on this matter and ask for the yeas and nays.

Mr. RANDOLPH. Mr. President, has the distinguished Senator from Connecticut offered the amendment?

Mr. RIBICOFF. I have the amendment at the desk.

Mr. RANDOLPH. I suggest that the amendment not be stated at the moment. I am intensely interested in the points made by the distinguished Senator from Connecticut. I may be in a position to accept the amendment. At this time, if agreeable, I suggest the absence of a quorum.

Mr. METCALF. Mr. President, the time for the quorum call may be taken out of the bill and charged to our time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. 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. RIBICOFF. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

Sec. 304. There is authorized to be appropriated the sum of \$500,000 to enable the Secretary of Commerce to carry out his functions under section 135 of title 23 of the United States Code relating to highway safety programs.

Mr. RANDOLPH. Mr. President, the Senator from Connecticut [Mr. RIBICOFF] has discussed his amendment with the Senator from West Virginia. I believe his amendment to be in the public interest. I shall not take time now to discuss it. The Senator from Connecticut has explained it to me; it is in the interest of safety and in the interests of programs which seem to concern the interests of the traveling public. I believe we understand one another.

Mr. RIBICOFF. We do.

Mr. RANDOLPH. The Senator from Connecticut has a very keen interest in that subject, as has the Senator from West Virginia. I accept the amendment.

Mr. RIBICOFF. I thank the Senator.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Who controls the time on opposition?

The PRESIDING OFFICER. The opposition time would revert to the minority leader.

Mr. ALLOTT. Mr. President, I yield myself such time as I need. I wish only to say—and perhaps there should be a quorum call, so that Senators who are absent from the Chamber working on various aspects of the bill might be present. I am not a member of the committee, but I call to the attention of the Senate that many amendments of great merit have been offered and rejected by the manager of the bill. Some of those amendments do not constitute a basic philosophical difference, but they have been turned down, nevertheless.

The Senator's amendment has nothing to do with the bill itself, but it is being accepted by the manager of the bill. I know the great interest that the Senator from Connecticut has in highway safety. We all have it. But as I read the amendment—and it is not available on my desk—it is that there shall be appropriated or authorized \$500,000 for use on the highway safety program.

We have before us a bill which involves only beautification and the control of signs, junkyards, auto graveyards, and other eyesores along the interstate and primary highway systems of this country. I really cannot understand why such a matter as this should be interpolated into the measure, because the Senator from Connecticut, with the great number of Senators he has on his own side of the aisle, is fully capable of inserting it into any bill which deals with highway safety, or into an appropriation bill.

Mr. RIBICOFF. Will the Senator yield?

Mr. ALLOTT. I shall yield in a moment.

I cannot see that the Senator's amendment belongs in this bill. I fail to see why it is brought up, or why he seeks to insert it.

Mr. RIBICOFF. Mr. President, I think the Senator deserves the explanation.

On August 28, Public Law 89-139, which was a highway authorization program, was signed into law. In that bill, there was a provision requiring the Secretary of Commerce to make an inventory of the Nation's traffic laws and establish safety standards for the 50 States. The job was given to the Secretary of Commerce, but no funds were provided to carry out the necessary study.

Yesterday the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] offered an amendment, which was adopted, requiring an appropriation of \$5 million to enable the Secretary of

Commerce to study ways of getting rid of junked cars.

The point I am making is that, if we can spend \$5 million to find ways of getting rid of junked cars, why can we not spend \$500,000 to try to save 50,000 lives a year?

Many of those people were killed in those junked cars. If we are to spend \$5 million finding out how to get rid of the wrecks, for heaven's sake, cannot we spend \$500,000 to try to save the lives of the people who are in those wrecks?

Mr. ALLOTT. Let me ask the Senator a question at that point, since I have yielded to him. How much is in the Federal budget now, in various spots, appropriated for the purpose of promulgating highway safety, through the Bureau of Public Roads and the Department of Commerce generally?

Mr. RIBICOFF. I should say that there is some \$5 million appropriated through 16 separate agencies to do work in highway safety, and they are doing a very poor job.

As a consequence, our subcommittee has studied the situation, to try to bring some sense and some coordination into the problem of highway safety. I have always felt, and I feel now, that eventually we shall have to draw all the safety programs together and place them in the Department of Commerce, in the Bureau of Standards, and the Bureau of Public Roads, where I think they belong.

The Public Works Committee, in bringing out Public Law 89-139, started in the right direction by requiring the Secretary of Commerce to make an inventory of the problem, because no such inventory exists.

Under these circumstances, \$500,000 is an infinitesimal sum, because no money is provided to do exactly this type of work in the other programs.

The subcommittee which has been holding hearings on the Federal role in highway safety is trying to pull all these efforts together.

The Committee on Public Works has done a worthwhile job in asking that the inventory be taken. I am eager for the Department of Commerce to have the funds provided to it with which to make the study, which I believe is a very important study if we are to start to save lives in the United States on a national basis.

Mr. ALLOTT. The argument the Senator is making is a specious argument. It is always used, because it is compared with some other area.

The Department of Commerce, with its thousands of employees and its tremendous budget—the exact figure escapes me at the moment—cannot carry on a \$500,000 effort in this area, there is something wrong with it. The Department of Commerce, Bureau of Public Roads, has great efforts going on in connection with this subject. The States are carrying on vigorous efforts in this same area. Five hundred thousand dollars is no more than a signal, so to speak; that is all. Of course no one can argue against safety.

But we are putting in the billions of dollars we put in our public roads system in order to promote safety. If this is

necessary, the place for it is in the other bill. My only objection to it is that it does not belong in the bill. It is a rider which, for the purposes of the bill, is as immaterial as an amendment on child labor. It has no more relation to the purposes of the bill than an amendment on child labor would have to the bill. This is the reason why, Mr. President, although I am not a member of the committee, I took the floor to comment on this matter, that the amendment should be defeated because it has no purpose in the pending bill. There never have been any hearings before the committee on it, so far as I am aware. The committee did not ask for it. It is asked for at this late moment, and then accepted by the Senator in charge of the bill, which I believe is not quite as it should be.

Mr. RANDOLPH. Mr. President—
Mr. ALLOTT. Mr. President, I reserve the remainder of my time.

Mr. RANDOLPH. Mr. President—
The PRESIDING OFFICER (Mr. Tydings in the chair). The Senator from Connecticut is in control of his own time.

Mr. RANDOLPH. I am sorry; I thought he had yielded.

Mr. RIBICOFF. Mr. President, the Senator from Colorado calls my argument specious. I believe that the Senator from Colorado is acting without a sense of responsibility. What we are trying to do is to remedy a situation in which a committee of Congress—and this is done time and time again—authorizes a program and then asks the department head to undertake it but fails to exercise its responsibility by giving the department head the money to carry it out.

Since the Committee on Public Works thought that this was important enough to have it adopted, and since it thought it was important enough to order the Secretary of Commerce to undertake it, I believe that the Senate has a responsibility to supply the funds to carry out the decision that it asked the Secretary of Commerce to undertake.

An opportunity has been presented in this bill to supply the funds. If we are talking about beautification of the highways, and we are also talking about junked cars, and the Senate adopts a \$5 million amendment of the Senator from Illinois to study how to dispose of junked cars, for the life of me I cannot understand how any United States Senator would be unwilling to invest \$500,000 to try to find out how we can prevent the slaughter on the highways of this country.

Perhaps the Senator from Colorado is not interested in saving the lives of the people of Colorado, but I am interested in saving the lives of the people of all the 50 States.

Mr. ALLOTT. Mr. President, will the Senator from Connecticut yield at that point?

Mr. RIBICOFF. I am pleased to yield to the Senator from Colorado.

Mr. ALLOTT. By what right does the Senator from Connecticut choose to take such virtue upon himself that he can say the Senator from Colorado is

not interested in saving the lives of his people in Colorado? I believe this calls for an apology.

Mr. RIBICOFF. Mr. President, the Senator from Colorado—

Mr. ALLOTT. I demand an apology.

Mr. RIBICOFF. I would not apologize to the Senator from Colorado. He stood on this floor and called my presentation specious.

Mr. ALLOTT. It is specious.

Mr. RIBICOFF. There is no basis whatsoever for that statement. I was trying to say that we should be carrying out our responsibilities and duties as U.S. Senators.

Mr. ALLOTT. But I am not going to have any Senator tell me, on the floor of the Senate, that I am irresponsible.

Mr. RIBICOFF. If the Senator will erase his reference to my presentation as being specious, I will remove my remarks as to his irresponsibility.

Mr. ALLOTT. The Senator can do as he pleases. His argument is worse than that.

LEAVE OF ABSENCE

Mr. SALTONSTALL. Mr. President, will the Senator from Connecticut yield for a unanimous-consent agreement?

Mr. RIBICOFF. I am pleased to yield to the Senator from Massachusetts for that purpose.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to be absent today in order to attend the convocation of the 200th anniversary of the founding of the Smithsonian Institution.

The PRESIDING OFFICER. Without objection, 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.

Mr. HARRIS. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 minutes.

Mr. HARRIS. Mr. President, I am honored to serve on a subcommittee of Government Operations headed by the distinguished and able Senator from Connecticut [Mr. RIBICOFF], the Subcommittee on Executive Reorganization, which this session has undertaken what I believe to be landmark action in the field of highway safety. The subcommittee this session has been primarily concerned with hearings into manufacturing standards. As a result of those hearings, under the leadership and drive of the Senator from Connecticut, action has already resulted to the degree that manufacturers, through a committee which they have formed, have agreed to institute safety devices and standards in the 1966 and 1967 automobiles.

Mr. President, last year, 48,000 Americans were killed on the highways, and 4.8 million Americans were injured.

I believe that, at a time when we are considering legislation to beautify our highways with large authorizations of expenditures, it is altogether fitting and proper that we should also make at least rather minor authorizations, under the Ribicoff amendment of \$500,000, so that we can do something about preventing the massive killing and maiming of our citizens on the highways.

I pay tribute to the great Senator from Connecticut, who has proved to us, as Governor of his home State, as a former Cabinet officer, and now as a U.S. Senator, that highway safety is something about which we can do something, that it is not merely a matter of warning people or frightening them, but that something can be done about providing for safety in automobiles, on the highways themselves, and with the driver.

The national average on fatal automobile accidents is 5.7 persons killed for every 100 million miles traveled. The alarming thing is that not only is the rate of deaths going up, but also the percentage is going up.

In my home State, 5.8 people are killed for every 100 million miles traveled. However, the average in the home State of the distinguished Senator from Connecticut is only 2 people killed for every 100 million miles traveled.

Mr. President, the record of the hearings in the committee and the record of the Senator from Connecticut as Governor indicate that we can do something about traffic safety if we really wish to do so. I believe that the Ribicoff amendment is a great amendment to have in the pending bill. I believe that it is entirely in order. I am pleased that another chairman of a committee which is greatly interested in traffic safety, the distinguished Senator from West Virginia [Mr. RANDOLPH], who is chairman of our Subcommittee on Roads and Highways, has agreed to accept the amendment.

Mr. President, I ask unanimous consent that I may be shown as a cosponsor of the amendment of the Senator from Connecticut.

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

Mr. MURPHY. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from California.

Mr. MURPHY. I should like to ask a question. As a member of the subcommittee, my understanding is—I bow, of course, to the wishes of the chairman of the subcommittee, who has done a magnificent job—that we were to deal only with the problem of beautification on our highways.

I could not be in greater sympathy with anything than the cause espoused by the Senator from Connecticut.

In my State of California, the record of traffic accidents is frightening. California has many long stretches of highways. I believe that the amendment could and should be a part of a special bill on the subject.

If it is not, it should be a part of the studies before the Senate. Being new in the Senate, I am not so well versed in

background procedures as I should like to be; but if it is not a matter of separate study I believe that it should be. I suggest that this should be a matter of completely separate and intensive study to be entered into immediately. I would enthusiastically support such a proposal.

Mr. RIBICOFF. In response to the distinguished Senator from California's comments, I point out that on August 28, the President signed Public Law 89-139 which came from the Public Works Committee. In that bill, the Public Works Committee directed the Secretary of Commerce to undertake a massive study of the problem of State traffic laws, and traffic and highway safety standards. Unfortunately, while the Secretary of Commerce was directed to undertake this study, the Public Works Committee did not authorize any funds for the study.

I am sure that this must have been an inadvertence on its part. I am sure that if the Public Works Committee directed the Secretary of Commerce to undertake such a study, it was its intention it be done.

But since no funds were going to the Secretary of Commerce, it was impossible for him to make this study. This fact was called to my attention yesterday, when the distinguished Senator from Illinois had an amendment adopted for a \$5 million study of how to get rid of junked automobiles. The thought occurred to me, if \$5 million can be provided for a study as to how to get rid of junked automobiles, certainly we can spend \$500,000 to find out what we have to do about the health and safety of the people who are in those wrecked automobiles. I am trying to remedy an inadvertence that took place. I believe that is the reason why the distinguished chairman of the subcommittee saw fit to accept the amendment.

Mr. MURPHY. I thank the Senator.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. HARRIS. I call attention to the fact that in title I, section 131(a), it is stated, as one of the reasons why this program should be adopted, "to promote the safety and recreational value of public travel."

So, as indicated by the distinguished chairman, this amendment certainly is in order at this time.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. RANDOLPH. The Senator from Oklahoma called attention to title I. The same language is referred to in title II as to advertising and junkyards. I also wish to make a comment with reference to the discussion just had, which has been spirited.

I am sure the Senator from Colorado will want the RECORD to show that I have accepted two amendments. The research amendment which was sponsored by the distinguished minority leader [Mr. DIRKSEN] was offered, and I accepted that amendment. I have accepted an amendment offered by the distinguished Senator from Delaware [Mr. WILLIAMS].

There has been no desire on my part not to consider amendments that seem to be in the interest of strengthening the bill. I discussed this proposal with the ranking minority member of the committee, the distinguished Senator from Kentucky [Mr. COOPER]. I am not attempting to justify my acceptance, but if it is necessary to bring the vote on this amendment to a rollcall, I shall do that.

Mr. COOPER. Mr. President, so far as I am concerned—

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. I yield 3 minutes to the Senator from Kentucky.

Mr. COOPER. I do not wish to impose my views on anyone else, but I think the proposal is related, and I will state my reason. The bill itself names safety as one of the factors which should lead the Congress to impose controls on advertising. It was brought out that in certain instances, for example, at intersections, there was a need to reduce the number and location of advertising signs that could obstruct the views of motorists. There may be other safety factors involved.

Second, I have been informed by competent engineers who have made a study of safety factors, respecting even landscaping. They say that even landscaping could be unfavorable to safety. So, in my judgment, this proposal is related to strengthening the bill.

Mr. RANDOLPH. Mr. President, I am ready for a vote.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, sometimes in the argument of these matters, things do get spirited. When I arose to doubt the advisability of putting this particular amendment in this bill I did so in good faith, and I still am in good faith when I say the amendment should not be in it, although the word "safety" is in the bill.

But I rise now on another score, and I refer to page 21 of the Standing Rules or the Senate, rule XIX, subsection 2, in which it is stated:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

I do not have the exact words before me as to what was said concerning the senior Senator from Colorado, because at that moment the Senator from Kentucky had reentered the floor and was asking a question, but I am advised that what was said was that I am acting without a sense of responsibility.

I cannot imagine anything worse about a Senator than to say he acts without a sense of responsibility. I am not going to try a lawsuit as to the merits or any lack of merits between the Senator from Connecticut and myself on the floor of the Senate. But neither am I going to leave the RECORD unimpaired without having to say something more about this subject.

The distinguished Senator from Connecticut, who was Governor of his State,

is not the only Senator in this body who held high positions before he came here, and he is not the only Member of the Senate who has done meritorious work in behalf of his State and in behalf of the Nation. But I cannot and will not accept the idea, if those are the words—and I have been trying to get them, and have not been able to get them yet—that the Senator from Colorado is acting without a sense of responsibility, which means the Senator from Colorado is either out of his mind or without any conception of the oath which he took when he came to the Senate, which the Senator from Colorado did on two occasions to take his office.

As far as I am concerned, the comments have been made and they can stand on the RECORD. I have always felt that too much correction of the RECORD does an injustice to the remainder of the Senate; because, if Senators can wipe words out of the RECORD, they are tempted to go beyond the bounds of normal debate and argument.

With that, I personally leave the matter. I said I believe the arguments made in behalf of this particular bill were specious. I made no reference to the Senator from Connecticut except in the subsequent exchange, which I think was justified. I shall not ask that it be deleted, and I shall not go to the reporter's room and delete them, either by myself or in conjunction with the Senator from Connecticut. What has been said has been said.

The distinguished Senator from Connecticut has described me as acting without a sense of responsibility. I will not even give him the satisfaction of invoking the last part of the rule for withdrawal.

I believe he has transgressed the rules of the Senate.

Mr. RIBICOFF. As I recall the debate, and the RECORD may show otherwise, in referring to the argument of the distinguished Senator from Colorado concerning the speciousness of the amendment or the argument, I pointed out that what I was seeking to do was to have the Senate act responsibly.

I do not believe I imputed at all that the Senator from Colorado was acting irresponsibly.

It was my intention to point out that the Senate, when directing something to be done by a department head, by acting responsibly, had the requirement to supply the funds to the Department head to carry out its directive.

It was my understanding that what I was saying in debate was that we, as a body, had the duty to act responsibly. I did not intend to impute that the distinguished Senator from Colorado was acting irresponsibly.

The words are there and they can stand if they are. But it was never my intention, nor is it now, to impute any motives to the distinguished Senator from Colorado that at this moment or any moment he acted irresponsibly.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am happy to yield.

Mr. HOLLAND. I wonder, if the Senator has available the text of the law,

whether he could give us this authorization for enforcement. I am informed that it does not seem to be available on the floor of the Senate. I believe it should appear in debate so that we will know what we are talking about.

Mr. RIBICOFF. In answer to the Senator from Florida, on August 11, 1965, at page 20232 of the CONGRESSIONAL RECORD, paragraph 135, under highway safety programs:

After December 31, 1967, each State should have a highway safety program, approved by the Secretary, designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom, on highways on the Federal-aid system. Such highway safety program should be in accordance with uniform standards approved by the Secretary and should include, but not be limited to, provisions for an effective accident records system, and measures calculated to improve driver performance, vehicle safety, highway design and maintenance, traffic control, and surveillance of traffic for detection and correction of high or potentially high accident locations.

And the House agree to the same.

This is taken from the conference report of the Committee on Public Works.

Mr. HOLLAND. Is it in the law enacted?

Mr. RIBICOFF. It is in Public Law 89-139.

Mr. HOLLAND. Is the Senator reading the text of that law?

Mr. RIBICOFF. I am reading the text of the law.

Mr. HOLLAND. I thank the Senator.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. GRUENING. I rise in support of the amendment of the distinguished Senator from Connecticut, whose public career is so indelibly associated with highway safety, who achieved so much in that direction for his State when he was Governor of Connecticut, and is now wisely, properly, and devotedly pursuing that same effort for the entire Nation.

As warmly as I support the President's pending legislation on beautification—and I might say in my own State of Alaska, we abolished billboards on all highways by action of the territorial legislature as long as 20 years ago while I was Governor—I believe it is something of an anomaly and a paradox to be talking about beautification and removal of automobile graveyards, and not to consider the most striking "uglification" of highways, which take place whenever people are in traffic accidents and lives are lost. The slaughter on our highways has become a national disgrace and a major calamity. We have reached the sad situation where we know in advance that every holiday weekend will produce its heavy toll of dead and seriously injured on our highways.

I can think of no more appropriate amendment than that introduced by the Senator from Connecticut.

I believe it does not in any sense conflict with the objectives of the bill but strengthens them. If by this study, which his amendment would secure, we can diminish the tragic toll on highways,

the beauty of life will in a very special sense be enhanced.

The amendment provides a distinct improvement for the bill. I hope it will be adopted.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. HOLLAND. I am inclined to be impressed by the proposed amendment, but there are certain assurances I would like to have in the RECORD.

Is there any attempt under the law, which would authorize the Secretary of Commerce to use this \$500,000 to take over law enforcement activities within the States?

Mr. RIBICOFF. There is none whatsoever.

Of course, I was not on the Public Works Committee that had this provision adopted, but in all the studies that I have made and my interpretation, there is no intention and never has been any intention that the Federal Government would ever take over law enforcement of highway safety from the States.

Mr. HOLLAND. I thank the Senator. To make it a little more specific, there would be no interference, as I understand, under this bill, if enacted, under which the Secretary would be given these funds, and no intention to put patrolmen, for example, on the Federal highways, whether interstate or other Federal-aid highways, who would be Federal patrolmen, for the enforcement of any traffic laws or regulations.

Mr. RIBICOFF. There is certainly no such intention on my part, and I hope that nothing like that will take place. I can say that on my own part, but I would defer to the distinguished chairman of the subcommittee on that question, because the pending bill came to us from the Public Works Committee. The chairman is in better position to give that assurance than I am, because I was not on the committee which formulated the earlier law.

Mr. RANDOLPH. Mr. President, will the Senator yield to me?

Mr. RIBICOFF. I am delighted to yield to the Senator.

Mr. RANDOLPH. I believe that the two questions which have been asked by the distinguished Senator from Florida about the intent of the earlier law and the intent of the proposed amendment to the pending measure are valid questions. I emphasize what the Senator from Connecticut has said. And I agree with the Senator from Florida that that would be an infringement; in fact, it would be absolutely wrong. I cannot conceive that it would be the intent of any Member of the Senate, and certainly it was not the intent of the Committee on Public Works. I agree fully with the Senator from Florida that local authorities should operate in the areas that he has discussed.

Mr. HOLLAND. I thank my distinguished friend. I have one more question. There are, of course, many State laws, and they differ in the various States, with reference to length of vehicles, type of lights that are required, the weight of the vehicles, the speed of the vehicles of various classes on various

types of highways, and similar measures, all of which relate, of course, rather directly to the field of safety.

My understanding of the law, if the \$500,000 amount were authorized and appropriated—and I wish to be corrected if I am in error—is that the intention of the law is to allow research and the issuance of information in the various fields affecting public safety, but in no way to overcome or change the appropriate State laws affecting safety, or affecting the nature of the vehicles or the weight of the vehicles, or the length of the vehicles, or the type of lights, or the speed of the vehicles, or any of the other things which are handled, I hope adequately, though in some cases, I am afraid, not adequately, by the laws of the several States.

Mr. RIBICOFF. Yes. I should like to read the last sentence of the statement by the conferees:

It is the expectation of the conferees that the Committees on Public Works will examine from time to time the extent of voluntary compliance by the States with this new section of title XXIII with a view of determining whether any further legislative action is necessary.

Therefore, it is my understanding that it will be a question of formulating standards, with conferences to be held, in the hope that the States will enact uniform laws. Anyone who has worked in this field recognizes the fantastic maze and diversity of various traffic laws throughout the States.

One can get into his automobile in Florida and drive to California, Connecticut, and pass through many States, all having different traffic laws, and all causing much confusion.

In the main, the Committee on Public Works, in asking the Secretary of Commerce to make this complete study, is trying to determine what would be good, safe standards in this modern day and age, considering the slaughter which is occurring year in and year out.

I should suppose that the information obtained would be valuable for all States, so as to enable the States themselves to measure their standards against national standards. But again, it is my understanding from the House conferees and the Committee on Public Works that compliance would be voluntary, not mandatory.

Mr. HOLLAND. If I correctly understand the situation, the research would make available facts to establish standards. The question whether the States would comply reasonably would be the subject of later determination. But above all, the question of any proposed intervention by the Federal Government in the field of law enforcement would be the subject of future legislation, rather than to say now that anything of such kind is included in existing law.

Mr. RIBICOFF. That is definitely my understanding. Any measure such as that would have to be the subject of future legislation to come before Congress, and is not included in this bill.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. RIBICOFF. I yield back the remainder of my time.

Mr. COOPER. I yield back the rest of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. RIBICOFF] to the Committee amendment in the nature of a substitute.

The amendment to 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. MUSKIE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the committee amendment it is proposed to add the following:

On page 11, delete lines 1 through 13 inclusive and insert in lieu thereof the following:

"(e) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays and devices whose size, lighting and spacing is to be determined by agreement between the several States and the Secretary, 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 in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary: *Provided*, That nothing in this subsection shall apply to signs as defined in section 101 (c) (2)."

TUITION TAX CREDIT—ADDRESS BY WALTER L. MORGAN, JR.

Mr. ALLOTT. Mr. President, will the Senator from West Virginia yield 30 seconds to me?

Mr. RANDOLPH. I yield 1 minute to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a speech delivered by Mr. Walter L. Morgan, Jr., administrative assistant to my colleague from Colorado [Mr. DOMINICK], on the subject "Tuition Tax Credit." The speech was delivered before the Executive Committee of the National Student Association.

This subject is attracting more and more attention as we enter into the complex field of tax credits. Mr. Morgan's comments are worthy of the consideration of everyone.

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

TUITION TAX CREDIT

(Statement of Walter L. Morgan, Jr., administrative assistant to U.S. Senator PETER H. DOMINICK, Madison, Wis., Aug. 25, 1965)

Ladies and gentlemen of the Executive Committee of the National Student Association, I am sincerely grateful for this opportunity to meet with you today on be-

half of Senator DOMINICK and to discuss a matter of great importance to this and future generations of Americans.

The world we live in is constantly changing—moving forward with dynamic progress such as we never dreamed of a generation ago. Our progress has produced great upward strides toward a better life for countless millions of our fellow men, but with progress we have been confronted with greater and greater challenges and more complex problems which must be solved—problems of such magnitude as how to cope with the population explosion being experienced throughout the world. Especially, we are being challenged to find ways to provide a balance between the world's population and man's ability to develop and maintain the natural resources to meet the growing needs of the world's people.

As never before in history, today's world not only demands a standard of excellence as the norm, but assesses progressively more severe penalties upon the backward and the slow. The shadow of future unemployment moves ever closer to those who fail to develop the highly specialized skills which are required as we arrive fully within the age of automation. The present contests in nuclear development and space exploration between ourselves and other nations have made us all acutely aware of the intensely competitive age in which we live.

Our success, or even our survival in future years, may well depend upon the degree to which we can provide the highest quality education to our citizens. By present estimates, in order to meet the challenges we shall encounter by 1970, we should now be graduating approximately 80,000 engineers and 30,000 scientists each year. Unfortunately, we are producing only about half the required number of either. I cite these statistics not to frighten anyone, but to emphasize the proportions of the problems we face in keeping pace with our needs in the field of higher education.

During the past 5 years, the number of students enrolled at our colleges and universities has increased by an average of 6.5 percent each year and it is estimated that by 1970 college enrollment will be double the number enrolled in 1960. And, during the past 5 years, the costs of college tuition, fees, and books have increased by one-third. It is predicted by competent authorities that this increasing cost trend will continue into the future.

While we may lag behind the Soviet Union in the present production of scientists and technicians, we may be proud of the fact that we have led the world in making the opportunity for higher education widely available to all. At the same time, paradoxically, we now place more of the burden of higher education costs directly on the student and/or his parents, than any other major nation in the world. Such a trend, obviously, is self-defeating and demands remedy. Thus, with the costs of higher education continuing to rise year after year, we find ourselves at a crossroads and must determine a course for the future which will best meet and cope with this problem of financing higher education.

There have been many proposals advanced to provide some assistance in a variety of ways, but suffice it to say that they have all failed to receive the needed support and congressional passage because they failed to surmount one or more of the following major objections:

1. Government domination and ultimate control of our education system.
2. Opposition to the use of tax funds to aid church-supported schools.
3. Lack of real assistance to those in greatest need dichotomy.

The one proposal which most nearly overcomes all three of these major objections is

the percentage tax credit proposal which incorporates a sliding scale, giving the greatest amount of benefit to the lower end of the cost scale. As Senator DOMINICK's administrative assistant, this is the proposal I want to discuss with you. The bill currently before Congress with which I am most familiar is S. 12, the Ribicoff-Dominick bill, which was introduced by Senator ABRAHAM RIBICOFF, Democrat, of Connecticut, and Senator PETER H. DOMINICK, Republican, of Colorado, and which also bears the names of 33 other Senators as cosponsors. The bill provides simple and direct assistance to the student or his family or anyone else who pays the cost of the student's tuition, fees and books at an institution of higher education as defined by the Internal Revenue Code. The credit against the individual's income tax obligation would be applied on a sliding scale as follows: 75 percent credit for the first \$200 of expenses; 25 percent credit for the next \$300 of expenses; 10 percent credit for the next \$1,000 of expenses.

At this point, let's make one point clear. We are talking about a tax credit which is a reduction of the tax due by the taxpayer. It is not an exemption or a tax deduction which only reduces the amount of gross income that taxpayer reports.

To assure that the benefits will accrue to the lower- and middle-income group which makes up more than 95 percent of our population, the bill provides that the amount of the credit will be reduced by an amount equal to 1 percent of any amount by which the taxpayer's adjusted gross income exceeds \$25,000 for the taxable year. Thus a taxpayer whose gross income was \$30,000 and who might otherwise be eligible for a \$200 tax credit would have his credit reduced to \$150 because he exceeded the maximum income limit by \$5,000.

Let's take a few examples. Here in the State of Wisconsin, let's compare the bill's application for a resident student at the University of Wisconsin; a resident student at Wisconsin State College and Institute of Technology at Platteville; and a resident student at Marquette University, a private co-educational university.

University of Wisconsin: Tuition and fees, \$300; books, \$80; total, \$380. Tax credit 75 percent multiplied by \$200 equals \$150; 25 percent multiplied by \$180 equals \$45 or \$195 equals 51 percent.

Wisconsin State College: Tuition and fees, \$258; books, \$80; total, \$338. Tax credit 75 percent multiplied by \$200 equals \$150; 25 percent multiplied by \$138 equals \$34.50 or \$184.50 equals 55 percent.

Marquette University: Tuition and fees, \$950; books, \$80; total, \$1,030. Tax credit 75 percent multiplied by \$200 equals \$150; 25 percent multiplied by 300 equals \$75; 10 percent multiplied by \$530 equals \$53 or \$278 equals 27 percent.

The same provisions as contained in S. 12 were offered in the last Congress as an amendment to pending legislation in the Senate and missed passage by the narrowest margin—45 to 48. It would have passed had not three of the bill's sponsors been persuaded by the administration to vote against their own bill on the premise that Congress at that time should delay any further reduction in taxes until the full impact of the latest income tax cut was known. In the intervening months, widespread support has been building around the country among students and their families favoring enactment of the tax credit proposal to aid in meeting the costs of higher education. This is most encouraging.

The sponsors of S. 12 are the first to admit that the bill is not a cure-all, but they are convinced that it goes farther toward providing more equitable assistance to the greatest number of people. Let's discuss some of the arguments which have occurred about the bill.

It is true that the tax credit concept of aid to higher education does not provide any direct assistance to the lowest income group who pay no income taxes—no income tax measure could. But indirectly, the tax credit proposal would provide a wide expansion of areas of assistance aimed specifically at helping this lowest income group.

Vast numbers of scholarships available today contain a family income limitation as one of the conditions of eligibility. These scholarships will continue to be available, and the tax credit program will reduce the pressure to some extent for these scholarships. Other programs of loans and grants, specifically designed for low income families by State legislatures and by Congress, will continue to be available with less pressure upon the individual institutions administering these programs. Most colleges and universities also give students from low-income families first priority on student employment programs. This, too, will continue.

Perhaps of greatest importance to the low-income group is one mechanism provided by S. 12 which, it is anticipated, will result in vastly increased assistance to students from these lower income families. This is the provision allowing a credit to any person paying a student's education costs whether that person is related to the student or not.

Prof. Russell Thackrey, in his recent statements, uses an illustration which points up the enormous potential this provision would have. In figures furnished him, he says, there were 100,000 people in this country in 1964 with personal holdings of \$1 million or more. Thus, using the minimum figure of \$1 million, these 100,000 people have combined assets of at least \$100 billion. Professor Thackrey concludes: "Think what a modest voluntary gift of—say—an average of 1 or 2 percent of these assets would do for American higher education." I wholeheartedly agree, and S. 12 would provide the incentive to bring about such voluntary action by providing a percentage tax credit for a portion of such payments for students not related to the taxpayer. At the present time such payments do not qualify as a charitable donation unless the donor makes a blanket-type gift to a college or university, or to a special fund without designating the recipients of the proceeds. S. 12 would permit institutions, both public and private, to enlist alumni and friends in the support of their most needy and deserving students, and to make more fruitful use of already available scholarship funds.

Some opponents of the tax credit concept of aid to higher education have argued that taxpayers' funds are public funds and that such action would entrust the expenditure of public funds to the decision of private individuals with no assurance that the funds will be used in ways consistent with the public interest. Such an argument is as invalid as the rejected argument once advanced by a former Treasury Department official in a statement he made to a congressional committee to the effect that the amount of his own earnings that a citizen ought to be allowed to keep and use should depend upon how much the elected officials of government decided he should be allowed to keep. Such an argument flies in the face of our Constitution which provides exactly the opposite emphasis. It is the people, through their elected representatives in Congress, that decide how much of the people's money the Government shall be allowed to spend for them. This is the philosophy inherent in S. 12.

S. 12 would permit the taxpayer to provide himself with a dollar's worth of education on a cost-sharing basis, with complete freedom of choice in selecting the institution he wants to attend. Thus, we strengthen and preserve the important diversification of our educational system between private universities and State and

public supported colleges and universities, while at the same time completely avoiding the conflict surrounding the question of Federal support of church-related institutions of higher learning.

The argument against educational tax credits becomes patently more invalid when you consider that the most important investment we can make for ourselves or for our children is the investment we have made and continue to make in providing the best possible education obtainable. If you agree that this is true, then ask yourself whether there is any basic difference in the concept of the individual investing in his own ability to substantially increase his future earnings, and the concept of a business investing a part of its present earnings in expending its future growth and earnings. I can see no basic difference. Yet those who argue against tax credits for a percentage of the cost of higher education completely ignore the fact that for years we have provided in our tax laws a percentage tax credit to the businessman who voluntarily reinvests a part of his earnings to expand his business and thus by expanding his ability to produce, advances our national interests. Education is among the foremost interests of our Nation. The sponsors of S. 12 believe that our future national growth may well be in direct proportion to the strength and excellence of our educational resources. The time for affirmative action has arrived, and the most equitable action we can take is to secure enactment of the tuition tax credit measure to treat the middle- and low-income taxpayer, who is trying to educate himself, or his children, as fairly as we treat any businessman—including the giants of industry like General Motors or United States Steel.

The education of our young Americans is not a partisan matter as evidenced by the fact that, of the 35 sponsors of S. 12, 18 are Democrats and 17 are Republicans. As further proof of the completely nonpartisan nature of the tuition tax credit proposal, a very eminent Democratic Senator speaking on the Senate floor on June 6, 1963 advocating tuition tax credit assistance for the cost of higher education said, and I quote: "The pressing need for vastly increased financial resources to support higher education in this country cannot be ignored. This legislation would provide this urgently needed assistance at a time of maximum need. It would represent a capital investment in the minds and talents of our youth and the future of our society. Let us then, meet this challenge with honesty and courage before this time of great need has passed and millions of American youth have been denied their educational birthright."

The man who uttered those words spoke to your group very recently. No longer Senator, he now is the Vice President of the United States, HUBERT H. HUMPHREY.

The sponsors of S. 12 welcome the support of student groups throughout the Nation in urging that Congress enact this legislation without further delay.

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, Senators may recall that yesterday afternoon I withdrew temporarily the administration amendment No. 2. I stated that I wished to give consideration, as requested by Senators, to a possible modification of that amendment, or to an amendment to be offered which

would go to the subject. I now state that the amendment which was under discussion yesterday has been withdrawn permanently. I ask unanimous consent that the amendment be withdrawn.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

Mr. RANDOLPH. Mr. President, I have sent to the desk an amendment which is a substitute for section 101(e) of the bill. It is a modification of the amendment I offered yesterday on behalf of the administration.

This amendment is the product of much consideration. Discussions concerning it have been carried on not only with administration leaders, but also with the ranking minority member of the committee, who is also the ranking minority member of the Subcommittee on Public Roads, the distinguished Senator from Kentucky [Mr. COOPER].

I have said that the amendment is the product of discussion; I have not said there is complete approval. I make that very clear. But I do say that every effort has been made to arrive at language that might be agreed to by more than those of us who have worked diligently to have the amendment adopted.

The amendment I have offered insures against the possibility of arbitrary or capricious action by the Secretary of Commerce.

Yesterday some Members seemed to believe that the Secretary of Commerce might act in an unwise manner. So the amendment which I offer today is, I believe, a safeguard, a protection against possible actions of the Secretary of Commerce which some persons might term arbitrary or capricious.

At the same time, it is important to indicate that the amendment would not deprive the Secretary of a proper degree of participation. I feel that all of us who believe in the legislation desire the Secretary to be a contributing, constructive force in carrying out the provisions of the bill when it becomes a law.

I ask the careful attention of the Senate to two major issues which are inherent in the proposed amendment. First, the amendment would establish control by agreement between the States and the Secretary over on-premise advertising signs in the industrially and commercially zoned areas. Second, the amendment would provide for agreement between the States and the Secretary on the designation of unzoned commercial and industrial areas.

The amendment would therefore refer to both the zoned and the unzoned areas. My amendment would not—and I underscore the word “not”—in any way effect the zoning powers of the States.

My amendment would not—and again I underscore the word “not”—in any way regulate on-premise signs. They are the signs which advertise the facilities and activities on the property on which the signs are located. Such signs very properly call attention to the facilities on the site where the sign is located.

My amendment would not—and I underscore the word “not”—give the Secretary of Commerce dictatorial authority with regard either to controls or zoning.

The language of the declaration in my amendment makes it quite clear, though I emphasize the point for the purpose of establishing legislative history this afternoon that my amendment is for the purpose of promoting—not, I emphasize, destroying—reasonable, orderly, and effective display of outdoor advertising.

No Senator has greater respect for private industry and private property than does the Senator from West Virginia. I continue to contend that outdoor advertising is a legitimate business.

In the pending bill we are attempting—at least the Senator from West Virginia is attempting—to act in no wise to do violence to this industry.

Mr. President, I yield to my colleague the Senator from Kansas.

Mr. CARLSON. Mr. President, I have very high regard for the Senator from West Virginia.

With reference to the statement just made, I desire to ask a question concerning a particular instance in which an interstate highway goes through a man's farm. The man has owned this farm for many years. His barn happens to be located fairly close, I would say within 500 feet of the edge of the right-of-way, and this is a very wide right-of-way on an interstate highway.

This man has a sign with reference to his own dairy business on that farm. What would be the farmer's situation under this amendment or under any section of the bill?

Mr. RANDOLPH. Mr. President, I want to be very careful in reply. There is not a section of the bill that would apply to the rights of the farmer in question.

I should like to continue with the discussion of the reasons why the amendment is offered.

The amendment which has been offered would enable the States, in agreement with the Secretary of Commerce, to develop criteria for the prevention of what I call wild proliferation of signs in zoned industrial areas.

I point out that under Public Law 85-767, which was enacted in 1958, Congress gave authority to the Secretary, and to the Secretary alone, to promulgate standards for the area under the control of that law.

Under the pending amendment, the States would have primary responsibility for developing control criteria for advertising, as they have primary responsibility for other highway matters.

The language of this amendment would permit the appropriate committees of the Association of American State Highway Officials to propose control criteria, in consultation with the Secretary of Commerce. I emphasize the language which states that control criteria, and the designation of unzoned industrial areas, are to be “determined by agreement between the several States and the Secretary.”

That language places both parties on an equal footing, because it provides for mutual consultation, which is desirable and will be carried forward. I do not deny that the Secretary of Commerce retains authority to withhold 10 percent

of the Federal-aid highway funds from a State which fails to comply with the act.

However, I call the attention of my fellow Senators to the fact that a State which objects to such withholding, having attempted to reach an agreement with the Secretary, would have access to the courts on the grounds of damage through arbitrary or capricious administrative action.

Mr. President, that is all I have to say on the amendment at the present time.

Mr. COOPER. Mr. President, I yield myself 5 minutes.

I repeat that the statement of the distinguished Senator from West Virginia for the purposes of the amendment is entirely correct. Since the offering of his amendment yesterday, the Senator has talked with me. He talked with me last night and again this morning, and we attempted to find language which would remove the objections which were made by many Senators on the floor yesterday.

I suggested a part of this language as an improvement over the amendment that was offered—that is, that language which would require prima facie or primarily the concurrence agreement between the Secretary and the States would be more appropriate and less subject to objection than the language of the amendment offered yesterday, which would in reality give veto power to the Secretary. I told the Senator that I would discuss it with the Republican members of our subcommittee; and we have discussed it.

While I view this amendment as superior to that offered yesterday by the distinguished Senator and withdrawn, I shall vote against it, and shall stand by the action of the committee. Earlier today, in opposing the amendment offered by the Senator from New Hampshire—because I felt that it would remove from the bill the possibility of improving the highway system—I tried to explain the effect of section (e), title 1, of the Act, to which the pending amendment is proposed, and that I thought a reasonable position had been reached in the committee.

I gave as an example 50 miles of a primary highway, upon every foot of which, today, advertising may be erected. The bill reported from the committee, in section (e), would very much advance the cause of beautification of the highways, because in that 50-mile segment and in every other segment of the primary system, a great part of the mileage would be prohibited as to off-premise advertising.

But taking into account practical situations, we provided that advertising could be continued in areas which are now zoned as commercial or industrial, or which might in the future be zoned as commercial or industrial areas, and where advertising is, of course, needed. Thus, physically, the effect would be, on my hypothetical 50-mile segment, that perhaps 45 miles or more of it would be prohibited as an advertising area, but in the designated limited area advertising might be continued.

The committee agreed. If, during our discussions, the administration had any objection to it I, at least, did not know

of it. Its objection, if any, may have been conveyed to other members, but as far as I know, this language appeared in the bill when we first sat down to work upon it, and we assumed that it had been accepted by the administration.

After we had voted on the bill and reported it to the Senate, and had written the language in the report which explained the section as it had been adopted by the committee, on the day before the Senate proceeded to consider the bill, these new amendments were sent up, as the Senator from West Virginia has said, at the instance of the administration.

We are making progress under the bill. It seems to me that at this late date, when the bill has been reported, when there has been agreement, we should not accept an amendment which gives all the power to the Secretary of Commerce, even though the bill provides for agreements with the States, because, as the Senator so honestly said, the club is still there in the form of a penalty. In effect the State would have to come into agreement or would be penalized.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. I yield myself 2 additional minutes.

I appeal to the members of the committee who worked so hard on the bill, including my colleagues on the Democratic side on the committee, to stand by the committee's action, and pass the bill that was unanimously reported, which makes great advances toward beautification, regardless of what some have said about it; and that we leave the last problem to the experience which will be derived under the bill and to actual conferences between the States and the Federal Government, in the effort to devise in the future a program which will help eliminate the blight, to the extent there is blight, in municipalities and in areas adjacent to them.

It must be known that this amendment would give to the Secretary of Commerce the authority to call for the dismantling of advertising, not only along the rural roads, but in every municipality traversed by the primary system.

If, for example, 42d Street in New York City or Times Square, which happens to be a part of the urban system, should become a part of the primary system, or Pennsylvania Avenue in Washington, or any other main street, or my main street, under the pending amendment the Secretary could call for the entire revision of advertising along 42d Street, or Times Square, or any main street.

I wish to see our streets made more beautiful, but I believe that at this point, advancing as we are at this late time, it provides too much authority to the Secretary.

Mr. FONG. Mr. President, will the Senator from Kentucky yield for a question?

Mr. HARRIS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. Mr. President, I yield 1 minute to the Senator from Hawaii for a question.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 1 minute.

Mr. FONG. Is it not a fact that, when the bill came to committee with provisions relative to zoning in commercial and industrial zones, signs were exempt in such zones?

Mr. COOPER. The Senator is correct.

Mr. FONG. Is it not also a fact that there was a provision for areas which were used for commercial and business purposes, but which were unzoned, wherein the Secretary would have some voice, and that the committee did work on the problem and, after deliberating, decided that the Secretary should not be given this discretion?

Mr. COOPER. The Senator is correct.

Mr. FONG. So, when the bill came to the Senate from the committee, it would not give the Secretary any discretion so far as allowing display of signs and advertising in industrial and commercial areas is concerned; is that not correct?

Mr. COOPER. No specific discretion; but we would have to admit that because the Bureau of Public Roads comes under his supervision, there is this "carrot" or "stick"—whatever we wish to call it—this 10-percent penalty, so that the Secretary still has some influence in dealing with the States to obtain some action.

Mr. FONG. Mr. President, will the Senator yield me 3 more minutes?

Mr. COOPER. I yield 3 additional minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 3 additional minutes.

Mr. FONG. I thank the Senator.

I, too, oppose the pending amendment which is a substitute for subsection (e) as reported by the committee. This problem was thoroughly discussed in committee. As the bill originally came before the committee, the exemption included advertising signs in areas which were zoned for commercial and industrial purposes.

There was also a provision which gave to the Secretary some discretion in those zones which were used for commercial and industrial purposes but not zoned for those particular purposes.

The committee discussed this provision very thoroughly and I believe it was the unanimous decision of the committee that the Secretary should not be given this discretion. It was the committee view that wherever there was zoning by a municipality, county, or a State of an area for commercial and industrial purposes, or where there were areas used for commercial and industrial purposes, but not so zoned, the State legislature, the county government, and the municipal government should have supreme power as to what kind of advertising and signs could be displayed.

The distinguished Senator from West Virginia states that the parties are on an equal footing in the matter of negotiations. With this I do not agree. I disagree with the Senator vehemently, because I do not believe there is equality of bargaining positions.

Here we have an officer of the Government, the Secretary of Commerce, who holds in his hand the withholding power of 10 percent of the Fed-

eral highway apportionment to a State for roadbuilding purposes.

In the State of California, that would be approximately \$33 million. Here is an officer who can withhold from the State of California 10 percent of a \$336 million appropriation. He can say to the State of California, "If you do not comply with the provisions which I have set forth, you will not receive the \$336 million. You will receive only 90 percent of that, a reduction of \$33 million."

There are other States from which the Secretary of Commerce could withhold sums as high as \$20 million, \$18 million, or \$7 million, so the withholding power of the Secretary of Commerce if the State does not comply is a vast power, involving the withholding of great amounts of money.

We on the committee who worked on the problem feel that the municipality, the county, and the State—if they have spoken as to whether the area should be zoned, or has been zoned for these purposes—should be left alone. We wrote into the bill certain specific exemptions, so that the Secretary of Commerce could not say, "You must comply with my wishes before you will get the full 100 percent of the amount of money which has been apportioned to you for highway purposes."

I believe that this is a powerful club in the hands of the Secretary of Commerce. We are not dealing with only 41,000 miles of highway, as in the Interstate Highway System. We are dealing with—

The PRESIDING OFFICER. The time of the Senator from Hawaii has expired.

Mr. COOPER. Mr. President, I yield 2 additional minutes to the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 2 additional minutes.

Mr. FONG. We are dealing with 265,000 miles of highway. We are dealing not only with the Interstate Highway System, but we are also dealing with the primary system, which covers over 225,000 miles.

On the primary system, there are thousands and thousands of areas which have been zoned for commercial and industrial purposes, which have been used for years for purposes of advertising and displaying of signs. This is no time for Congress to say, "We give to the Secretary of Commerce almost absolute power to go in and tell the States to withdraw these signs."

The distinguished Senator from West Virginia states that this is not a dictatorial power. However, the Secretary of Commerce can withhold 10 percent of the appropriation from a State. In States such as California, the withholding could go as high as \$33 million. I assert that we would be giving to the Secretary of Commerce a very great amount of power. I believe that such power should not be left in the hands of the Secretary of Commerce.

While outdoor advertising is controlled in Hawaii to a greater extent than proposed in this bill and thus my State

will be readily able to comply, I recognize the great problems many of our other States will face under this amendment.

Mr. HARRIS. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. How much time does the Senator require?

Mr. HARRIS. Five minutes.

Mr. COOPER. Mr. President, I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. HARRIS. Mr. President, there never was a chairman of a committee, or a Member of the Senate, who was more fair, cooperative, and diligent in his responsibilities than is the distinguished Senator from West Virginia [Mr. RANDOLPH]. It has been my honor to serve as a member on the Committee on Public Works and I am therefore especially reluctant to do what I must now do—that is, oppose the pending amendment to the bill.

But I say to Senators that I oppose the amendment in order to uphold the position which was adopted in committee. As a general principle, it is rather risky business to oppose the position of a committee or committee chairman on a matter on which they are well informed. But here, by the adoption of the amendment which is the pending business, we would reverse the action of the Public Works Committee.

It was on my motion in the Public Works Committee that the present provision in the bill which it is sought to amend primarily was adopted.

After adoption of my motion by the committee, the Public Works Committee, as has been stated, reported the bill out from committee by unanimous vote.

So I speak in support of the committee position, which this amendment would seek to change.

I have studied the modified amendment today which is substituted for amendment No. 2 of yesterday. In my judgment, it does not change the effect of yesterday's amendment. The effect of it is to put the power in the hands of the Secretary of Commerce as to zoning and standards to be adopted.

Nowhere in this bill is there contained now any grant of power to the Secretary of Commerce to regulate the number and size and standards of advertising devices on private property.

This amendment would give that power to the Secretary of Commerce, and is, therefore, a radical departure from the concept of title I of the proposed act.

As to the position of the committee, I call the attention of Senators to page 6 of the report, which I read:

The committee has given long and deliberate consideration to this subsection, and particularly to the question of unzoned industrial and commercial areas. The basic postulate of this provision is that outdoor advertising is an integral part of the business and marketing function and an established segment of the national economy; as a legitimate business, it should therefore be allowed to operate where other industrial and commercial activities are conducted.

That is from the committee's report, which goes on to say:

This principle was recognized in the draft legislation proposed to the Congress by excluding industrially and commercially zoned areas from control.

Mr. President, I ask unanimous consent that that portion and succeeding portions from the report of the committee be printed at this point in the RECORD.

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

The committee has given long and deliberate consideration to this subsection, and particularly to the question of unzoned industrial and commercial areas. The basic postulate of this provision is that outdoor advertising is an integral part of the business and marketing function and an established segment of the national economy; as legitimate business, it should therefore be allowed to operate where other industrial and commercial activities are conducted.

This principle was recognized in the draft legislation proposed to the Congress by excluding industrially and commercially zoned areas from control. 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 legislatures 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.

Some witnesses, in opposition to this view, speculated that the States, if left to themselves in this matter, would engage in "strip zoning" and thus zone large stretches of highways as industrial solely for the purpose of outdoor advertising.

The committee notes the qualifying clause quoted above, "which shall be consistent with the purpose of this section." The purpose of this act is to preserve and develop the recreational and esthetic values of the interstate and primary highway systems, and it would be wholly inconsistent with this purpose for a State to engage in such strip zoning. 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.

In this respect the committee again notes that the Secretary is required by section 303 of S. 2084 to report to the Congress on its administration not later than January 10, 1967. Many of the States will by that time have enacted implementing legislation, and the Congress will have the opportunity to review the degree of compliance with this section.

Mr. HARRIS. Mr. President, I call the attention of Senators to this provision in the report:

The committee notes the qualifying clause quoted above, "which shall be consistent with the purpose of this section." The purpose of this act is to preserve and develop the recreational and esthetic values of the interstate and primary highway systems, and it would be wholly inconsistent with this purpose for a State to engage in such strip zoning. 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.

In other words, it was the feeling of the Public Works Committee, when it voted to report the bill unanimously and authorized this report, that there was sufficient authority in the hands of the Secretary of Commerce to enforce the provisions of the bill. That was our position a week ago. That was our position in the committee last Thursday when we authorized the reporting of the bill. It was my position last Thursday. It is still my position. By my vote, I intend to uphold the original position of the Public Works Committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. Mr. President, I yield 2 minutes to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, it is one thing to prohibit altogether any advertising signs in certain areas. It is another question altogether to allow regulation of advertising devices on private property where advertising is allowed.

The restriction of size and number of advertising devices will, of course, constitute a taking of property rights from landowners and advertising-device owners, which must be compensated for.

But the amendment giving such broad and virtually undefined and unlimited powers to the Secretary of Commerce, as this amendment does with respect to advertising on private property where advertising is generally allowed in commercially and industrially zoned areas, is unwise and would cause much difficulty in the administration of the measure.

The adoption of the amendment would be in contravention of the action of the Public Works Committee, of which I am a member. I therefore hope it will not be adopted.

Mr. COOPER. Mr. President, I yield 2 minutes to the Senator from California.

Mr. MURPHY. Mr. President, I should like to join my colleagues in opposition to the amendment. It has been clearly stated on the floor that the discussion in the committee was full and complete. There was no misunderstanding. The only thing that happened after the committee had done its work was that a representative of the executive branch wanted to make changes.

It would be presumptuous of me to suggest to the executive branch any means of procedure, but I suggest that we are starting a new departure in order to achieve the beautification of the highway system, the benefits of which we all support. But we must exercise a little restraint, and I suggest that it may not be possible to achieve the objectives of the Great Society in 20 minutes, or 2 days, or 2 weeks.

In my opinion the chairman of the subcommittee and the full committee have worked hard and diligently. This is an excellent bill. I think it will work. By approving the sections of the bill as it started, I am sure all States will be brought into the program and that they will not have to be brought in by any

coercion or threat of withholding of funds.

I call attention to the waiver in the bill to take care of a situation when a legislature of a State might have to adopt new laws to accommodate itself to the provisions of the bill.

I call attention to the fact that in my particular State there may be legislative problems. At the present time there is one man in charge of the legislature; and he and the chief executive are at odds. They seem to go out of their way to embarrass each other.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. I yield 1 additional minute to the Senator from California.

Mr. MURPHY. For whatever reason, I do not think the people of my State should be penalized if such a thing should occur. The penalty might amount to \$30 million.

I concur with my colleagues; I must maintain the original position of the committee. I will oppose the amendment. I hope Members on both sides of the aisle will join in that opposition.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the distinguished Senator from Maine [Mr. MUSKIE].

Mr. MUSKIE. I express my appreciation to the Senator from West Virginia for yielding to me at this time.

At the outset of my remarks, which I hope will not be too lengthy, I should say how much I appreciate the objective and the cooperative way in which the committee, on both sides, has dealt with the bill, both in committee and on the floor of the Senate.

I really do not believe that there is as much difference on this issue between the distinguished Senator from Kentucky [Mr. COOPER] and the distinguished Senator from West Virginia [Mr. RANDOLPH] as might appear at first blush. I shall try to make that point clear.

As I listened to the discussion yesterday afternoon and this morning it seemed to me that the heart of the concern which has been expressed on the floor of the Senate has to do with unzoned commercial or industrial areas on the primary system.

I believe that as to the Interstate System there is nearly a consensus in this Chamber, as a whole, that we need to take effective action to control the areas adjoining the Interstate System.

I believe that the bill does this effectively. I believe that the amendment before us does this effectively, and that the amendment offered earlier by the Senator from New Hampshire [Mr. CORRON] would have done it more effectively.

So the heart of the concern expressed on the floor has to do with unzoned commercial or industrial areas. This also was the heart of the concern of the committee in the hearings and executive sessions in developing the language of the bill for almost 90 percent of the time that the committee spent on the bill.

There were some members on the committee who felt that the bill ought to be stronger than it turned out to be initially on this point. There were others

who felt that the bill ought to be weaker than it turned out to be on this point.

The committee language which was finally reported to the Senate had the consensus which has been referred to by speakers on both sides of the amendment.

What is the heart of this interest in the unzoned commercial and industrial areas? It is this:

Over the period that the primary system has developed, there have been permitted to develop businesses the lives and viability of which depend on the business that comes to them over the highways, and whose ability to prosper from that business depends on their right to advertise their business, attract the motorists, and call them to their doors.

In addition, the advertising that has grown up in connection with business establishments performs a profound service for the motorist, giving him information in advance as to where he may find a particular brand of gasoline, or a particular kind of restaurant, or another establishment, or motel to serve his needs and those of his family.

I repeat to the Senate that the concern with which this problem has been so eloquently described on the floor of the Senate yesterday and today—and which I described briefly here this afternoon—has been at the heart of the concern of the committee throughout its deliberations.

What was the problem? The problem was this: How do we deal meaningfully in terms of beautification, in terms of control of outdoor advertising in these areas and at the same time preserve to the States and to the businesses the right to protect the interests which I have just defined?

We could, of course, leave the controls entirely up to the business establishments themselves, hoping in the process of enlightened self-interest and enlightened public interest that there may develop a self-discipline which would be effective; or we could leave it to the communities or the legislatures of the States; or we could leave it to the Secretary of Commerce.

A number of choices are open to us. But what we tried to develop—perhaps we did not succeed—was a formula which would give the legislature a right to protect what it considered to be the legitimate interests of businesses, while at the same time imposing upon the legislatures a restraint which would keep them within reasonable and responsible limits, as the committee defined the public interest in this field. This is what we tried to do.

What was the formula we used to do it? I think it was the heart of the difference between those on the committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. Mr. President, I yield an additional 4 minutes.

Mr. MUSKIE. What is in the committee amendment, and what is in the amendment now before us?

The committee amendment on this point reads as follows—and I shall skip

the part that does not refer to what I am discussing:

(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, or which are not zoned under authority of State law, but are used for industrial or commercial activities, as determined in accordance with provisions established by the legislatures of the several States, which shall be consistent with the purposes of this section.

What, then, did we do with this language? First of all, we clearly placed initiative and responsibilities on the legislatures of the several States. Second, we imposed a restriction in these words: "which shall be consistent with the purposes of this section."

Those words have been interpreted on the floor of the Senate today as meaning that the Secretary should have authority to decide what shall be consistent with the purposes of this section.

Clearly it is a tenable argument that someone will have to decide whether or not the action taken by the legislature is consistent with the purposes of this section.

If that interpretation is correct, the language in the amendment which has been offered does nothing more than clarify language which is now in the bill.

If that interpretation is not correct, what is the meaning of the words: "which shall be consistent with the purposes of this section"?

The meaning of those words is that the legislation does nothing more than impose upon the legislatures a mandate which the legislatures would be morally bound to observe.

Therefore, this seeks to solicit from the legislatures self-discipline, which will carry out the purposes of the act. Whichever interpretation is accepted, what is clearly intended is that the State legislatures shall not run wild in this field and shall exercise responsibility, and it imposes upon the legislatures a mandate which should stimulate them to that effect.

The Secretary of Commerce was aware of our concern. We repeated it to him in the hearings, and his responses reflected his understanding of our concern. We repeated it to him in our deliberations and discussions in the course of our consideration of the bill in executive session. Since the bill has been reported we have repeated it to him. He has repeatedly accepted the responsibility of recognizing that concern and of moving to implement it.

I have with me a letter from the Secretary of Commerce which I believe should be of interest to the Senate on this point. It is addressed to the distinguished chairman of the subcommittee, and is dated September 14, 1965. I quote from the letter, as follows:

The administration recognizes that the present signs and procedures of informing the traveling public, along the Interstate System, are inadequate and must be improved. The Bureau of Public Roads, in

cooperation with the State Highway Departments, has been working for some time on policies and procedures for replacement of signs which are now limited largely to notices that "Food, Fuel, and Lodging" are available at the next interchange.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. I yield 3 additional minutes to the Senator from Maine.

Mr. MUSKIE. I continue to read from the letter:

The Department of Commerce will start immediately on developing a system of signs to give the motoring public more information about services and facilities available within reasonable distances of the main traveled roadway where such information is not otherwise reasonably provided.

It should be pointed out that signs advertising services or facilities necessary or of interest to the traveling public can be erected in both zoned and unzoned commercial and industrial areas in accordance with the legislation now pending before your committee. It is our belief that signs in these areas can to a very great extent take care of the needs for informing the traveling public on noncontrolled access portions of the primary system and be completely consistent with the administration's program to make our highways avenues for the enjoyment of nature and beauty and to help enrich the life of our people in city and countryside alike.

I ask unanimous consent that the text of the entire letter be placed in the RECORD at this point.

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

THE SECRETARY OF COMMERCE,
Washington, D.C., September 14, 1965.
HON. JENNINGS RANDOLPH,
Chairman, Subcommittee on Public Roads,
Public Works Committee, U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: This is in response to your request for information on the ways in which the traveling public would be informed of facilities and services available to them if the Congress enacts the administration's highway beautification program including the control of outdoor advertising.

The administration recognizes that the present signs and procedures of informing the traveling public, along the Interstate System, are inadequate and must be improved. The Bureau of Public Roads, in cooperation with the State highway departments, has been working for some time on policies and procedures for replacement of signs which are now limited largely to notices that "food, fuel and lodging" are available at the next interchange.

The Department of Commerce will start immediately on developing a system of signs to give the motoring public more information about services and facilities available within reasonable distances of the main traveled roadway where such information is not otherwise reasonably provided.

It should be pointed out that signs advertising services or facilities necessary or of interest to the traveling public can be erected in both zoned and unzoned commercial and industrial areas in accordance with the legislation now pending before your committee. It is our belief that signs in these areas can to a very great extent take care of the needs for informing the traveling public on noncontrolled access portions of the primary system and be completely consistent with the administration's program to make our highways avenues for

the enjoyment of nature and beauty and to help enrich the life of our people in city and countryside alike.

In those instances, primarily along the Interstate System and controlled access portions of the primary system, where motorist service information is not otherwise available, the Department of Commerce, in cooperation with the State highway departments, will erect signs giving specific information on services and facilities. This would include specific brand names of gasoline, the names or other specific identification of lodging and food facilities and other specific information of interest to the motoring public regarding recreation, historic sights, hospitals, and similar information.

The Bureau of Public Roads, the State highway departments and the highway research board also have started work on utilizing available technology to develop communications systems along our highways to provide information to the motorists. This includes the actual development of a pilot project of installing a communication system along a section of the Interstate highway in which prerecorded messages can be transmitted into an automobile with a standard radio which is traveling along the highway. This research and development work will be pursued vigorously so that this additional means of informing the traveling public of services and facilities can be made available in future years.

If there is any other information which we can furnish the committee, we will be pleased to cooperate.

Sincerely yours,

JOHN CONNOR,
Secretary of Commerce.

Mr. MUSKIE. Mr. President, in his letter, the Secretary recognizes not only the committee's concern with the problem I outlined at the outset of my remarks; he also indicates that he shares that concern, and that if the amendment is adopted and the bill is enacted, he is willing to initiate a discussion between the States and the Secretary which will have the objective, from the point of view of the Secretary, of protecting the legitimate interests of roadside businesses which have grown up on the basis of highway traffic, which business, to a large extent, is dependent upon the ability to attract the attention of motorists.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I yield.

Mr. PASTORE. Who would have the final say?

Mr. MUSKIE. The final say would rest in the interpretation of the language found in the amendment offered by the distinguished Senator from West Virginia. The operative language is:

As may be determined by agreement between the several States and the Secretary.

The emphasis is upon agreement. If agreement were not reached, presumably the Secretary would be empowered to withhold.

So the question is when, in the course of the negotiations designed to lead to agreement, the Secretary would be justified in exercising the authority which the bill gives him. It is the argument of the sponsors of the amendment that the burden upon him to justify withdrawal would be so great that he would not do so unless he found that the States themselves had been arbitrary and not cooperative in the negotiations.

Mr. TALMADGE. Mr. President, will the Senator from Kentucky yield 5 minutes to me?

Mr. COOPER. I yield 5 minutes to the distinguished Senator from Georgia.

Mr. TALMADGE. Mr. President, Congress has passed laws and taken action to remove unsightly billboards from 41,000 miles of interstate highways. I applaud that action; I commend it. The interstate highways are the highways that the great multitude of tourists and other motorists from all sections of America use when they are visiting various sections of our country. But the bill now before the Senate goes far beyond that. It would regulate 225,000 miles of primary roads in the United States.

What is a primary road? In my State, it is essentially a county-seat-to-county-seat road. It is the road that goes from McRae, Ga., where I was born and reared, a town of approximately 3,000 people, to Alamo, Ga., the county seat of Wheeler County, a town of about 1,000 people. That road has been in being for almost 40 years. That road is traveled 95 percent of the time by local people in the area—the farmers who go into town to market their produce; who go into town to buy supplies; by people who live in the small towns and who visit their friends and relatives in the area. Yet the bill would authorize the Secretary of Commerce, in the final analysis, retroactively to zone 660 feet on each side of the right-of-way of that particular road that has been in being for 40 years. That is not right.

The able Senator from Maine just put his finger on the key words, when inquiry was made by the distinguished Senator from Rhode Island [Mr. PASTORE]. That language is the last part of the amendment at the desk—"as may be determined by agreement between the several States and the Secretary."

That is all right if they reach agreement. But what if they do not reach agreement? When agreement cannot be reached between two persons who are negotiating, someone must make the decision. Who would make the decision in this particular case? The Secretary of Commerce. How would he make his decision? In any way that he saw fit, with the power to withhold 10 percent of Federal highway funds appropriated by Congress to every State in the Union. In my State, that amounts to almost \$80 million a year.

In other words, the Secretary of Commerce, in negotiating with the State Highway Board of Georgia, would have the last say. He could say, "If you do not proceed in the way I have determined, I shall withhold \$8 million of your funds that have been paid by the taxpayers of the country and that Congress has appropriated."

Land use has always been determined by local zoning authorities—the zoning authority of a municipality, the zoning authority of a county, or by the legislature of the State affected. That is as it should be. I hope that the Senate is not ready to grant to the Secretary of Commerce the power to zone, retroactively,

countless millions of acres of land that would be affected along roads that go from county seat to county seat, roads that have been in being for decades.

We have taken a giant step forward on the interstate highways that are being built. I would be perfectly willing to apply the same formula to primary roads that are to be built in the future. But we ought not to take action retroactively that would apply to roads that have been in being for 40 years in some areas where the local people almost exclusively use the roads. There is no reason why we should take harsh action that would affect the little roads in rural and semirural counties, where those who use the roads are almost exclusively local residents.

I hope this amendment, which would give power to the Secretary of Commerce to blackmail every State in the Union that did not comply with his wishes, will be rejected.

Mr. ALLOTT. Mr. President, will the Senator from Kentucky yield time to me?

Mr. COOPER. Mr. President, I yield 4 minutes to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, before I propound a question to the distinguished Senator from West Virginia, I compliment the distinguished Senator from Georgia on his remarks, which I believe are true. The same concern was voiced by the distinguished Senator from Rhode Island [Mr. PASTORE]. I should like to ask a question in a different way with respect to the amendment offered by the Senator from West Virginia. The latter part of the amendment reads: "in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary."

I am sure we are all agreed that this language means that the purpose of the amendment is to bring the States and the Secretary into agreement.

I wish to propound this question: In the event that an individual State and the Secretary are not able to reach agreement, does the language of the amendment mean that the Secretary has the right to withhold 10 percent of the funds allocable to that State on both the primary and interstate systems?

Mr. RANDOLPH. The Senator is correct. The Secretary would have the right to withhold. The State would have the right of recourse to the courts.

Mr. ALLOTT. Perhaps an amendment has been debated while I was absent from the Chamber. The pending bill is not subject to the Administrative Procedure Act. Therefore, where would the bill provide for a court review?

Mr. RANDOLPH. The provision actually is not contained in the bill as presented, but the counsel for the Secretary of Commerce has stated that there would be access to court determination of action by the Secretary.

Mr. ALLOTT. As a matter of fact, it is the position of the Senator in charge of the bill that the right of an appeal to a court is inherent in the bill.

Mr. RANDOLPH. The Senator is correct.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. Mr. President, I ask that I may be permitted to continue for 1 additional minute.

Mr. COOPER. Mr. President, I yield 1 additional minute to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 additional minute.

Mr. ALLOTT. Mr. President, the burden would be on the State to prove in court that its position was reasonable. However, the burden would not be upon the Secretary of Commerce to prove that his position was reasonable.

Mr. RANDOLPH. The gentleman from Colorado has correctly stated the situation.

Mr. ALLOTT. Mr. President, I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield back the remainder of my time.

Mr. RANDOLPH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 31 minutes remaining.

Mr. COOPER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 21 minutes remaining.

Mr. RANDOLPH. Mr. President, I yield 4 minutes to my colleague, the junior Senator from Indiana.

Mr. BAYH. Mr. President, as a member of the subcommittee over which the distinguished Senator from West Virginia so ably presided, I should like to substantiate the comments that have been made by several colleagues concerning the judicious efforts of the Senator which have, in my estimation, made this bill a much better bill than it was when introduced.

Our distinguished colleague, the Senator from Georgia, talked about the retroactive zoning provision. The committee worked on that provision. However, in the original version it was not intended that the people who lost their billboards would be compensated. The States would have been directed to use their police power to take property away.

I believe that many improvements have been made in the original bill. However, I am concerned about the amendment which the Senator from West Virginia offers. I should like, if I may, to think out loud a bit for the purpose of the record in order to obtain the thoughts of the Senator from West Virginia on the points I raise.

It seems to me that the major reason, as it was so eloquently stated by the Senator from Maine, why we believed it was necessary to include any provision which might put restrictions on the legislature, was the fear that in some States there might be no effort made at all in the legislature. A State legislature could say, in effect, to the Federal Government, "We are not going to cooperate." The committee was trying to get the assurance of some reasonable action being

taken by a legislature. If there is in fact reasonable action by a legislature, the Secretary of Commerce will go along with the criteria which are proposed. But I believe that it should be set forth at the State level.

As the Senator from Kentucky knows, both he and I, together with some of our other colleagues, said that we would not like to see the Federal Government get into the business of zoning. Indeed, in my opinion, the only reason which would justify the Federal Government having a contingency like this in a beautification bill would be to provide a gentle prod for a State legislature to make a reasonable effort at zoning.

To accomplish this purpose, as the Senator from Maine pointed out, there are different interpretations of the two ways in which this bill might do so.

I feel compelled to suggest a third alternative. Reference has been made to the agreement between the several States and the Secretary, which would be required under the amendment of the Senator from West Virginia. Let me refer also to the provision in the pending bill which would provide that anything that is done shall be consistent with the purposes of this section.

As the junior Senator from Indiana interprets this, and my interpretation is subject to correction, the statement that it shall be consistent with the purpose of this section does not say anything at all about any specific agreement with the States.

I am concerned with this matter of giving the Secretary more arbitrary power, unchecked, and with the provision requiring agreement contained in the amendment.

This section seems to state that it is the sense of Congress that an equitable agreement should be reached between the States and the Secretary. I am convinced in my own mind that the Secretary would act only if the States were arbitrary and did not make a reasonable effort to try to accomplish the purposes of the bill.

I am also concerned about the criteria and standards that the Secretary of Commerce shall demand. Indeed, this is one of the most serious aspects which we must consider. I hope—and it is the intention, the hope, and the desire of this Senator—that the Secretary will not require arbitrary two-by-four standards.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. Mr. President, may I have an additional 3 minutes?

Mr. RANDOLPH. Mr. President, I yield an additional 3 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for an additional 3 minutes.

Mr. BAYH. Mr. President, for example, I think one of the great things has been our free enterprise system. This system has given our businessmen the incentive to innovate. I should hate to learn that the Secretary of Commerce would require that a sign must be so long, so wide, and have so many lights on it, and that a citizen could not take into consideration certain configurations

that have come to be nationally associated with a given firm, chain, or even an individual business.

It is my thought, of course, that the Secretary of Commerce should have leeway, but in turn it is essential that he provide a maximum amount of freedom to the States and to the private citizens.

Does the Senator from West Virginia contemplate that in order to conform to standards that would be acceptable to the National Government, all of these signs would have to be so long and so tall, or would a small businessman who has a small motel and could not afford to hire a set of professionally constructed billboards, have the right to station a sign down the road at a reasonable distance from his place of business to let the public know that his motel or restaurant is just over the hill?

Mr. RANDOLPH. Mr. President, as to the subject discussed by the distinguished Senator from Indiana concerning criteria, as I understand in the offering of this amendment, there are certain criteria established under this section.

In a general way we would base the criteria on the practices that the outdoor advertising industry as a whole now adheres to.

I believe that would be the situation.

The State of Indiana is much closer now to Washington, D.C., than the distance between the county seats in Indiana just a few years ago. Time and distance are no more. Transportation and communication changes. There have been dramatic changes.

People who feel that the Federal Government should not have a prerogative or that its officials not have a voice in a subject are not realists. I am not speaking of the Federal Government overpowering the State or local governments. However, I do say and I believe it is important to realize, that there must be a partnership between the Federal structure and the State and the local structure, and that is what we are requesting in this amendment.

Mr. BAYH. And an agreement.

Mr. RANDOLPH. And an agreement. I appreciate the comment of the Senator and I understand his concern.

Mr. BAYH. Mr. President, I apologize for prolonging the debate. However, I have very strong feelings that the small businessman, whether he happens to be a man with a small sign advertising a small motel, who cannot afford some of the more luxurious, standardized advertising signs, should have his day in court.

It is my thought that when the Secretary helps establish the standards, those standards or criteria should not be very restrictive or arbitrary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. Mr. President, may I have 1 additional minute?

Mr. RANDOLPH. Mr. President, I yield the final minute to my colleague.

Mr. BAYH. Mr. President, if there were sufficient time, there are other aspects of the bill which I should like to discuss at greater length.

I hoped that the Secretary would make allowance for the small restaurant owner

or the small motel operator who happened to live on one of the roads which have been described by the Senator from Kentucky [Mr. COOPER] and the junior Senator from Georgia [Mr. TALMADGE].

Though isolated, the man still has a right—and indeed the public has a right, to know that his facility is just around the bend or over the hill—and I certainly hope that the Secretary will take that into consideration.

Mr. LAUSCHE. Will the Senator yield for a question, just 1 minute?

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. First I wish to inquire as to the time remaining.

The PRESIDING OFFICER. The Senator from West Virginia has 23 minutes remaining under his control.

Mr. RANDOLPH. How much time has the opposition?

The PRESIDING OFFICER. The Senator from Kentucky [Mr. COOPER] has 21 minutes remaining.

Mr. RANDOLPH. I yield 1 minute.

Mr. LAUSCHE. Either the Senator from West Virginia [Mr. RANDOLPH] or the Senator from Indiana [Mr. BAYH] can answer the question. Is it claimed that the Federal Government cannot take property for zoning purposes without compensation, and that the States can? It is my understanding that either the Federal Government, a State Government, a local government, unless it is zoned specifically under police powers, but not for aesthetic objectives, must compensate for property taken.

Mr. RANDOLPH. All takings must be compensated for under the bill. We have so provided.

Mr. LAUSCHE. The Senator from Indiana implied that the States could take property without compensation. I cannot agree with that implication.

Mr. BAYH. If the Senator from Indiana might respond for the remainder of this minute—

The PRESIDING OFFICER. Will the Senator from West Virginia yield to the Senator from Indiana?

Mr. RANDOLPH. I yield 1 minute to the Senator from Indiana.

Mr. BAYH. It will not take that long. There was a great deal of consideration and concern on my part and that of many others, that the original approach to this bill would do exactly that, which we felt we had no right to do. Therefore, I feel that the Senator from West Virginia and my other colleagues on the committee have performed a service.

Mr. LAUSCHE. I merely wished to say that the State cannot do it.

Mr. RANDOLPH. The Senator is correct. There must be just compensation.

Mr. LONG of Louisiana. Will the Senator yield 5 minutes?

Mr. RANDOLPH. I yield 5 minutes to the distinguished assistant majority leader.

Mr. LONG of Louisiana. I believe, Mr. President, I have been as adamantly for States rights, on occasion, as any other Senator; and yet I have consistently voted that when the Federal Government undertakes to provide something in the way of a Federal-State aid program, there is no justification whatever

for the Federal Government going into it unless the Federal Government is going to see that something is done that the States would not do otherwise. In the absence of such purpose, we would be wasting our money. That being the case, if I am going to vote for a Federal aid program, I am always prepared to put certain Federal standards into effect, to be sure that we achieve what we set out to do when we vote for the aid.

The Senator from Louisiana has been voting for Federal aid on highways for a long time. He is not in the least upset about the fact that if we are to have a Federal highway, we have a right to insist that someone keep cattle off the highway, so that it will be safe. If we are to have a Federal highway, we ought to have concrete thick enough so that it will not fall apart. If we are to have a Federal highway, the bridges should be high enough so that boats can get under them.

Some time ago, I voted that we should make an effort to control advertising on federally financed highways. Let me give an example why.

When one drives U.S. Highway 1 from here to Baltimore, it is a jungle, it is unsightly, it is a disgrace to America, with all the advertising, junkyards, and what have you cluttering up that highway.

On the other hand, when we travel the beautiful Washington-Baltimore Parkway, it is as pleasant a jaunt as one might wish.

The Federal taxpayers are going to pay at least half the cost of this program. I have voted one way upon this issue, and the State legislature of my State has voted the other. I am willing to take on anybody on this issue any time he wishes. The people of my State do not want the highways to be ugly and made unsightly, when they could be beautiful.

For example, when one approaches my hometown of Baton Rouge, La., there is only one opportunity to obtain a panoramic view. The land is flat and it has trees and buildings. If one wishes to see for some distance, the only chance he has, as he approaches Baton Rouge, is when he goes over an overpass over a railroad. At that point, when he gets about 30 feet in the air, he can see the whole majestic panorama, in all directions.

It used to be that one could see the State capitol, one could see the beautiful State university, one could see that fine plant built by Standard Oil, which at night is made spectacular by its many lights and burning flares. When one traveled over that overpass, there were all kinds of sights to be seen from that point.

That is the way it used to be. How is it now? Someone bought himself a location directly in front of that overpass and put up a sign to induce the public to buy his muffler or his brake linings; and just to make sure that nothing else could be seen, he erected a structure under the sign to make it rise 4 stories high, and that is all we get a chance to look at.

Mr. President, at this moment we are building through Baton Rouge, La., the most magnificent highway structure that that city ever dreamed of having. It is elevated at housetop level, and travelers upon it will get their first chance to see the Mississippi River—because that river has 20-foot levees on both sides—from this fine elevated structure.

But unless we pass this amendment, we will never see the river as we pass through there, because people are going to work right now; they are already erecting signs four stories into the air to block off our only chance to see the Mississippi River when we pass over the highway as tourists.

Do we not want to do something about it? If we let the billboard lobby write a single amendment that it would approve on this bill, it will arrange a loophole to get through. These are powerful, influential, and highly respected businessmen. I respect them myself. In my State, a man who importuned me to vote against billboard control was an old friend, a highly respected State senator, who is now the director of highways. The gentleman had enough influence in the State legislature to prevent it from adopting billboard control. That cost us a great deal. My State is one of the noncomplying States.

But notwithstanding the fact that I voted for billboard control, I received about 80 percent of the votes in the primary and about 75 percent of the votes in the last general election. That would lead me to believe that the people of my State are prepared to have their Senator vote for billboard control.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. I yield an additional 2 minutes.

Mr. LONG of Louisiana. Mr. President, to give another example, one of my good friends was in the motel business. He went down the highway and put up a few highway signs. Then he asked his customers to fill out a card, answering the question, "Why did you stop here? What made you think about stopping at my motel?"

The point that the people marked most often was that they saw his signs on the highway. What did he do? He went out on every primary highway leading to my hometown and put up a billboard every mile of the way for the last 30 miles coming into town.

Later he proceeded to buy another motel. It was such a good business for him that he put up another set of signs in between the first set of signs that he had put up at every mile along the road.

Let us take, for example, the highway between Washington and Richmond. An enterprising merchant has done the same thing. At every mile of that road we see his motel advertised. If there were 20 or 30 motels equally enterprising, we would have a solid wall of billboards for the last 50 miles before we got to Washington. The same thing would be true in approaching Baton Rouge. It would not leave any room for the man who wished to advertise his muffler or his

brake lining, or his automobile seat covers.

If we wish to do something about making our highways beautiful, we can vote to do it today. In the absence of the pending amendment, there will be a loophole in the law so big that we might as well not pass the law at all. All that would be necessary to evade this law would be for the State legislatures to declare every location in the State where billboards exist, a commercial area. Such a law would be upheld if the court respected the legislative intent, I am sure. Having done that, they could arrange it so that there would be no control over billboards.

The Senator from West Virginia is trying to do something about it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. I yield 1 more minute to the Senator from Louisiana.

Mr. LONG of Louisiana. Let us take, for example, the overpass at Baton Rouge that I have been talking about. Driving over that overpass, we get 30 feet in the air. We would expect, of course, to be able to see the State Capitol. Instead of seeing the State Capitol, we see that big sign. As I see it, a fair compromise would be to lower that sign 20 feet, so that we could see over that sign to the State Capitol Building. Then, as we came down from the overpass, we would see the signs advertising the brake lining or the muffler, or anything else that someone wished to sell to us.

We need a muffler—whatever it will sell for. We can work out the problem on both sides. We can have something to say about it.

Mr. President, we can call this dictatorial, but any time we try to accommodate the many at the expense of the few, any man who is told to take his billboards down is going to call it dictatorial. It is a question of whether we wish to serve the many who would like to have beautiful highways and a magnificent view, or serve the few who have a special interest in making money out of the advertising business.

Mr. PROUTY. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. PROUTY. I should like to address this question to the distinguished Senator from West Virginia. I point out that Vermont already has restrictive billboard laws. We wish the traveling public and our own citizens in Vermont to see the unparalleled beauty of the State.

My question is this: If the proposed legislation becomes law, can the Senator from West Virginia give me categorical assurance that the small farmer who sells eggs, dairy products, and maple sirup, or something of that nature, the small motel owner, or the restaurant owner, will be able to display small signs along the primary system?

The Senator from Indiana, a member of the committee, expressed the hope that the Secretary would permit these small signs to be displayed; but hope and reality frequently turn out to be something entirely different.

Mr. RANDOLPH. First of all, let me say that West Virginia's maple sirup is superior to Vermont's maple sirup.

Mr. PROUTY. I disagree, but we could argue at length on that.

Mr. RANDOLPH. The property owners to whom the Senator has referred will be able to advertise on their own premises. The bill requires the Secretary of Commerce to report to the Congress not later than January 10, 1967. At this point, therefore, I would rather say that I believe that at that time we might be better able to determine the extent of the problem of off-premise signs on the primary system.

Mr. PROUTY. Then the Senator, I take it, cannot give me that assurance at the present time.

I thank the Senator from Kentucky for yielding to me.

Mr. AIKEN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield 3 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

Mr. AIKEN. Mr. President, without the proposed amendment, the bill before the Senate would appear to me to be a very good and workable bill which I could very well support.

However, if the pending amendment should be adopted to cover a situation which is not fully related to highway construction and billboards, it would amount to an obliterating of the States. The amendment as I read it provides:

Billboards 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 in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary.

Suppose the Secretary does not agree with the State highway board, or the Governor of the State, and rules against them. Then, I understand, the State could go to court to obtain justice. But I ask the Senate what highway board, what Governor, or what State official would permit highway construction to be halted in order to go to court against the Federal Government and not have the case decided until 3 to 5 years had passed?

Does any Senator believe that a Governor or a member of a highway board of a State could halt all highway construction within the State for a few years and then run for reelection successfully?

I believe that adoption of the pending amendment would mean that the officials of the State would go as the Secretary says they should go, or else—"Out you go."

That is why I believe that the pending amendment would go a long way beyond highway construction and billboards, and should be defeated.

Mr. DIRKSEN. Mr. President, I yield myself 5 minutes under the bill—

Mr. COOPER. Mr. President, I am glad to yield 5 minutes to the minority leader out of the time on the amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DIRKSEN. I do not wish the distinguished Senator from Louisiana to leave, because I am always entranced by his eloquence and by the images he conjures up with his vivid descriptions of the fabulous things which happen in Louisiana.

Mr. President, when he spoke about the thousands of billboards on the highways in Louisiana, it brought up an impression in my mind of a memory when I almost ran over a few cows in the great State of Louisiana some years ago, because it appeared that they were not fenced in and were allowed to roam on the highways at will. But when he speaks about four-story billboards, I could not tell whether he was talking about high-rise apartments or billboards, because I have never seen a four-story billboard. I am coming down to Louisiana to take a look.

Mr. LONG of Louisiana. Let me say to the Senator from Illinois that we fenced the cows off the highways approximately 12 years ago. We are making headway.

Mr. DIRKSEN. That is good; but I have to come back to Louisiana.

Mr. President, what is involved in this issue is becoming concealed. I am afraid that the issue is becoming clouded. Let us start with this proposition, that if this provision applied only to interstate highways and to limited access roads, this fuss would not be going on in the Senate this afternoon, it would have finished with the bill long ago. But it applies to primary highways. There are 224,000 miles of primary highways, a network which goes into every State of the Union.

With respect to all those thousands of miles, including the primary system, it is up to the Secretary of Commerce to determine the signs and devices by agreement with the several States. The language has been modified, since yesterday, I believe, but this does not change it. They would have to come out to the State of Illinois and make an arrangement with the Governor, or the engineers of the highway system. Constitutionally, I am not at all sure whether they can enter into an agreement until new authority was conferred. I do not know whether they thought about that before. But it requires an agreement. So, here sits the Secretary—or whoever would be vested with the authority—and here sits the Governor and the chief of the highway engineers, and they go over the question of signs as to size, location, and so forth, but particularly we are dealing here with zoned commercial and industrial property, and unzoned property to be used for commercial and industrial purposes. That is the difficulty in this situation. If the Governor says he cannot do that, if the highway engineer says we cannot do it, then the State capital will be besieged with the little people who are going to be hurt. Thus, there will be a stalemate.

What does the bill provide? That the Secretary may say, "That is too bad, but you are not going to get any money."

The bill provides that no funds shall be apportioned, and it will hit our States, in

my judgment by 30 some million dollars. No matter what the amount would be, that is what this is. "Sorry, we cannot do anything for you. Congress passed this law, and you either comply or you get no money."

Mr. President, there is the clout.

There is the word "agreement" that did not change the language from yesterday.

There still must be an agreement. Shall an administrative officer of the U.S. Government be clothed with so much authority that he can stand his ground and be able to say, "Go no further"? We see how the funds are obtained. There is an interesting gimmick which says the Secretary can waive or suspend the requirements, but it is permissive. It is up to the Secretary, not to the State. He can make it permissive for a day, a week, a month, or a year.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COOPER. I yield an additional 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. But I do not like to put this kind of program on that kind of basis, because that is a clout in the Randolph amendment that is pending at the present time. So every State capital will have itself covered. I do not forget that little people are being hit.

I have an amendment. I do not know whether my distinguished friend wants to take it. I doubt whether he will. Perhaps his committee does not want him to do it.

Mr. RANDOLPH. Mr. President, if the Senator will yield, I took an amendment offered by my friend from Illinois.

Mr. DIRKSEN. He was most generous, for which I am grateful. But since we are dealing with zoned industrial and commercial areas and unzoned areas that are used commercially, I have added this proviso:

Provided further, That in the case of municipalities adjacent to the Interstate and primary systems where there are areas zoned industrial or commercial under authority of law or used for industrial or commercial purposes and located adjacent to these systems, no agreement between the Secretary and the States shall be required in such areas is as follows:

Within one mile of a municipality of less than 5,000 population.

That is not going to disturb the scenery—1 mile out from the city limits of a town of that size. Show me a town that it not built up with garages and motels and grocery stores and hamburger stands for a mile, at least, in each direction from the town limits.

Mr. President, those people pay taxes. They help to build the highway systems. I cannot feel constrained to put the ax on their necks in that fashion.

With respect to towns with a population up to 100,000, I would say the distance would be 2 miles. That is not too far for a city of that size.

It would be 3 miles for cities up to 500,000.

It would be 4 miles for cities up to 1 million.

It would be 5 miles for municipalities with over 1 million population.

That takes care of the whole matter in the area of zoning of industrial and commercial property.

I am not even going to ask for the yeas and nays on the amendment. The chairman can take it or not. But this bill is going to have to go over to the other body. I have been conferring with some of its Members. I say this for the RECORD, so it will become available to them. This Congress cannot so cavalierly deal with enterprises all over the country and give one man life and death power. Congress cannot do it.

My friend from Vermont [Mr. PROUTY] in my judgment did not quite get a straight answer to the question he asked, because he asked whether a farmer could put up a sign along the highway within 660 feet.

Mr. RANDOLPH. On his own property he could.

Mr. DIRKSEN. But his own property would still be 660 feet away, and if he put up a sign reading "Butter, 70 cents a pound," it might be one thing, but if he put in the extra words, "Extra pure country butter," that might be another thing.

Mr. RANDOLPH. That would be an onpremise sign, and we have no jurisdiction over that kind of sign.

Mr. DIRKSEN. But the Senator from Vermont was talking about signs within that limit. This amendment deals with 660 feet only when commercial and industrial property is involved.

Mr. RANDOLPH. The provision would not touch onpremise signs.

Mr. DIRKSEN. But his premises might be away off, and the Senator is trying to make an exception so far as commercial property is concerned, so long as the Secretary agrees. If he does not agree, the apportionment of funds is out the window.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I yield myself 5 minutes on the bill.

I do not believe I want to put my State in that kind of jeopardy.

Mr. PROUTY. Mr. President, will the Senator yield at that point for a question?

Mr. DIRKSEN. I yield.

Mr. PROUTY. Does the Senator agree with me as to whether, under the present provision, it would be possible for a small motel owner to erect a sign on other property a quarter of a mile away?

Mr. DIRKSEN. Ask the Senator from West Virginia.

Mr. RANDOLPH. I answer that he could not. I answered it before. I am frank.

Mr. DIRKSEN. Oh, yes. I thought it would be better to get the answer from the committee rather than from me.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. DOMINICK. I wonder what would happen to people who wanted to set up a fireworks shop or who wanted to set up a place to sell lemonade to small children, if they did not own the property. I suppose they could not put up such a sign.

Mr. DIRKSEN. We know that would come under the meaning of sign, display, or device. How are people going at 60 miles an hour to know there is a place ahead where they can buy supplies to celebrate the Fourth of July? There

must be a sign far ahead, with automobiles traveling at modern rates of speed. Otherwise, they would pass the signs by before they could know where the place was.

Mr. President, I am thinking of the clout in the hands of the Secretary with respect to property. I would dislike to do it to my town. I can imagine what would happen when people began to be pushed back. They would say, "Wait until the Senator comes home. Wait until he sets foot in his native city. He will hear about it, believe me." The door bell would be ringing all the time, because I am receptive—

Mr. MAGNUSON. When is the Senator going to let us go home?

Mr. DIRKSEN. The Senator is not going anywhere. Why should he worry?

I say to my friend from West Virginia that I shall offer the amendment. He can accept or not accept it. I shall not ask for a rollcall. I shall not push it. But I have a couple of other amendments.

A question has arisen on the matter of compensation. I am afraid, as I read this bill that compensation can be made up to the time the act becomes effective. What is done under the Constitution of the United States after that date? Do we compensate or not? I want to be clear, because it is going to be interesting to see how the Senate takes this amendment. This will be title IV:

Nothing in this Act shall be construed to authorize private property being taken, or the reasonable use or enjoyment or the restriction of such property for public use provided in this Act, without just compensation being provided by the Federal Government.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I yield myself 5 minutes on the bill.

Guess where I got that language. I cribbed that out of the Constitution of the United States. So I am going to offer it. But not yet.

I do not wish to delay this matter much further for the edification of my distinguished friend from Washington, but I have another amendment.

Notwithstanding any other provision of this Act, no State shall be deprived of any Federal funds for failure to comply with the provisions of title I, II, or III, where it has been judicially determined in an action brought in the district court in the district in which the State capital is located, that the State has made a good faith effort to comply with the requirements of this Act but has been unable to do so.

Suppose some of the property owners get together and they say, "Let us pool our money. Let us take them to court to see if they can do this thing."

The State has its hands tied, and it may languish in court for years. Senators know how courts are these days.

They say, "You people in Illinois better comply."

The Governor says, "We cannot comply. We are stuck in court."

"That is none of our business. You do not get any money."

I want to be satisfied on this point, if they do become tied up. I know of nothing in this bill that provides for it. I

do not see it in there. Either my glasses are dirty or I should have trifocals and not bifocals, to see all these things in this bill. That is the reason this is difficult.

I want to be sure that in our search for beauty, we are not cavalierly dealing with people who would pay the bill.

I cannot even grow a marigold out here—and Senator BYRD and I do not live far apart—or a rose, or a zinnia, or a dahlia. He ought to see my canna bed. They are that high.

There has to be money for it, and where is one to get it? One works for it. If one works for it, one gets it. Then, so much will be paid to the State and our Uncle Sam to beautify the highways. One does not throw people down that way.

When my good friend from Louisiana was talking about the small minority keeping the majority from seeing the natural grandeur and scenic beauty of this country, I want to see it, too, just as everyone else does.

I am captivated by a billboard or a sign. I used to get a big kick out of reading Burma Shave signs. They will not be seen any more. They had little slogans. Those signs would have two or three words. But goodbye Burma Shave. They will have to advertise some other place.

It might be 5 o'clock at night, and the wife and the kids are wondering where they are going to stay. In an hour and a half it is going to be dark, and we have not looked ahead to see where there is an available motel.

To what extent are they going to be permitted to advertise? How can we play games with the kids? There is not a mother and father who have a young brood that do not play games on the highway. I am willing to make that sacrifice, but I believe there are some conveniences which we must conserve.

Let us not go overboard.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. First I must ask the distinguished Presiding Officer to allow me 5 minutes under the bill.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 5 minutes.

Mr. MAGNUSON. I believe the Senator misunderstood what I said. I was not suggesting whether we are going home tonight, or next week. But when the Senator talked glowingly about going back to Peoria I read in the newspaper that he said he did not care if we did not go home until the first of the year.

I meant when Congress adjourns, and not today or tomorrow or the next day. That is why I asked the question.

Mr. DIRKSEN. I apologize to the Senator.

Mr. MAGNUSON. I enjoyed the Senator's speech. As I said yesterday, I believe we must take a stand somewhere.

Mr. DIRKSEN. There is no question about it.

Mr. MAGNUSON. In my State I have seen billboards with pictures of Mount Rainier on them.

Mr. DIRKSEN. Four stories high?

Mr. MAGNUSON. They are pretty high. And behind them was Mount Rainier. The mountain cannot be seen because of the advertising.

We must start somewhere. Southern Illinois is too beautiful to clutter it up with billboards.

Mr. DIRKSEN. Does the Senator mean to say that the billboards are so thick in the State of Washington that Mount Rainier cannot be seen?

Mr. MAGNUSON. They are terrible in my State. That is why I am for this amendment.

Mr. DIRKSEN. Perhaps the State of Washington should secede from the Union.

Mr. MAGNUSON. At times we have thought of that.

Mr. DIRKSEN. But the Senator is not in the class of Senator LONG until the State of Washington has four-story billboards.

Mr. MAGNUSON. Not quite.

Mr. DIRKSEN. Speaking about time, I have to rely on a calendar instead of a watch. When I make a speech and give the Great Society the very devil from a platform people hold their watches up to their ears. If they do not do that it bothers me because they think maybe it is the next day. I do not like that a bit. It cramps my style.

I raise these questions, and very properly so, only because I know what is going to happen if these provisions are administered in the way that these words are written. We are going to have plenty of headaches. The place to iron out those headaches is here.

I will vote for a bill. I am going to vote for this bill whether these amendments are adopted or not. I am going to vote for it and give it a start.

Then, when I am told back home, "Look what you have done to us," I will say, "There is much scenery to be seen out there in the commercial and industrial zones."

All we ask in this amendment is that we not be torn to pieces, and that our investment be not jeopardized. That is all I am trying to do with the amendment. I submit it to the Senate. It can take it or leave it. At least I shall have made my case.

Therefore, when all time has expired or yielded back on the Randolph amendment, I shall offer the amendment as a proviso. I shall then be prepared to yield back my time, so that there will be no further discussion, unless a Senator wishes to say something.

Mr. HOLLAND. How much time has the Senator from Kentucky remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 6 minutes remaining.

Mr. HOLLAND. I had expected to wait until after all time had been yielded back. Inasmuch as the Senator from Illinois has said that he will follow that course, perhaps I had better make my brief remarks now. Will the Senator yield me the time he has remaining?

Mr. COOPER. Yes.

Mr. HOLLAND. Mr. President, I wish to express my appreciation to the distinguished Senator from West Virginia. He has acted in this matter most pa-

tiently, most kindly, and most candidly under difficult circumstances.

I wish to express my appreciation to the committee, particularly to the chairman. I believe the committee has brought out a reasonable bill. I believe the committee has brought out a bill which will be much wiser than it would be if the amendments were placed on it.

I particularly commend parts of the report. I shall read one part:

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—that is, the legislatures 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.

Mr. President, I approve completely the attitude of the Secretary of Commerce, when he submitted his report. I read one paragraph from his letter:

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.

That philosophy in the report, on the original bill and in the thinking of the committee is good. I understand that the committee submitted a unanimous report, because it reported a reasonable bill.

I regret the situation in which the distinguished chairman of the committee [Mr. RANDOLPH] has been placed by the submission of all these amendments at this late hour, because they negative the report of the Secretary of Commerce, they negative the expressions of the committee report, and they negative certain provisions of the bill itself.

Real progress has been made under the act that has been on the books for several years applicable to interstate highways. There has been no compulsion under that act. Instead, a 3-percent "carrot" has been held out to induce States to come into the program. I believe that 25 of the 50 States have now come into the program.

Now, however, it is proposed to impose a 10-percent penalty upon States that do not come in, and the penalty is applied not merely to the interstate program, as to which the Federal Government is contributing 90 percent, but also to the primary system, as to which the Federal Government has never contributed more than 50 percent, when the roads have been reconstructed and reconstructed, and in which the States have much more of an investment than the Federal Government has.

Motels by the thousands exist along the primary roads in the various States. In my own State alone, along the primary aid highways, thousands of garages, restaurants, and other places of service and transaction of business exist. To pass the bill at this time, in this way, would jeopardize the great progress that we are making.

The distinguished Senator from Illinois [Mr. DIRKSEN] spoke about taking cows off the roads. Yes, we took them off the roads in Florida, after a while. We found that to have them on the highways was giving us a black eye.

I suspect that the same condition applied in Louisiana. For our own enlightened self-interest, we took the cows off the road in Florida. No State that is looking for great motor travel and is seeking to attract visitors will for very long overlook a consideration of what is sound practice and what is unsound practice in this field. No State can fail to see that there has been a great improvement for the traveler in the protection of the views along the interstate highway system.

If we were merely allowed to go along in a reasonable way, I think we could make great progress. But to place compulsion in the bill now to include a provision which would take away freedom of choice and freedom of action on the part of State legislatures to zone, and freedom to protect travelers who move along the zoned areas, and to include in these amendments other actions that are compulsory, is doing exactly the wrong thing.

I say this with great appreciation of the work of the distinguished chairman of the subcommittee [Mr. RANDOLPH], who has handled the subject with complete candor and great patience. The bill will be ruined from the standpoint of ever having public acceptability, from the standpoint of ever being passed, from the standpoint of ever having peaceful enforcement, if a provision is included that would prevent the erection of a little sign reading, "Magnolia Hotel, Two Blocks Away." How could such a hotel ever advertise under this program?

I observe the Senator from Alabama in the Chamber. I am sure there are many such businesses in his State, as there are in mine, which find it absolutely necessary to give notice to travelers along the primary highways that facilities which travelers will need are available a short distance off the highway.

The distinguished Senator from Illinois [Mr. DIRKSEN] has already spoken of farmers and those who raise chickens for the production of eggs, and others who have property and live off the highway. They want the opportunity to call attention to what they are selling; that they have fresh vegetables to sell, that they have eggs to sell, or other products for sale. Someone will want to call attention to the fact that he has honey to sell.

We cannot change in the twinkling of an eye a practice that has extended along 225,000 miles of primary highway, costing billions of dollars, most of them State dollars, and which affect the livelihood and decent living of millions of people, without causing a commotion which I feel certain no Senator wants to cause.

Mr. MUNDT. Mr. President, will the Senator from Kentucky yield 5 minutes to me?

Mr. COOPER. I yield 5 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I oppose the proposal of the distinguished Senator from West Virginia [Mr. RANDOLPH], chairman of the subcommittee. I would hesitate to find myself in disagreement with him, but I am fortified in doing so today by saying that while I disagree with his second thoughts on this particular bill, I support the proposal which he and the committee originally made in subsection (e), on page 11. It seems to me that this is really the basic issue involved in the whole bill, so far as highway advertising signs are concerned.

What the Senator from Florida [Mr. HOLLAND] and the Senator from Illinois [Mr. DIRKSEN] have said is manifestly true in a State like South Dakota. Some of the best scenic highways that can be found in the United States of America are located in South Dakota. I speak as one who has visited in all 50 States and who has motored through most of them.

South Dakota also has wide stretches of prairie and farmland. We have many long, straight roads, along which tourists can drive at 70 or 75 miles an hour. There are long distances between communities, in which tourists rely, in large part, upon highway signs to provide them with directional guidance as to places which they wish to visit, where they wish to eat, where they wish to stay, or where they wish to shop.

For the motorist who is unfamiliar with South Dakota geography and is traveling along a highway at 65 miles an hour or more, to see a sign out of his eye—right eye or left eye—that he is passing a certain place which is a good place to stop, shop, or stay, is completely meaningless. He cannot apply his brakes, make a certain turn, and come to a quick stop. He must have some kind of clear notice in advance when he is approaching an area. Let me cite a couple of illustrations.

A great many tourists who travel through South Dakota like to stop and visit our Sioux Indian reservations. The aboriginal American has strong appeal to tourists from all over the country. South Dakota has at least five great Indian reservations. Some of the highways pass through some of the reservations. The Indians have provided places where the tourists can stop and visit with them. There are tourist camps, shopping centers, and ceremonial places. Our fine Indian citizens encourage the people from the East and elsewhere, who have their children with them, to stop and get acquainted with Indian ways. They have provided some excellent tourist facilities.

But there is no way in the world that tourists who desire to take advantage of such opportunities can do so unless it is by signs directing them off the highway to a reservation and indicating the nature and location of these historic, recreational, or over-night facilities and installations.

I heard the Senator from Illinois speak about pure country butter. Well, some of the most delightful watermelons in the world are grown in the James River Valley of South Dakota.

Our Vice President lives a distinguished and happy life in part because he

has eaten them. He lived in the area. He lived in Huron, where we have the State fair. Last week I was at the State fair. At that time, I drove through the watermelon country. Farmer after farmer had erected temporary watermelon stands with signs urging the people to stop and buy some of the finest, most luscious watermelons to be found anywhere in the world, and at most attractive low prices.

People are happy to stop and purchase them. They had to have signs leading up to them, because if one travels down a road at 60 to 70 miles an hour going to the State fair, it would serve no purpose to have a sign reading: "Watermelons for sale here." There would have to be a sign reading: "Watermelons for sale 2 or 3 miles ahead. Get ready for it."

What nonsense is this to tell a farmer that he cannot put a sign on his own land in a nonscenic area in order to sell his merchandise without first obtaining the approval of the Secretary of Commerce? Where are we going with this concept of free government if any Secretary of Commerce, an appointed public official, can tell a farmer that he cannot sell his merchandise and advertise it on his own farm without getting that kind of approval?

Let me give you another example. Out in South Dakota we have the nationally known Wall Drug Store—an institution out in Wall, S. Dak., which has become a great mecca for tourists and a great economic asset to the State, solely by its widespread highway advertising. It would be a cruel injustice to deprive this business and this tourist attraction of its right to appeal to the traveling public.

I am completely out of sympathy with what I detect to be a growing tendency in this country and in this Congress to downgrade our State governments.

I noticed that the distinguished Governor of the State of Texas, the second largest State of the Union, said the other day that our State chief executives were getting disenchanted over the fact that some generals and civilian leaders in the Pentagon were trying to tell the State Governors where and when they can fly a National Guard plane, where they can stop, and whom they can take with them. They were going to submit the matter, through the National Guard Bureau to the Pentagon. The Governor said that he hoped that they would not consider the State Governors to be made up of a "bunch of crooks." I do not believe that we should consider them to be crooks or idiots, or stoughton bottles, either.

It seems to me that people who become members of State and local government as Governors or legislators have some modicum of intelligence and ought to know something more about which highway in their State should be used for scenic beauty and which highway should be used for commercial traffic than any Secretary of Commerce appointed by any President of the United States located here in Washington.

I believe that we would not only be ruining the beneficial results of this particular legislation if we were to strike out, change, or modify subsection 11(e),

as proposed in the current amendment, but we would also be helping to drive to the grave the legitimate, autonomous State governments of America.

I resent the current effort toward making governments and legislatures mere ceremonial bodies with certain housekeeping duties and nothing more.

We saw it in the refusal of this body, by a single vote, I believe, to grant to the State Governors the right of veto over an antipoverty program of which they did not approve. We see it again in the attack made by the Pentagon when it is said that Governors cannot be trusted to determine who will fly in a National Guard plane assigned for service in a State.

Now we see it once more in this attempt in this body, with all its supposed and sometimes supercilious erudition, to tell the States that they cannot be trusted to determine in what areas of their State or which highways they can have a road sign. If we cannot trust the Governors that much, we might as well abolish the system and recognize that we are to have one central government located in Washington and scrap the 10th amendment to the Constitution which, it seems to me, is both firm and sound. This whole proposal does violence to the substance of that constitutional amendment.

I believe that the Senate committee was essentially right when it wrote the legislation as the committee reported it. I believe that the logic and the persuasion of the committee report was right. They produced a bill which any sincere conservationist and devotee of natural beauty could conscientiously support. I came to the Senate floor with every expectation of voting for it. I surely hope the adoption of the Randolph amendment does not occur—thus leaving the Senate with no clear and correct decision which it can record on this legislation. A choice between devotion to natural beauty and devotion to our constitutional concepts, would indeed confront the Senate with a most distasteful dilemma.

I hope that we do not yield to temptations and persuasions from any other source and that the Senate will reject the current proposal and maintain and retain the language of subsection 11(e). I urge Senators to vote no on the pending Randolph amendment.

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. Mr. President, I yield 1 minute to the Senator from Washington.

AMENDMENT OF SMALL RECLAMATION PROJECTS ACT OF 1956

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 602) to amend the Small Reclamation Projects Act of 1956, which was, to strike out all after the enacting clause and insert:

That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended (43 U.S.C. 422a et seq.) is hereby further amended as follows:

(1) In section 1, by striking out "in the seventeen western reclamation States" and

inserting in lieu thereof "throughout the United States";

(2) In section 2, by striking out the second sentence of subsection (d) and the first two provisos thereto and inserting in lieu thereof the following: "The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds \$10,000,000 and no loan, grant, or combination thereof for any project shall be in excess of \$5,000,000 plus or minus, in any case, such amount as reflects whatever change in costs of construction of the types involved in the project may have occurred between January 1, 1957, and January 1 of the year in which the loan, grant, or combination thereof is made, as shown by general engineering indices;" and by striking out "And provided further," and inserting in lieu thereof "Provided,";

(3) In section 4, by adding at the end of subsection (a) the following: "The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among project functions.";

(4) In section 4, by changing the colon (:) in subsection (b) to a period (.) and striking out the remainder of said subsection;

(5) In section 5, by striking out the present text of item (b) and inserting in lieu thereof the following:

"(b) the maximum amount of any grant to be accorded the organization. Said grant shall not exceed the sum of the following: (1) the costs of investigations, surveys, and engineering and other services necessary to the preparation of proposals and plans for the project allocable to fish and wildlife enhancement or public recreation; (2) one-half the costs of acquiring lands or interests therein for a reservoir or other area to be operated for fish and wildlife enhancement or public recreation purposes; (3) one-half the costs of basic public outdoor recreation facilities or facilities serving fish and wildlife enhancement purposes exclusively; (4) one-half the costs of construction of joint use facilities properly allocable to fish and wildlife enhancement of public recreation; and (5) that portion of the estimated cost of constructing the project which, if it were constructed as a Federal reclamation project, would be properly allocable to functions, other than recreation and fish and wildlife enhancement, which are nonreimbursable under general provisions of law applicable to such projects.";

(6) In section 8, by striking out "Act of August 14, 1946 (60 Stat. 1080)" and inserting in lieu thereof "Fish and Wildlife Coordination Act (48 Stat. 401), as amended (16 U.S.C. 661 et seq.)";

(7) In section 10, by striking out "\$100,000,000" and inserting in lieu thereof "\$200,000,000".

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House and ask for a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. JACKSON, Mr. BIBLE, Mr. MOSS, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

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.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from West Virginia, to the committee amendment in the nature of a substitute.

Who yields time?

Mr. HOLLAND. Mr. President, have the yeas and nays been ordered?

The VICE PRESIDENT. I do not believe that the yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, has all time been yielded back?

The VICE PRESIDENT. All time has not been yielded back.

Mr. RUSSELL of Georgia. Regular order, Mr. President.

The VICE PRESIDENT. The regular order has been called for.

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment to the Randolph amendment, and I yield back the remainder of my time with the exception of 2 minutes. I shall take 1 minute and my friend, the distinguished Senator from West Virginia, will take a minute.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATURE CLERK. Strike the period at the end of the amendment, insert a colon and the following:

Provided further, That in the case of municipalities adjacent to the Interstate and primary systems where there are areas zoned industrial or commercial under authority of law or used for industrial or commercial purposes and located adjacent to the Interstate and primary systems, no agreement between the Secretary of Commerce and the States shall be required where such area is

(1) Within one mile of a municipality of less than 5,000 population;

(2) Within 2 miles of municipalities with populations of 5,000 and not more than 100,000;

(3) Within 3 miles of municipalities with populations of 100,000 and not more than 500,000;

(4) Within 4 miles of municipalities with populations of 500,000 and not more than 1,000,000;

(5) Within 5 miles of municipalities with populations of more than 1,000,000.

Mr. DIRKSEN. Mr. President, I have already explained the amendment, and I shall not ask for a record vote. However, I was obviously persuaded by the speeches here today that this legislation contains some rough points. If we should reject this bill today, there would be nothing to send to the House, and that would be the end of this legislation for this session of the Congress. Imperfect as it may be, I still believe that we ought to send it to the House so that it can work its will on it.

I pay my compliments to my distinguished friend the Senator from West Virginia, with whom I have worked long and hard. The Senator has done an excellent job under really trying circumstances and difficulty.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

The VICE PRESIDENT. The Senator from South Dakota is recognized.

Mr. MUNDT. Mr. President, what impact would the amendment of the Senator have on communities with a population of less than 5,000? We have many such communities in South Dakota.

Mr. DIRKSEN. The amendment contains a provision for communities with a population of less than 5,000. It is from zero to 5,000.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. My minute has elapsed.

The VICE PRESIDENT. The Senator from West Virginia has a minute.

Mr. RANDOLPH. Mr. President, the amendment which I have offered provides the conditions for mutual agreement between the States and the Secretary. However, if we should agree to the amendment of the Senator from Illinois to my amendment, we would create literally a no-man's land, or thousands of no-man's lands from which all controls would be eliminated in municipalities and surrounding suburban areas. What is proposed would completely negate the amendment which I have offered.

I am grateful to hear the Senator from Illinois state that even though his amendment is rejected, he will vote for the bill on passage.

I urge that the amendment of the Senator from Illinois to my amendment be rejected.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. RUSSELL of Georgia. Mr. President, did I understand correctly that the Dirksen amendment only related to interstate highways?

Mr. DIRKSEN. No. It would also relate to primary roads.

Mr. RUSSELL of Georgia. It would not change the beautification features of the present law with relation to interstate highways.

Mr. DIRKSEN. This would deal only with industrial and commercial areas.

Mr. RUSSELL of Georgia. I understood that the amendment related to interstate highways.

Mr. DIRKSEN. There could be an interstate highway going right through the middle of a town.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. Mr. President, the amendment would not relate to communities under 5,000 that are not incorporated.

Mr. DIRKSEN. No. The amendment relates to municipalities with a population of from zero to 5,000.

Mr. HOLLAND. It would not relate to great communities such as Bethesda, Md., which is unincorporated.

Mr. DIRKSEN. The amendment provides for populations of more than 1 million.

The VICE PRESIDENT. All time has expired. The question is on agreeing to the amendment of the Senator from Illinois to the amendment of the Senator

from West Virginia to the committee amendment in the nature of a substitute. (Putting the question.)

Mr. DIRKSEN. Mr. President, I ask for a division.

On a division, the amendment to the amendment was rejected.

The VICE PRESIDENT. All time having been yielded back, the question is on agreeing to the amendment of the Senator from West Virginia to the committee amendment in the nature of a substitute. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. PEARSON (when his name was called). On this vote I have a pair with the Senator from Oklahoma [Mr. MONRONEY]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. SIMPSON (when his name was called). On this vote I have a pair with the Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. LONG] are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Missouri [Mr. LONG] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from Iowa would vote "nay."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Delaware would 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 Nebraska [Mr. CURTIS] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS] and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent by leave of the Senate.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the

Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Nebraska would vote "nay," and the Senator from Indiana would vote "yea."

On this vote, the Senator from Delaware [Mr. Boggs] is paired with the Senator from Wyoming [Mr. McGEE]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Wyoming would vote "yea."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Missouri [Mr. LONG]. If present and voting, the Senator from Iowa would vote "nay," and the Senator from Missouri would vote "yea."

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Pennsylvania [Mr. SCOTT] would vote "nay."

The positions of the Senator from Kansas [Mr. PEARSON] and the Senator from Wyoming [Mr. SIMPSON] have been previously announced.

The result was announced—yeas 44, nays 40, as follows:

[No. 263 Leg.]
YEAS—44

Bartlett	Hayden	Muskie
Bass	Inouye	Nelson
Bayh	Jackson	Neuberger
Brewster	Jordan, N.C.	Pastore
Burdick	Kennedy, Mass.	Pell
Byrd, W. Va.	Kennedy, N.Y.	Proxmire
Case	Long, La.	Randolph
Church	Magnuson	Ribicoff
Clark	Mansfield	Smathers
Dodd	McGovern	Symington
Douglas	McNamara	Tydings
Ellender	Mondale	Williams, N.J.
Gore	Montoya	Yarborough
Gruening	Morse	Young, Ohio
Hart	Moss	

NAYS—40

Alken	Harris	Murphy
Allott	Hickenlooper	Prouty
Bible	Hill	Robertson
Byrd, Va.	Holland	Russell, S.C.
Cannon	Hruska	Russell, S.G.
Carlson	Javits	Smith
Cooper	Jordan, Idaho	Sparkman
Cotton	Kuchel	Stennis
Dirksen	Lausche	Talmadge
Dominick	McClellan	Thurmond
Eastland	McIntyre	Tower
Ervin	Metcalf	Williams, Del.
Fanning	Morton	
Fong	Mundt	

NOT VOTING—16

Anderson	Long, Mo.	Saltonstall
Bennett	McCarthy	Scott
Boggs	McGee	Simpson
Curtis	Miller	Young, N. Dak.
Fulbright	Monroney	
Hartke	Pearson	

So Mr. RANDOLPH's amendment to the committee amendment was agreed to.

Mr. RANDOLPH. Mr. President, I move that the vote by which the amendment to the committee amendment was agreed to be reconsidered.

Mr. MUSKIE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President—

The VICE PRESIDENT. The Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, I have a conforming amendment. On page 18, lines 20 and 24, and on page 19, lines 1 and 2, it strikes section 302 in its entirety. This language was in-

cluded in the original bill which provided for landscaping to be paid from highway trust funds. Since the bill finances the program from the general fund, section 302 is no longer relevant or appropriate, and I move that it be stricken.

The VICE PRESIDENT. The question is on agreeing to the conforming amendment of the Senator from West Virginia to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The committee amendment is open to further amendment.

Mr. COOPER. Mr. President, I send to the desk an amendment to the committee amendment on behalf of myself, the Senator from California [Mr. MURPHY] and the Senator from Hawaii [Mr. FONG], and ask that it be stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 9, line 24, following the word "States" insert the following:

Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

On page 14, line 21, following the word "State" insert the following:

Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

Mr. COOPER. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 3 minutes.

Mr. COOPER. Mr. President, if I may have the attention of the Senator in charge of the bill. As he well knows, the bill which was reported by the committee provided that in the event a State found itself unable, for legal or constitutional reasons, to come into compliance by January 1, 1968, the language which I have sent to the desk would provide that:

Whenever he—that is the Secretary—determines it to be in the public interest, the Secretary may suspend for such periods as he determines necessary the application of this subsection to a State.

Mr. President, the same grace period was provided in title II of the bill. If for some reason the State could not come into compliance there is a grace period to give the State the opportunity to come into compliance.

The amendment which was adopted yesterday, which reduced the penalty from the full 100 percent of an appropriation or apportionment to 10 percent, left this language out. I assume this was an inadvertence. I therefore ask the Senator from West Virginia whether he will accept the amendment.

Mr. RANDOLPH. Mr. President, the reason we did not retain the language was that we had cut the penalty from 100 percent to 10 percent. Frankly, this

is not an overriding issue with me, and I am therefore happy to accept the amendment offered by the Senator from Kentucky.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

Mr. COOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. DIRKSEN. Mr. President—
The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following:

TITLE IV

Section 401. Nothing in this Act shall be construed to authorize private property to be taken or the reasonable use or enjoyment restricted by such taking or restriction for the public uses provided for in this Act without just compensation being provided by the Federal Government.

Mr. DIRKSEN. Mr. President, I take 30 seconds to say that this is a restatement of the principles laid down in article V of the Bill of Rights in the Constitution, and I trust that the Senator from West Virginia will accept it.

Mr. RANDOLPH. I believe that the just compensation features of the Senate bill 2084 are clear and conclusive on this point; but it is a restatement, and I agree, and join the Senator from Illinois in accepting the amendment.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. COOPER. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 11, beginning with line 11, strike the following language: "Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws" and insert in lieu thereof the following:

"Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established under

applicable State laws. Nothing in this section shall be construed to permit a reduction in standards established on the erection of signs, displays, and devices in zones other than as provided by Public Law 85-767."

Mr. COOPER. Mr. President, I yield myself 5 minutes.

If I may, I would like to have the attention of the manager Senator RANDOLPH and also the attention of the distinguished Senator from Oregon, Senator NEUBERGER.

In speaking on the bill when it was taken up, I noted that in committee I had offered an amendment which was defeated. The purpose of the amendment was to maintain the strict standards applicable to the Interstate System which had been accepted by the Congress in the enactment of Public Law 85-767.

May I state what those standards were and are?

The standards with respect to the type of sign, number, lighting, and so forth, on the Interstate System could be determined by regulations issued by the Secretary. It was provided also that signs could be erected only in two areas on the Interstate System. The two areas in which signs could be erected were these: One was within the limits of a municipality; and, second, areas which on September 21, 1959, had been established as industrial or commercial.

The above are the standards applicable to the Interstate System under Public Law 85-767.

The amendment which has just been adopted, and one which I think should not have been adopted—now provides that the Secretary of Commerce can provide standards for signs both upon the Interstate System and the primary system.

Section (e) is open-ended because it enables the legislatures of the States to zone whatever areas their legislatures may designate as commercial and industrial, upon which advertisements may be established.

Because of this open-ended feature, I believed the last amendment should not have been adopted by giving the Secretary larger authority.

The open-end provision enabling the establishment of new zoning area applies to the Interstate System, I called this to the attention of the representatives of the administration when they came before our committee. I called it to the attention of the subcommittee. I called attention to the fact that we were adopting a bill which permits the extension of advertising on the Interstate System, now limited to two areas. We are now opening up to advertising the great Interstate System, with its 41,000 miles coursing through open country, to the decision of the State legislatures to establish areas upon which advertising may be established. I want the Senate to know this.

My judgment is that whatever we do with the primary system, we should preserve and assure a beautiful Interstate System. It will not be done under this bill, and this should be known.

My amendment is offered to maintain the character of the Interstate System,

as was fought for under the leadership of the late Richard Neuberger and THOMAS KUCHEL, and then Senator NEUBERGER after the death of her husband.

I very much hope that the amendment will be adopted.

I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. RANDOLPH. Mr. President, I yield back any time I have.

Mr. MORSE. Mr. President, I would like to hear some response to the argument of the Senator from Kentucky.

Mr. President, so far as I am concerned, the Senator from Kentucky has made a very persuasive argument. I would like to hear from the manager of the bill or other colleagues on the committee comment on the remarks of the Senator from Kentucky; or are they willing to rest their case on the merits of his argument? As of now, I am going to vote with the Senator from Kentucky unless some Senator shows me some reason why I should not.

May I have the attention of the manager of the bill?

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

The PRESIDING OFFICER. Who yields time for that purpose?

Mr. RANDOLPH. Mr. President, I yield time out of my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. 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. RANDOLPH. Mr. President, I yield 10 minutes to the Senator from Maine.

Mr. MUSKIE. Mr. President, I wish to take such time as has been allotted to me by the Senator from West Virginia to develop an understanding on my part as to exactly what is the purpose of the amendment of the Senator from Kentucky [Mr. COOPER].

Language similar to that which has been offered by the Senator from Kentucky was introduced in committee, but was introduced to apply to the language of the bill as it then stood before the committee, and as provided in the committee bill which was reported to the Senate. The language involved has been amended by the amendment just adopted.

I would like to understand the meaning of the amendment of the Senator in the light of the amendment which was just adopted.

As I understand the concern of the Senator, it is that for an open period in the future, after the legislatures have once acted, with the concurrence of the Secretary, to zone, the legislatures can subsequently, as he understands the bill now pending, rezone new industrial areas on the Interstate System.

Is my understanding correct?

Mr. COOPER. The Senator is correct. I shall be glad to explain it.

Mr. MUSKIE. So that what the Senator is saying is that under the bill, even as it has just been amended, he feels

that after there has been a zoning of the Interstate System, by the legislatures, with the concurrence of the Secretary, the legislatures could reopen the question in the future to rezone and include new areas on the Interstate System in industrial and commercial zones.

Mr. COOPER. No. My amendment is much simpler.

Public Law 85-767, providing for the control of advertising on the Interstate Highway System was enacted in 1958, chiefly. That bill was under the leadership of the late Senator Richard Neuberger, and Senator THOMAS KUCHEL and Senator CORRON. We remember the tremendous battle at the time of the enactment of that legislation.

The legislation provided for Federal standards relating to the signs—their number, lighting, and so forth. It is the same language that we have in the bill concerning physical characteristics of signs erected upon the Interstate Highway System.

The act provided also that no signs should be erected upon the Interstate Highway System with the exception of two areas. One area was within the city limits of municipalities. I read from the act.

First, it provides that the prohibition of advertising, "shall not apply to those segments of the Interstate System which transverse commercial or industrial zones within the presently existing boundaries of incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control"—that is, within a municipality.

It established another area in which advertising could be established.

And I read:

Or which transverse other areas where the land use—

This is the important language—

as of the date of approval of this Act is clearly established by State law as industrial or commercial.

Under existing law affecting or applying to Interstate Highway Systems, advertising is limited to these two areas.

How does the pending bill change these standards for the Interstate Highway System? The amendment which has just been adopted would permit the Secretary of Commerce to regulate the type of advertising in municipalities—on the Interstate System—although the advertising in the commercial and industrial zones of a municipality could not be prohibited.

But the bill offered by the administration and reported by the subcommittee, and now about to be accepted by the Senate, goes much further with respect to the Interstate System.

It would permit the State legislature from now on to add zones along its 41,000 miles, wherever they saw fit, and open them to advertising.

I supported the provisions with respect to the primary system because its characteristics differ from the Interstate System. Advertising on the primary system has been long established. The system passes through communities, where advertising is necessary. I believe we made a mistake in accepting the Randolph

amendment and authorizing the control of the Secretary.

The 41,000 miles of the Interstate System is being established for defense, and for interstate travel. The Federal Government pays 90 percent of the costs. No vested advertising rights existed prior to its construction. It transverses open country. Why should it be opened up for additional advertising as the bill would permit?

This is the contradiction of the bill. Imposing controls on the primary system and relaxing controls on the Interstate System. This I argued in committee. I have discussed the contradiction with representatives of the Department of Commerce. The Deputy Secretary of Commerce admits that what I say is correct, that new areas on the Interstate can be opened to advertising. He did say and correctly that if the amendment of the Senator from West Virginia were adopted, as it has been adopted, it would provide additional controls on the size of signs within zones on the Interstate System. But I make the point that we are opening up the Interstate System to additional advertising.

Mr. MUSKIE. I am still not certain that I understand what the Senator from Kentucky means.

Mr. COOPER. That is probably my fault.

Mr. MUSKIE. It is probably my fault. I should like to narrow the area of his approach.

First, I should like to examine with more precision what the Senator believes and what I understand the bill does.

There is language, which as the Senator knows, I submitted, and which is a part of the bill, to the effect that the standards which have been adopted in the States which have complied under existing law shall not be less strict than they are under the agreement which implement that compliance. So with respect to the 25 States that have complied under the present law, the bill clearly does not relax what has already been done.

Mr. COOPER. That is correct.

Mr. MUSKIE. So now we are talking about the other 25 States.

Mr. COOPER. Yes.

Mr. MUSKIE. Do I correctly understand, then, that the Senator's concern is not directed to the States which have complied?

Mr. COOPER. That is correct.

Mr. MUSKIE. As to the other 25 States, what the Senator is concerned about is this: He said—and if I do not quote him correctly, the RECORD will—that from now on something can be done to reduce the standards in the other States, and the Senator seems to be concerned that there is an open end in terms of time. Do I correctly understand that he is concerned about that point?

Mr. COOPER. Yes. I merely stated what the bill provides.

Mr. MUSKIE. The bill clearly provides that effective control means that after January 1, 1968, such signs shall be controlled. Moreover, on page 11, line 17, the bill provides that in the States which have cooperated with the Secre-

tary, signs which do not conform must be removed by July 1, 1970. I do not see the basis for the Senator's concern that there is an open end in terms of time.

Mr. COOPER. We talked all this over in committee.

Mr. MUSKIE. I never understood it there; I thought I would try to understand it here.

Mr. COOPER. The Senator from Maine will admit, will he not, that State legislatures, upon the enactment of the bill, will be enabled to create additional zones for commercial and industrial purposes both along the primary system and an Interstate Highway System?

Mr. MUSKIE. I have asked questions in the order of my choosing, so that I could understand the Senator's views. So I should like to clear up the question of open end on the point of time; then I should like to go to the point the Senator has just raised.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. RANDOLPH. I yield an additional 5 minutes.

Mr. MUSKIE. Does the Senator from Kentucky feel that there is an open end in terms of time?

Mr. COOPER. Yes.

Mr. MUSKIE. Why?

Mr. COOPER. Because there is no limitation upon the action of the legislatures—and we cannot limit their zoning powers—from the date of the enactment of the bill. The legislature may create additional zones termed "industrial" or "commercial," on which advertising may be erected, both on the primary system and the Interstate Highway System. I am sure the Senator from Maine will agree to that.

Mr. MUSKIE. I do not agree to that. There is nothing in the bill that gives a legislature that power. Legislatures have power. Congress cannot take it away from them. We may disagree as to what effect the actions of Congress may have in that respect, but basically we agree that legislatures are sovereign bodies and that, within certain limits, they have powers that Congress cannot take away from them. We may disagree as to what the limits are.

Mr. COOPER. I should like to leave the argument of generalities. We talked about the subject in committee. There is no denial on the part of the Secretary of Commerce that under the bill additional zones can be created along the Interstate Highway System upon which advertising may be erected. I should like to know if the manager of the bill—

Mr. MUSKIE. The manager of the bill has yielded time to me, so that I may try to clarify this subject in my own mind and so that I may comment on the Senator's amendment for the benefit of the Senate, as suggested by the Senator from Oregon.

If the Senator from Kentucky believes he has made all the explanation he can, my only comment would be unfavorable; and I might conceivably have a favorable comment otherwise.

So the question I should like to ask is: Does the Senator from Kentucky feel

that a loophole has been created in terms of time? Referring to the dates I have already referred to, it seems to me that we have closed the door so far as time is concerned.

Mr. COOPER. I said that the Interstate Highway Act provides a cutoff for areas upon which advertising can be established. It defines the areas: First, those within municipal limits; second, other areas where industrial or commercial use had been clearly established by State law as of the date of the approval of this act. That is the cutoff date under the Interstate Highway System.

Mr. MUSKIE. That act has expired.

Mr. COOPER. Of course it has expired; but the standards under that act were established in 1958. The point I am making is that they were much more restrictive than the pending bill.

Mr. MUSKIE. Perhaps I had better make my comments first and then let the Senator from Kentucky comment upon them, because, with all due respect, I do not believe the Senator from Kentucky is giving an answer to my question.

Mr. COOPER. Will the Senator ask it again?

Mr. MUSKIE. I have made a study of the Interstate Highway Act, and I do not find anywhere in it any language that can be construed as limiting the power of the legislature to act at some time in the future when agreements entered into between the States and the highway administrator have expired. I can find nothing that makes agreements binding indefinitely in the future.

It is inconceivable to me that State legislatures would violate a policy that has been laid down and practiced under such agreements. But I cannot find in that act anything that establishes a cutoff date beyond which future legislatures cannot conceivably change the result of the Interstate System in the various States. If the Senator will refer me to it, I will consider the merits of his argument on that point.

Mr. COOPER. Of course, no one can deny the right of a State legislature to create zones. I think we agree upon that. We cannot deny the right of a State legislature to establish, under its police powers, zoning areas.

What Congress can do, and what it did, was to say that if the States entered into agreements with the Federal Government, under which the States would agree to establish controls, and in return the Federal Government would make bonus payments to the States, it would be agreed that advertising could be established only in the areas which I have described, and as to which I quoted from the bill.

That is the point. As the Senator knows, the entire Interstate Highway System is not built in one stage and at one time. There are various segments. The agreements apply to each segment as it is constructed.

What I have tried to make clear as to the distinction is that in the Interstate Highway System the establishment of advertising was limited to the zones defined in the act.

The legislatures have authority, under the pending bill to create additional zones

for advertising. The Secretary of Commerce would have control only over advertising standards.

Mr. MUSKIE. Mr. President, to sum up my understanding of the discussion on this point up to this moment, under the law that has been in effect until it expired in June, agreements could be entered into by complying States with the Secretary to control billboards on the Interstate System, and an exception was provided in that act related to commercial or industrial zones.

There is nothing contained in the act that I have been able to find that limits or attempts to limit, legally or illegally, the right of some legislature in a complying State, at some indefinite point in the future, to depart from that agreement.

It is inconceivable to me that a State, having embarked on such a policy, having entered into such an agreement, would depart, or that a State legislature would at some point depart from the policy laid down by such an agreement. However, there is nothing in the act to prohibit it, if it chooses, after the agreement has expired, after the State has received its bonus money, after the Secretary loses any authority to impose a penalty. In that respect the existing act to which the Senator's amendment makes reference, and which the Senate incorporated by reference, does nothing that the pending bill does not do on this point.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MURPHY. Mr. President, if the Senator will yield, there is a very simple explanation.

Mr. MUSKIE. If the Senator has a simple explanation, I should welcome it.

Mr. MURPHY. Mr. President, even a man who is not versed in the law and who has a strange background for being a Member of this august body understands this.

What my colleague, the Senator from Kentucky, is trying to say is that the rules laid down under Public Law 85-767 were more restrictive than the rules that would be contained in the pending bill.

I do not want to lose the Senator on this point.

Mr. MUSKIE. The Senator has not lost me. I am right with him, but I disagree with him to this point.

Mr. MURPHY. The pending amendment would provide that the legislature may sit down with the Secretary of Commerce and, under certain circumstances, may institute new areas along the Interstate Highway System and designate them as commercial, and, under the conditions laid down by this law, it cannot be changed.

I believe that the Senate would be weakening the bill by eliminating this language.

I stand with my colleague, the Senator from Kentucky. I agree, as I did in the beginning, that this language should be placed back in the bill. I believe that if the Senator looks at it, not in the spirit of disagreement, but from the practical approach, he will find that it is proper language.

Mr. MUSKIE. Mr. President, I disagree with almost everything that the Senator has said, including his statement that I have entered into the discussion in a spirit of disagreement.

Mr. MURPHY. Mr. President, I did not mean that.

Mr. MUSKIE. I was trying to work out an understanding upon which we could base an acceptance of the amendment. However, before doing so, we must know what the amendment means.

The comments of the Senator had absolutely nothing to do with the immediate point that we were discussing. Under the law which expired last June, there was a cut-off date which precluded any further action by legislatures or the Secretary beyond that cut-off date in the way of adding new zones.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. I shall yield in a moment.

That provision is not contained in the present law. Simply referring to it in the Senator's amendment is not going to place it in the old law, and it is not going to place it in this law, because it does not exist.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. Mr. President, when we incorporate a law by reference—and I shall yield in a moment—and the only language contained in the bill is that reference, we should understand what that reference is.

Mr. MURPHY. Mr. President, may I say—

Mr. MUSKIE. Mr. President, may I finish? It is more important to know all the details; and the details here are considerable, concerning what we incorporate in the bill. There are details that we have not had a chance to discuss in the Senate. There are things which have not been considered by the Senator from Kentucky or by the committee.

I do not know what we are hauling into the act by this reference. This was never a part of the bill. It was suggested in the committee. However, I do not know what we would be hauling into the bill by this reference. We would be hauling into the bill the understanding of the Senator that the old law is more strict than this law. However, I have not yet been satisfied that the old law is more strict. If it is, in a desirable way, we will buy it. What we want to know is what we are buying.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. COOPER. Mr. President, I do not know how I can explain this more fully. I explained it in the committee on two occasions. We discussed the amendment in the subcommittee.

I offered the amendment in the full committee. It was rejected. I explained it as fully at that time as I have explained it today.

I have discussed with my distinguished friend the Senator from West Virginia the amendment, and he understands it. I discussed the amendment with the Under Secretary of Commerce. He understood it. He said that he agreed

that it would permit the creation of additional zones upon which advertising could be established. He had no difficulty in understanding it. I discussed it with Mr. Boyd and with Mr. Bridwell. They both understood it and agreed that this bill would enable the inclusion of additional zoning areas on the Interstate System.

I say in answer to the Senator's argument, that no cutoff date is established in the old law, Public Law 85-767, and there is nothing to prohibit future legislatures from establishing zoning, that if he were correct, the purpose of the Interstate Highway Act respecting advertising would be a nullity. If the Senator's argument were correct, we would not have had our tremendous debate on this matter in 1958, 1959, and in 1961, when it was difficult even to secure an extension of the act. Everybody knew what the debate meant.

The Senator remembers the fights over efforts to obtain additional zones in which advertising could be established on the Interstate System and which were usually defeated.

This bill would make provision for additional areas.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield to the Senator from Illinois for the purpose of asking a question of the Senator from Kentucky.

Mr. DOUGLAS. It is very difficult for those who are not members of the Committee on Public Works to follow the details of the discussion.

I should like to ask the Senator from Kentucky to which section of the current bill he is referring. Is it section (e) on page 11, lines 11 to 13?

Mr. COOPER. It would be section (e), but we must remember that the Senator from West Virginia introduced a substitute to section (e) which we debated all afternoon and finally agreed to. This amendment is an amendment to that amendment.

Mr. DOUGLAS. Is the Senator addressing his criticism to the original text of section (e), or to the section as amended?

Mr. COOPER. Both, because both exempt from the prohibitions against advertising such zones as may be established in the future under authority of State law.

Mr. DOUGLAS. It would be helpful to me, at least, if the Senator would point out the specific language in section (e) on page 11 which in his judgment permits further industrial zoning along the Interstate System.

Mr. COOPER. I shall have to read the language adopted today. This is in the new section (e), and I shall read it, in order to note the reason:

Orderly and effective display of outdoor advertising, while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing is to be determined by agreement between the several States and the Secretary—

Thus far I have been talking about only the physical characteristics of signs that may be controlled. The section provides also that signs 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, and this is the important language:

Which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary.

The authority is prospective. It provides that if in the future, legislatures create additional zones, commercial and industrial, upon the Interstate System, in such areas, then, advertising could be established.

Mr. DOUGLAS. Would the approval of the Secretary of Commerce be required for that?

Mr. MUSKIE. The Senator is exactly correct.

Mr. COOPER. No; he has no authority to deny advertising in areas zoned under authority of State law. Such authority, according to the statement of the manager of the bill, applies to the last section, in unzoned commercial or industrial areas.

Mr. RANDOLPH. No; he has authority with the States to control signs in the industrial and commercial areas.

Mr. COOPER. Only the type of signs.

Mr. RANDOLPH. The size and spacing of signs.

Mr. COOPER. Is it the type of signs?

Mr. RANDOLPH. Yes, the type of signs.

Mr. COOPER. Not the establishment of signs but the type, am I correct?

Mr. RANDOLPH. The Senator is correct.

Mr. COOPER. Not the establishment of signs.

Mr. MUSKIE. Mr. President, I request a few moments to sum up my understanding of the Senator's amendment on this question of cutoff in time. I have already read to the Senate the pertinent sections of the bill pending before us, which reads that after January 1, 1968, such controls must be imposed in States where the act is effective—and it can be ineffective only if the States refuse to comply, and risk the loss of 10 percent of their Federal aid money.

So when the act becomes effective, it must become effective as of January 1, 1968. Any agreements between the legislatures of the States thereafter are subject, of course, to the acquiescence of the Secretary. If the States should thereafter, notwithstanding whatever action they may have taken before that date, undertake action to open up adjacent to the Interstate System new industrial and commercial zones, they could do so only with the consent of the Secretary of Commerce, as required by the amendment adopted this afternoon.

The Senator from Kentucky has spoken of the fact that representatives of the Department with whom he spoke agreed with him. If they did so, they did so before the adoption of the amendment adopted this afternoon. I should not be prepared to agree with him as to the effect of the pending bill before this amendment was adopted; but certainly the amendment which we have now

adopted places the control of any relaxation or any proposed relaxation in the future in the hands of the Secretary of Commerce.

Finally, I repeat what I have said in my questions directed to the Senator from Kentucky, who is completely sincere and honest in his view, that I can find nothing in the current law, which he would incorporate by reference, which would correct the problem as it exists, because there was no cutoff date in the law that expired last June which would deal with the problem he has raised. Indeed, the cutoff dates in the pending bill are more effective than anything found in the law that expired last June.

One final point. The Senator incorporated by reference the standards requirements of the old law.

Those are not all more strict than those in the pending measure. Let me read one. I read from the act:

Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

This is not permitted under the pending bill. It is permitted under the old law, and I submit that that is a less strict provision than the measure with which we are dealing. I do not know what other provisions in the old law we might have second thoughts about, should we incorporate it by reference as the Senator suggests.

Mr. MURPHY. Will the Senator yield for a moment?

Mr. MUSKIE. I yield.

Mr. MURPHY. In the language of the bill which was reported by the committee, there is protection against the point the Senator has referred to, I believe. It reads, "permit a reduction in standards." In other words, the standards cannot be more lenient.

Mr. MUSKIE. Than the old law.

Mr. MURPHY. That is correct.

Mr. MUSKIE. I have just read a section of the old law which is a reduction of the standards in this bill.

Mr. MURPHY. The language in the original bill would not permit reduction of standards.

Mr. MUSKIE. It would if we incorporate it by reference.

Mr. MURPHY. No.

Mr. MUSKIE. When we incorporate it by reference, it becomes a part of this measure. The language to which the Senator refers was written into the bill without the provision advocated by the Senator from Kentucky. If we include the language advocated by the Senator from Kentucky, the effect of the language the Senator has just read will be different than it was without that language.

Mr. MURPHY. I do not mean to try the Senator's patience.

Mr. MUSKIE. The Senator is not trying my patience.

Mr. MURPHY. But where it reads "nothing in this section shall be construed to permit a reduction in the standards," the strictest standards in Public Law 85-767 are guaranteed. Any-

thing less stringent is not permitted, in the bill which came from the committee.

Mr. MUSKIE. The words "nothing in this section" mean something different when the language of the Senator from Kentucky is in the bill than when it is not in the bill. The effect is different.

Mr. MURPHY. Now I am confused.

Mr. MUSKIE. The Senator from California is no more confused than I was during the discussion by the Senator from Kentucky. That is another reason why I cannot support the amendment.

Mr. COOPER. I do not desire to continue the debate. I will stand on the statement I have made, that the standards for physical characteristics of signs on the Interstate Highway System, are under the control of the Secretary of Commerce. If my amendment is adopted, standards relating to size, lighting, cannot be less than they are under the old act. My amendment intends, first, that all signs on the Interstate Highway System, as provided under the old act—that is, their physical characteristics—shall be in conformity with standards established by the Secretary of Commerce.

The second point of my amendment is that it could not permit as the bill does, the erection of advertising in additional zones or areas created by State legislatures along the Interstate Highway System.

I say this with the greatest courtesy, but some diversions have been made in the debate. We know that under the present act, signs cannot be established on the Interstate Highway System, except in two instances. The first is within municipalities, and the second is in areas which were established at the time of the passage of the act. My amendment would preserve those limitations. The pending bill would permit additional areas.

So far as the Interstate Highway System is concerned, the bill is not as restrictive as the old law. It opens up the Interstate Highway System to advertising. The Senate should know it. I do not want to see it opened up. That is why I have offered my amendment, and why I hope it will be adopted.

Mr. MORSE. Mr. President, will the Senator yield me 5 minutes?

The ACTING PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Oregon?

Mr. COOPER. I am happy to yield 5 minutes to the Senator from Oregon.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, at this moment, I believe that I personify confusion more confounded minute by minute and, therefore, if the Senator from Kentucky would help me by discussing the problem hypothetically with me, I would appreciate it.

I get in my car in Washington, D.C., after the bill is passed, assuming in its present form without the Senator's amendment, and I drive on the Interstate Highway System most of the way to Portland, Ore. I wish to know, if the bill is passed in its present form, without the

Senator's amendment, whether any State along the way, through its legislature, after passage of this bill, could pass legislation zoning some of the wide open spaces on that highway which are not at present zoned?

Mr. COOPER. It could, under the language of section (e). The legislature could create additional zones for industrial and commercial purposes, or designate other areas which would be eligible for the establishment of advertising. By reason of the amendment which was adopted this afternoon can come under that, and the Secretary would be able to control the physical characteristics of advertising in such areas, but he could not prevent the actual establishment of advertising in additional areas about which the Senator from Oregon has raised his question.

Mr. MORSE. He could not stop the erection of signs. He could require only that the signs be of a certain size. Is that what the Senator is saying?

Mr. COOPER. The Senator is correct.

Mr. MORSE. What would happen if signs were erected contrary to his recommendations as to size?

Mr. COOPER. The Secretary could exercise the 10-percent penalty and could withhold money from the State.

Mr. MORSE. Next, do I correctly understand that the Senator is saying that that would be a weakening of the law of 1958, in that it would result in signs being put up in areas where, under the law of 1958, signs could not be put up?

Mr. COOPER. The Senator is correct. That is my contention and my position. I believe that I am correct.

Mr. MORSE. Let me ask the Senator from West Virginia, or the Senator from Maine, or both, what their answer is to that question. So far as I am concerned, this is the nub of the issue. I thought we would be enacting a bill today to protect the public interest on the Interstate Highway System, too, from cluttering up the Interstate Highway System with signs.

Mr. RANDOLPH. Mr. President, the bill, if enacted today—and we hope to pass it today—would not allow the cluttering up of the landscape along the Interstate System, as indicated by my good friend the Senator from Kentucky. That is not the purpose of the pending bill, as it so states. It is important to realize that the nub was not the amendment now before us, but it was the amendment which I offered and which was adopted by a vote of 44 to 40.

Mr. MORSE. Which I voted for.

Mr. RANDOLPH. Yes. That was the crux of this debate. We saw by the closeness of the vote how much of a fight it was. That amendment was opposed by the Senator from Kentucky. Let me say most emphatically that my amendment, which was adopted 44 to 40, restricts and forecloses any possibility—and I underscore those words—of the type of strip zoning for signs envisaged by the Senator from Kentucky as taking place if his amendment is not adopted.

Mr. President, let me say also that advertising on the Interstate Highway Sys-

tem could come about only where there was a commercial or industrial zone, and then only when there was an agreement between the State and the Secretary of Commerce. The penalty is written into the bill. Even with the amendment and the good intent of the Senator from Kentucky, it is possible that his amendment, as worded, might even authorize the bonuses to the States which have not received bonuses. There is a question implied in the legislation as it would be amended by the amendment of the Senator from Kentucky.

Let me say to the Senator from Oregon that I have labored diligently on this proposed legislation. We considered the matter in the subcommittee and in the committee. Of course, it has been changed on the floor of the Senate today. That is why we took the time to probe the mind—and it is a very fine mind—of the Senator from Kentucky.

However, I wish to have a good bill. I have worked hard to bring a good bill to the floor of the Senate. I have leaned over backward to offer amendments on behalf of the administration. In offering them, I have done the best I could do to bring in a bill on which the House can work its will and bring forth a measure to final passage.

Mr. President, I regret very much—and I say this kindly—that the Senator from Kentucky, in the last minutes of this debate, after 2 days, brings in the pending amendment. I repeat, my amendment, which was adopted by a vote of 44 to 40, restricts and forecloses any possibility of problems arising of the kind envisaged by the Senator from Kentucky.

Mr. MORSE. Let me ask one more question, and then I am through, because no one has greater admiration for the work of the Senator from West Virginia than I, not only on this piece of proposed legislation, but also on other legislation. I should like to know what damage, if any, adoption of the amendment of the Senator from Kentucky would do to the bill in its present form, as it now lies before the Senate.

Mr. RANDOLPH. I have stated that I believe it might extend by referral, reenact the old law. That is a possibility. In counseling with the Senator from Maine [Mr. MUSKIE] at this point, I believe that there is a possibility that bonuses could be extended.

Mr. MUSKIE. Mr. President, there are some effects which would be predictable and could be identified in a hasty review of the old law, but there are some effects which one could not properly predict without taking the old law and sitting down side by side with the new law, to get the net effect of molding these two laws together. This would involve not only the section to which the Senator from Kentucky has directed his attention, but also other sections which are involved in the problem which he has described. The old law was worked out on the "carrot" principle, with the idea of bringing the States into compliance with the incentive to accomplish certain targets which were spelled out. The present law is mandatory.

Mr. RANDOLPH. The Senator is correct.

Mr. MUSKIE. It uses a different technique and a different compulsion. It sets up slightly different targets but not, I assure the Senator from Oregon, any relaxed targets so far as the Interstate Highway System is concerned.

Mrs. NEUBERGER. Mr. President, will my colleague yield?

Mr. MORSE. Let me ask this question, and I shall then be glad to yield to my colleague. I am speaking with a lack of knowledge of details of the law. I know the objectives that we wish to protect, but fears have been raised in the minds of many, in whispered conversations, and we do not wish to do anything in the Senate this afternoon which in any way would endanger the objective of beautifying the Interstate Highway System. Therefore, my question is this: We must go to conference with the House, anyway, must we not?

Mr. RANDOLPH. It is always possible that a conference will be necessary on such legislation as this; and I have in the amendment I have offered the provision in the original bill. The administration has come forward with this proposal because it found it was bad law.

Mr. MORSE. But the Cooper amendment is not in the House bill. There is no House bill yet.

Mr. RANDOLPH. No. The House committee is in executive session, and I am informed that the subcommittee is now working on a committee print which closely parallels the Senate version of the bill.

Mr. COOPER. Mr. President—

Mrs. NEUBERGER. Mr. President, will the Senator yield to me for a question on the comments made by the Senators from West Virginia and Maine? How could there be brought in the law that expired on June 30, 1965? Both Senators have stated that this may be bringing a bonus into those 25 States, but the law expired on June 30, 1965.

Mr. MUSKIE. Let me read the language of the amendment of the Senator from Kentucky:

Nothing in this section shall be construed to permit a reduction in standards established on the erection of signs, displays, and devices in zones other than as provided by Public Law 85-767.

By reference this incorporates the provisions of the old law, which I have not completely identified, I have not had an opportunity to identify it. So I would not presume to say to the Senator whether or not it would have that effect.

Mrs. NEUBERGER. Does the Senator mean that the old law could be reenacted by this amendment?

Mr. MUSKIE. If we enact its provisions, we do not know what we are pulling in from the old law.

Mr. COOPER. Mr. President, I hesitate to go over these matters, but some of the arguments made—and I say this with great respect for my friends—astound me. I give the Senate an example. The Senator from Maine has suggested that I may be offering an amendment which would reenact the old law.

Mr. MUSKIE. If the Senator will permit me, I did not say that.

Mr. COOPER. If the Senator will permit, I was going to say what the Senator said. It was that my amendment might bring the bonus system into effect, which would mean the reenactment of the old law. He said that it could happen because I mentioned by reference Public Law 85-767.

Let me read what the committee did. This is what the committee stated. I refer to page 11, line 11, of the committee substitute:

Except as provided herein, nothing in this section shall be construed to permit a reduction in standards established pursuant to Public Law 85-767 or under applicable State laws.

It is the committee's language. All I have said is that nothing shall be construed to permit a reduction in standards—and that reference to standards relates to the physical characteristics of the standards, that is, signs and displays—other than as provided in Public Law 85-767. The standards provided in the old law are explicit and very limited.

This is the last time I intend to speak on the amendment. The Senator from West Virginia [Mr. RANDOLPH] is a dear friend of mine. No one has worked harder, and no one has been more direct, honest and fair than he in the explanation of the bill and every amendment. I ask him this question: Under subsection (e) is it not correct that advertising will be permitted on the Interstate System in areas which are zoned industrial or commercial under authority of State law. Is it not correct that this includes any zoning which in future years may be declared by a State as industrial or commercial?

Mr. RANDOLPH. That is correct; and I have so stated.

Mr. COOPER. In such zones, advertising on the interstate system may be established?

Mr. RANDOLPH. Yes; and I have so stated.

Mr. COOPER. That is correct. And the Secretary of Commerce, while he may limit and control the physical characteristics of signs in that area, cannot prevent the establishment of advertisements in such areas. Is that correct?

Mr. RANDOLPH. I have said earlier, and I repeat, that the amendment which was adopted this afternoon restricts and forecloses the kind of zoning which seems to worry the Senator from Kentucky. I think that it is important here also to mention the old law. We have some 17,000 miles of the interstate system open to traffic. The best indication that it was a bad law administratively is the fact that bonus payments have been made on only 195 miles of the Interstate System out of the total mileage open to traffic of some 17,000 miles.

Mr. COOPER. I agree that only 25 States have accepted bonuses. I get back to my question. This is the key question. I know the Senator knows the bill well and I know he can answer this question. My question is, In those areas which may be zoned in future years under authority of State law, as commercial and

industrial, can the Secretary of Commerce prohibit the establishment of advertisements, provided the advertisements meet his standards relating to size, number, and so forth?

Mr. RANDOLPH. He cannot.

Mr. COOPER. He cannot.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. DOUGLAS. How would the Senator from Kentucky close the loophole?

Mr. COOPER. By providing the same standards that are applicable under the law enacted in 1958.

Mr. DOUGLAS. Did that foreclose the State legislatures from prospectively putting in a zoning area for commercial or industrial purposes?

Mr. COOPER. No. We could not foreclose a State from zoning both industrial and commercial areas. What it did foreclose was the establishment of advertisements in those areas, as the Senator from West Virginia has just stated, and this is the basis of my amendment, the bill would not prohibit the establishment of additional industrial and commercial areas.

Mr. RANDOLPH. Mr. President, I yield 5 minutes to the distinguished Senator from Tennessee [Mr. GORE]. We all know of the contributions he has made to the Interstate System through his authorship of the act.

Mr. GORE. Mr. President, I thank the distinguished Senator.

The President will recall that perhaps my most fruitful years in the Senate were during the sponsorship of the Interstate Highway Act. I worked very closely with the late Senator from Oregon, Senator Richard Neuberger.

With respect to the particular features of the law now under discussion, we did not succeed in obtaining the enactment of a law as strong and as adequate as many desired, and particularly as he and I desired.

It has been proved inadequate to bring about the desired results. That is acknowledged. I appreciate the concern of the distinguished Senator from Kentucky [Mr. COOPER], but we cannot foreclose the future.

Mr. RANDOLPH. The Senator is correct.

Mr. GORE. The very necessity of change, the certainty of change, prevents foreclosing the future. The entire interstate highway program is based upon the principle that the States have the power of initiation. The Federal Government has the power of approval or disapproval. This applies with respect to the location of the highway, the design standards of the highway, the number, of access points, and the number of egress points.

It is provided that after an interstate highway has been allocated, and has been approved, and the number of access and egress points agreed upon, the State cannot add an additional access point except upon the approval of the Secretary of Commerce. This is necessary.

It is necessary that this power of approval or disapproval rest with the Federal Government, lest the States over-

crowd the system and thereby create suicide alleys. The power to approve additional points of egress and ingress is necessary to meet the certainty of changing conditions.

The same principle is true and must be true with respect to the zoning of certain areas of our respective States.

Industry is going to develop. Commerce is going to grow. It may be necessary to relocate certain sections of the Interstate System in order to accommodate a rapidly growing, thriving, and necessary part of our future in commerce and industry.

I believe that here we have the safeguards of approval or disapproval in the Secretary of Commerce to provide for the objectives which we seek in this enactment.

Therefore, although I am always moved with interest and favorable inclination by the adequacy of the Senator from Kentucky, with whom I worked initially in the enactment of the Interstate Highway Act, I feel he is unduly concerned because its flexibility is absolutely necessary, in my opinion, for the system to serve well our whole economy and our people.

Mr. RANDOLPH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER] to the committee amendment in the nature of a substitute.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from Vermont [Mr. AIKEN]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN] and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further 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.

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Alaska would vote "nay" and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Wyoming [Mr. McGEE] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Wyoming would vote "nay" and the Senator from Iowa would vote "yea."

On this vote, the Senator from New Mexico [Mr. MONTOYA] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from New Mexico would vote "nay" and the Senator from Texas would vote "yea."

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 Nebraska [Mr. CURTIS] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS], the Senator from Texas [Mr. TOWER], and the Senator from Iowa [Mr. MILLER] are necessarily absent. The Senator from Massachusetts [Mr. SALTONSTALL] is absent by leave of the Senate.

The Senator from North Dakota [Mr. YOUNG] and the Senator from Vermont [Mr. AIKEN] are detained on official business.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Alaska would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Wyoming [Mr. McGEE]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Texas would vote "yea" and the Senator from New Mexico would vote "nay."

The position of the Senator from Vermont [Mr. AIKEN] has previously been announced.

If present and voting the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 29, nays 45, as follows:

[No. 264 Leg.]

YEAS—29

Allott	Fong	Mundt
Carlson	Hart	Murphy
Case	Hickenlooper	Neuberger
Cooper	Hruska	Pearson
Cotton	Javits	Prouty
Dirksen	Jordan, Idaho	Proxmire
Dodd	Kuchel	Simpson
Dominick	Lausche	Smith
Douglas	Morse	Williams, Del.
Fannin	Morton	

NAYS—45

Bartlett	Clark	Kennedy, Mass.
Bass	Eastland	Kennedy, N.Y.
Bayh	Ervin	Long, La.
Bible	Gore	Magnuson
Brewster	Harris	McClellan
Burdick	Hill	McIntyre
Byrd, Va.	Holland	McNamara
Byrd, W. Va.	Inouye	Metcalf
Cannon	Jackson	Mondale
Church	Jordan, N.C.	Moss

Muskie
Nelson
Pastore
Pell
Randolph

Ribicoff
Robertson
Russell, S.C.
Stennis
Symington

Thurmond
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—26

Aiken
Anderson
Bennett
Boggs
Curtis
Ellender
Fulbright
Gruening
Hartke

Hayden
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
Miller
Monroney
Montoya

Russell, Ga.
Saltonstall
Scott
Smathers
Sparkman
Talmadge
Tower
Young, N. Dak.

So Mr. COOPER's amendment to the committee amendment was rejected.

The ACTING PRESIDENT pro tempore (Mr. METCALF in the chair). Who yields time?

Mr. RANDOLPH. I yield time.

Mr. ALLOTT. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 15, line 7, it is proposed to strike the word "ruins".

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Colorado will state it.

Mr. ALLOTT. Do I correctly understand that 1 hour is allotted to each side on each amendment?

The ACTING PRESIDENT pro tempore. The Senator from Colorado is correct.

Mr. ALLOTT. To remove any doubts in the minds of Senators, I do not propose to talk for an hour, or anything like it.

Mr. President, I hope to discuss for a few minutes some aspects of the bill, particularly the amendment I have offered. Although it is not so significant as some of the amendments which have been offered, it is nevertheless illustrative of some of the objections to the bill.

It is apparent that many Senators operate under a misapprehension. Unfortunately, during the past 2 days, the attitude seems to have been that the Federal Government is giving this money to the States. The cold facts are—and I think we should approach our decision from this standpoint—that it is the citizens of the country, who, through the payment of taxes—and specific taxes, in the case of the highway fund, and other taxes in the general fund—provide the money that is to be expended.

It seems to be assumed that because the money comes from the Federal Treasury or the highway trust fund, the Federal Government, for some reason, should be entitled to completely call the tune.

I cannot agree with this. I wish to discuss certain parts of the bill and tell in brief why I believe that the bill is weak and where it is weak. To do this, I should like to go back into legislative history when the late Senator Richard Neuberger fought the battle to try to create some sense of order out of the confusion relating to the highways in this country. I fought with him in that battle. I have always believed in that principle.

My State happens to be one of those States which have not implemented their laws to the extent that they have ever been able to receive the bonus which existed under the previous act. In the last legislature, they passed a law, but it is very questionable, at least at this point, whether the State will be entitled to participate in any bonus benefits from the passage of that law. This is not and has not been my own personal view. I feel that those who travel on the highways of this country should be able to see for at least 6 or 7 feet beyond the width of the road on each side of the highway. I have always felt so, although, I believe there is a point of reasonableness to advertising, and that can be considered.

This afternoon the distinguished Senator from Georgia [Mr. TALMADGE] discussed this subject in a very able way. He discussed the impact that this measure would have upon the primary roads. I understand that my colleague desires to discuss this phase of it a little later, so I shall not impinge on that. We come first of all in the discussion of this matter to subsection (e) about which there has been so much controversy.

The distinguished Senator in charge of the bill, through his explanation of this subsection, made up my mind for me this afternoon. I could not possibly vote for this bill in its present form, no matter how desirable I might think some of the ends to be attained are. I shall not try to quote him exactly, because I do not have the language before me, but I do not believe that I shall misstate the essence of his response, and he can correct me if I do. The last two or three lines of that amendment read: "Or in unzoned industrial or commercial areas as may be determined by agreement between the several States and the Secretary: Provided, that nothing in this subsection shall apply to signs as defined in section 101(c)(2)."

In response to the question asked of the Senator in charge of the bill, he said, in effect, that, while this measure talks about agreement between the States and the Secretary of Commerce—this is the end desired, that they do have agreement—however, there will be no agreements. There does not have to be any agreement because the Senator also said that in the event they could not agree—and it takes two minds to make an agreement, it takes the mind of the State and the Secretary of Commerce also—but if there is no agreement the Secretary of Commerce can shut off the funds.

What this would mean is that we would be placing in the hands of the Secretary of Commerce the veto power over any agreement between the individual States and the Secretary of Commerce. I do not ascribe to this particular Secretary any ill motives or bad motivations or anything else. But I do not believe that the Secretary of Commerce should be enabled or permitted to move in upon the will of the States and the will of the legislatures of the States. There is no question that that is what would happen under this amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. Mr. President, the Secretary can veto and, in addition to that, he has the power to say, "I will deny to you the 10 percent of what you are entitled to in the building and the maintenance of the primary roads unless you comply with my wishes."

Mr. ALLOTT. The Senator is entirely correct. This was the answer which I received from the Senator in charge of the bill.

This is the legislative history. So I presume that it is true.

There is a further significant thing which the lawyers in the Chamber will particularly recognize, and that is that, while the Senator in charge of the bill said that there was no specific provision in the bill to provide that the States could go to court, it was recognized and agreed, as a part of the legislative history, that they could go to the courts.

It will be noted that this bill does not give access to the Administrative Procedures Act. There is no specific provision in the bill which would permit a review of any decision made by the Secretary of Commerce.

Mr. FONG. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. FONG. Mr. President, I am prepared to offer an amendment to give to the States which are dissatisfied the right of judicial review.

Mr. ALLOTT. Mr. President, I am very happy to hear that statement. I shall be happy to join in voting for the Senator's amendment, presuming, of course, that it is sufficient as to its form, and I am sure that it will be, he being the great lawyer that he is.

The significant part, after coming to the agreement—and I address my remarks to the distinguished Senator from Ohio who asked about that—is that it states, "as determined by the agreement between the several States and the Secretary."

If the Secretary does not choose to agree, he has the power of veto. If he has the power of veto and does not agree, he has a power to junk the 10 percent, and that is a pretty big club. But, if we assume, as the Senator in charge of the bill stated this afternoon, that the States have a right to go to court, what do they have a right to go to court for?

Let us analyze that. Under the ordinary law applicable, the only question that would be reviewable by a court would be whether the Secretary of Commerce had acted in an arbitrary or capricious manner. This is the only thing that would be under review. Any lawyer knows that it is one of the most difficult allegations in the world to prove—that any official has acted in an arbitrary and capricious manner. I do not know of a case that is harder to prove in the world than a case of that kind. But upon whom does the burden of proof rest? The State would have to bring an action. The burden would be upon the State. So we not only would have a case which would be most difficult in any in-

stance to prove—and that would be that the Secretary of Commerce had acted capriciously or arbitrarily—but we would also place the burden of proof upon the State.

So what would we do if we were to have a judicial review? I say this to my friend the Senator from Ohio: Even if we were to have a judicial review, the best that we could expect would be a case that would be almost impossible to prove in court, and we would place the burden of proof upon the State.

Upon that basis, I must say that that one fact alone would vitiate the bill as far as I am concerned.

I should now like to discuss other aspects of the bill. I know that the committee worked hard on this bill. I know that it is a complicated bill. However, let us take one section to show how far we have gone into the realm of foolhardiness.

In subsection (d) on page 10, it is provided 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 signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards which are hereby authorized to be promulgated by the Secretary hereunder.

Most Senators have traveled extensively. Some of us travel by road a great deal. We ought to face the practicalities of the situation. As it gets along toward evening on an interstate highway on which traffic is moving at 70 miles an hour, what happens? A quarter of a mile from an intersection, or perhaps a half a mile a bunch of signs are erected. Cars slow down at a time when the vision is growing poor, at the most dangerous time of the day. Cars are slowing down and stopping traffic which is moving at 70 miles an hour.

Suppose we do as is suggested and place all the signs to the side. This would mean that every time a motorist comes to one of the interchanges, turn-offs, or cloverleaves, or are about to come to one, he must turn off to the side and stop to see the signs and determine what facilities are available in that town.

Let us be a little more realistic. Whom are we going to permit to erect the signs there? Will we permit only the great established chain businesses and large motels to put up signs? This would be discriminatory. Or, must we allow every little motel, even if it only has two rooms in that town, to put up a sign; I can see the greatest hodgepodge of signs—a signboard jungle—that could possibly be imagined being placed at such a point.

What would we do with respect to gasoline? It would be the same thing. Everyone dealing in a different type of gasoline, or perhaps even in a different individual station, would have to be permitted to have his sign there and to be advertised. I see no way of doing it, unless we permit advertisement of gasolines by brand names only; but even in that case, there would be a dozen or more in an individual town.

So, instead of protecting safety, this section—and I predict that it will be modified at some point along the way—will greatly increase the hazards of highway traffic.

I should like to move over to another section of the bill, subsection 2 on page 12. That becomes a really significant section. I had better read that which goes before, under subsection (g):

(g) Just compensation shall be paid upon the removal of outdoor advertising signs, displays, and devices, provided that they were erected and maintained on the effective date of this subsection pursuant to agreement with the owner, or one claiming through the owner, of the real estate on which they are located, and Federal funds shall be used to pay the Federal pro rata share of such compensation. Such compensation shall be paid for the following:

(1) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in the fixture; that is, such sign, display, or device at such location, as secured by the agreement in effect on the effective date of this subsection.

Mr. President, it is fairly easy to ascertain the cost of a sign. There is an invoice somewhere; there is a check somewhere which will show how much the sign cost. In addition to the sign, there is also the cost that the sign owner pays to the landowner for the use of the land for the erection of the sign.

But I point out also that included here—and it cannot possibly be avoided—is payment to the landowner for the leasehold he has lost. No one can possibly begin to estimate the cost to this country, when these particular items are capitalized—capitalized and paid for—and capitalization is the only way that these values can be ascertained.

For example, if an owner rents a space for the sum of \$250 a year, the only possible way that the owner can be compensated for the loss of his lease to the sign owner is by the capitalization of that \$250 or \$500, or whatever it may be. The amounts involved are fantastic. I should have preferred that there be specific limitations upon signs within a certain area of the roadway itself. I think that would better have covered the matter. But worst of all, we have no idea how many signs and leaseholds will be involved. The Department of Commerce indicates that it would take a year just to get an estimate of the percentage of the signs that would be affected.

Mr. President, I ask unanimous consent that a letter from the General Counsel of the Department of Commerce be inserted at this point in my remarks.

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

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE,
Washington, D.C., August 20, 1965.

HON. JENNINGS RANDOLPH,
Chairman, Subcommittee on Public Roads,
Committee on Public Works, U.S. Senate,
Washington, D.C.

DEAR SENATOR RANDOLPH: During the hearings before the Public Roads Subcommittee of the Senate Public Works Committee on August 10 concerning S. 2084, the proposed beautification legislation, you requested the Secretary of Commerce to furnish an esti-

mate of the number of billboards that would have to be removed or relocated under title I of the bill. You further inquired as to what proportion of the total industry such billboards represent, and what our estimate of the capital investment would be with respect to the signs to be removed.

The Secretary indicated that the requested information would be submitted for the record.

The Bureau of Public Roads informs me that, after most careful deliberation, it is not possible to furnish any such data as would be meaningful unless an inventory were made among all of the States. Such inventory would involve about 225,000 miles of Federal-aid primary highways, and an additional 41,000 miles of interstate highways. If an in-depth inventory of all signs on the interstate and primary systems were made, we estimate that this would take a minimum of 1 year to come up with an estimate of only the percentage of signs affected. There is no feasible way that we could compare this on a capital investment basis. A study based upon selected sampling would take a minimum of 60 days to complete. In either event, we could not answer the question regarding the capital investment in outdoor advertising that would be affected.

Even though an attempt were made to conduct an inventory of sufficient depth as would provide the committee with the information requested, it is believed that there are so many unknown variables involved that it would be most difficult to arrive at any reasonable estimate of the number of outdoor signs to be removed or relocated. For example, the bill provides for exemptions in the case of off-premise signs in areas which are not zoned but used predominantly for commercial or industrial activities. It would first be necessary for a determination to be made as to the criteria for establishing such exempt areas and then, of course, the more difficult problem would be to delineate the boundaries of such exempt areas along the 266,000 miles of highways involved.

In view of the time-consuming and costly nature of any inventory effort along the lines requested, I feel obliged to inform you of the factors involved and to inquire whether the committee still desires the Bureau of Public Roads to proceed with such undertaking. Obviously, it is not possible to come up with any estimates in time for inclusion in the record of the hearings. However, we wish to cooperate fully with the committee toward obtaining any information it may desire. We, therefore, await further word from you prior to initiating this inventory project.

Sincerely,

ROBERT E. GILES.

Mr. ALLOTT. Mr. President, we are being asked to legislate in the dark. We are being asked to authorize a program without any conception of its cost. But, there are many other unknowns in this proposal.

The second section is:

(2) The taking from the owner or leaseholder of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon, as secured by the agreement in effect on the effective date of this subsection.

This is a real sleeper in the bill, because while it does provide for the compensation of the lessor and the lessee—

Mr. COOPER. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ALLOTT. The fact is that the provision in this bill providing against further use in this respect constitutes ac-

quisition of a perpetual scenic easement by the Federal Government in any land which does not now have a sign on it.

In other words, if a man has a piece of land upon which a sign might some day be erected, what we are doing by this bill is taking from him a perpetual scenic easement in that land.

The Federal Government now pays, as the distinguished Presiding Officer well knows, many hundreds of thousands of dollars for scenic easements. We recently considered a bill in the Interior and Insular Affairs Committee, of which he is a member, in which this matter was discussed at great length. It is of great importance, I think, to recognize that this bill proposes to put a limitation upon the use of land in the future, and that such limitation will not be compensated for under the provisions of the bill.

Mr. LAUSCHE. Why does the Senator say that if the bill prohibits in the future the free use of one's land in leasing it for advertising purposes, under the bill he will be denied payment for that deprivation?

Mr. ALLOTT. In order for the States to receive their share of the money that they have paid into the Federal Treasury—I am not going to talk about Federal money—if the particular area is zoned as industrial or commercial now, certain signs on premises may be permitted. But on the cutoff date of January 1, 1968, those signs must be removed.

If an area which is zoned commercial, or an area which is not zoned commercial, does not now have a sign on it, it may never, after January 1, 1968, have a sign. Otherwise the State will not receive 10 percent of its share of the highway fund.

Therefore, if the State is to receive its money from the highway fund, the restriction is placed upon the man who owns the land. He cannot thereafter lease it for the erection of a sign, and the effect is that the Government has acquired, by reason of such restriction, a perpetual scenic easement, without the payment of a single dollar.

Mr. LAUSCHE. We are now right at the issue: Can that be constitutionally done? Can we prohibit an individual in the future the free use of his land, without paying him for that part of it which has been taken away?

Mr. ALLOTT. At first blush, it would seem to be contrary to the due process clause of the 14th amendment. However, I remind my friend the Senator from Ohio, that under zoning laws which have been upheld by the Supreme Court of the United States, it is possible to zone a city, for example, or a residential area, and prohibit the use of that land for industrial purposes in the future. So I presume that such taking might theoretically, under the same argument, be construed as being constitutional.

Mr. LAUSCHE. The point I am trying to make is, in connection with the argument of the Senator from Colorado, that the cost of this program cannot be evaluated—

Mr. ALLOTT. The Senator is entirely correct.

Mr. LAUSCHE. My understanding is that when a government takes away the rights of a property owner, it must compensate him for that which is taken, and also for that which he might have earned in the future by a reasonable use of the land, and for the damage to the residue of the land which is not taken. I am not trying to disprove the premise of the Senator's argument.

Mr. ALLOTT. That is entirely correct. I must confess that I should not attempt to guess what the Supreme Court would do if this particular proposition were put to them. I am merely pointing out that in one type of situation at least, the property owner, because the States must enter into agreements to restrict, is giving up a perpetual scenic easement, which the Federal Government will be getting for nothing.

I turn to another section of the bill, the section pertaining to junkyards, graveyards, and like establishments.

As a prefatory remark, let me say that there is nothing which annoys me more than the innumerable automobile graveyards and junkyards which we see as we drive across the country. Of all the blights on the face of this beautiful country, including some of the large and obnoxious billboards, the automobile graveyards and junkyards, in my opinion, constitute the worst of all.

I do not deprecate in any way the work of the committee in trying to solve this problem; yet, I really do not know and I cannot believe that they understand what they have done in this particular area.

For example, on page 16, line 10, subsection (i) reads as follows—they are talking about junkyards and automobile graveyards:

(i) Landscaping or screening costs under the provisions of this section shall be allocated in the following manner: the first \$1,500 of such costs shall be assumed by the owner of the facility screened; all costs in excess of \$1,500 shall be the Federal and State responsibility. Federal funds shall be used to pay the Federal pro rata share of the costs of landscaping or screening under the provisions of this subsection.

Mr. President, I know how hard Senators have worked on this bill—and I am not trying to protect the owners of automobile graveyards and junkyards, heaven knows, because these junkyards are the most obnoxious blots on the American scene. But, how are we going to compel an individual to put up \$1,500 of his own money to screen his automobile graveyard? There is no way under the law to do this, no matter whether under some theory of police power the owner could be made to abate the nuisance as a health hazard. I cannot conceive of any existing theory of law or equity under which we could force a man to put up \$1,500 of his own money.

Yet, this is a bill which is supposed to have been carefully considered. There is no way in which we could force anyone to put up that much money—desirable as it would be—to screen a junkyard or an automobile graveyard.

This is an example of a bill which has been a "catchall" for many things, and of the inadequacy of the thought which

has been given to the basic principles underlying the bill.

Mr. President, I now turn to title III of the bill, which concerns me greatly because it comes back to the first point I made.

No one in the world can possibly say how much the bill will cost, and therefore, in order to sort of cover it up, section 303 has been included. It provides:

SEC. 303. In order to provide the basis for evaluating the continuing programs authorized by amendments made by this Act, and to furnish the Congress with the information necessary for authorization of appropriations beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, * * *

This merely underscores what I have said before, that even the committee does not understand what the bill will cost. Unfortunately, the whole approach to the bill is one which has been followed by the administration repeatedly, over and over again, that if we appropriate enough money, no matter how we do it, we will cure the ills. It will not cure the ills. This bill will not cure the problem which we are trying to face in cleaning up the landscape surrounding our own areas.

I have offered a small amendment in order, first, that I might be able to make a few comments on the bill, but it illustrates another element of the bill.

On line 7, page 15, I invite the attention of the Senator from West Virginia to the inclusion of the word "ruins."

Webster's dictionary defines "ruins" as "that which has fallen down and become worthless from injury or decay. The remains of a dilapidated house, or the like."

Mr. President, perhaps the Senator from West Virginia, after he listens to me, would like to delete the word "ruins"—I hope he would.

Last Saturday, I drove from the city of Denver to the city of Greeley, on the Interstate Highway System. Up near the town of Platteville, the highway separates. It is a distance of approximately a quarter of a mile. The northbound traffic goes on one road, and the southbound traffic goes on another. Between these points is an old fort called Fort Vasquez.

Fort Vasquez was established in the late eighteen sixties, I believe, and it is still there, although it has been rehabilitated to a considerable extent, and it is not worth anything under the definition of the dictionary. It is a part of some ruins.

What do we do with areas like that? What do we do if we happen to find the ruins of an ancient Indian village such as we find in the Mesa Verde area of Colorado, and many other parts of my State? What do we do when we find old ruins of early Indian villages which are still there and still available? What do we do with a place like Fort Bent, for example, where a part of the ground structure is still standing and still viewable, but which is not worth anything to anyone?

Mr. President, I believe that I know what the committee was talking about. They were talking about the kinds of

structures which have been erected and which would probably be declared to be a nuisance under the ordinances of a city, if such an action were to be brought. But, really, I believe the word "ruins" would cause much mischief in certain areas.

On this point I should like to have the comments of the Senator in charge of the bill.

Mr. RANDOLPH. Mr. President, the distinguished Senator from Colorado invites attention to one of the many words in this section. It was a difficult section to draft. It was intended to be focused on buildings which had deteriorated and which were actually standing unused, and in all candor, which were eyesores. That was the thought we had in mind.

Now I find the Senator bringing into focus old forts and Indian ruins which, so far as I am concerned, would not be thought of as being ruins in the context of this section.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield at that point?

Mr. RANDOLPH. I am glad to yield.

Mr. MANSFIELD. I would be prone to agree with the distinguished Senator in charge of the bill because I believe that the Senator from Colorado has raised an excellent point.

Fort Bent, as the Senator mentions, and other places in Colorado, as well as similar locations in Montana and other Western States, would be of great historic value.

In my opinion, if the Senator from West Virginia would corroborate what I am about to say, because I believe that I am voicing the thoughts of the Senator from Colorado, the pending bill would not apply to factors in that category; is that not correct?

Mr. RANDOLPH. We did not intend to have any jurisdiction over Indian ruins. As I say, this is a new thought—

Mr. MANSFIELD. These are historic factors.

Mr. RANDOLPH. Yes, they are of historic and cultural value if not esthetic.

I am frank to say to the Senator that I will agree to the deletion of the word.

Mr. ALLOTT. I appreciate that, but the comments of the distinguished majority leader are important. To take a specific case, the leaning tower of Pisa is a ruin. It is not in the United States, of course, but it is a ruin. So, also is the Coliseum a ruin.

Mr. President, in view of the remarks of the manager of the bill, unless he wishes to yield further, I am willing to yield back the remainder of my time.

Mr. RANDOLPH. I yield back my time, but first let me say that I think the reference is to one word. I appreciate the remarks of the Senator from Colorado.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Colorado to the committee amendment in the nature of a substitute. [Putting the question.]

The nays seem to have it.

Mr. KUCHEL. Mr. President, I ask for a division.

Mr. ALLOTT. Mr. President, did I correctly understand the Chair to say the "nays" have it?

The PRESIDING OFFICER. The Chair said they appear to have it.

Mr. KUCHEL. Mr. President, I ask for a division.

On a division, the amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. DOMINICK. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment of the Senator from Colorado to the committee amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment offered by Mr. DOMINICK is as follows:

On page 9, line 11, strike out the words "and the primary system", and substitute the words "and scenic highways".

On page 9, line 19, after the word "System" strike out the words "and the primary system", and substitute the words "and scenic highways".

On page 11, in lines 3 and 4 after the word "System" in line 3, strike out the words "and the primary system", and substitute the words "and scenic highways".

On page 12, in lines 15 and 16, after the word "System" in line 15, strike out the words "and the primary system", and substitute the words "and scenic highways".

On page 13 following line 23 insert a new subsection (1)

"On or before June 30, 1966, the Governors of the respective States shall submit to the Secretary their highways, and portions thereof, within their respective States designated as scenic highways and such designations shall be final for the purposes of this Act.

Mr. DOMINICK. Mr. President, this is a fairly important amendment, and if I may have the attention of the manager of the bill, I think he ought to listen at least to a little of this discussion, because it goes to the substantive merits of the bill.

My amendment, if adopted, would eliminate any reference to the primary system from the bill entirely, and substitute for the words "and the primary system" the words "and scenic highways." It would then add a subsection to the bill under which the Governors of the respective States would be given up to June 30 of next year to designate to the Secretary which highways or portions thereof shall be considered scenic highways.

Scenic highways would be under the same restrictions with regard to billboards, signs, and other devices as the Interstate System is under the bill.

It seems to me that this particular amendment would take care of most of the problems and questions that have arisen in the process of this debate.

The Colorado State Legislature, for example, has been wrestling for a num-

ber of years, to come within the bonus provision in the construction of the Interstate System. The State has made some progress, but still probably does not qualify.

The report itself will show that the primary system in this country contains some 224,000 miles, as opposed to 41,000 miles. I believe, or the Interstate System.

We have had great difficulty in trying to work out the situation with regard to the Interstate System that only 25 States have put themselves in a position to even attempt to get a bonus—and it is my understanding that only 9 or 10 of them have actually put themselves in the position where they can claim a bonus—consider the problems we are going to have with 220,000 miles of the primary system. More States will be penalized because they cannot come within the time limit than one will be able to shake a stick at. I would be surprised if a single State in the whole country could comply within the time limit.

In my own State, and my own area, the metropolitan area of Denver, in which a million people live, four north-south routes are considered a part of the primary system, namely, Colorado Boulevard, University Boulevard, Santa Fe, Broadway; and Colfax Avenue, running east and west, connecting Route 40 from the plains to the mountains, is also a part of the primary system.

If this bill goes into effect, the Secretary can move in on any presently existing advertising in the most commercial, restricted area one can find, unless it happens to be on a person's own property. Even the Boy Scouts or any similar organization which puts up 4th of July establishments to help people celebrate Independence Day will be prohibited from advertising their activities, because if they are not so prohibited the State will lose 10 percent of its matching funds.

It seems to me that what the bill is designed to say is, "Let us not spoil good scenery with bad billboards." We can accomplish that purpose by having the Governors say, through the Secretary, "There are portions of highways, or complete highways, within our States in which the scenic values surpass the commercial uses that they could otherwise be put to." Therefore, the Governors could designate within their own States highways which should be available to come within the terms of the bill, for the enhancement of the scenery of travelers and tourists, and give them the advantage of the natural attributes which we have in Colorado, which the Senator has in his State of West Virginia, which exist in Alaska, Florida, and all the other States. This would be the correct approach, because what the interests which have been advancing this bill are trying to do is preserve the value of the scenic parts of the country.

I know how hard the committee has worked on the bill, and I know the extent of the debate on it. I have listened carefully to the debate and I have participated in some of it. But when we consider 224,000 miles of highway, we run into another problem in the primary

system. The primary system is designated by the Governors, so if we put the primary system in the bill, as we now have it, conceivably a Governor can say which highway is a part of the primary system.

We have already paid the people to take down their signs. We have already paid for the easements and other essentials, and all of a sudden this is not the primary system any longer. Some other portion of the road is now designated as the primary system. We must then go through the whole process of sign removal and easement acquisition on the new primary system. In the meanwhile, signs spring up on what was the primary system, then, it is again designated a part of the primary system and we have to do it all over again.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. I am sure it is not intended to absolutely and completely bar advertising.

My question is: If advertising is barred on all of the highways, where will advertising take place?

I am now thinking out loud. Will it go into residential areas? Where will it take place?

Mr. DOMINICK. I believe that this is a good question. The answer is that, obviously, there will be no appreciable amount of outdoor advertising. Advertising will be restricted to the newspapers, television, and the radio, which will make it very difficult, so far as any traveler on a highway is concerned.

Mr. LAUSCHE. If commercial advertising is barred from 600 feet contiguous to the highway, will it then go into the residential area?

Mr. DOMINICK. That is entirely possible.

Mr. LAUSCHE. They will advertise unless they are absolutely barred. If they are barred from the interstate system and the primary system they will then look for other places. Where will they go?

Mr. DOMINICK. I believe this is the question which will have to be decided.

Mr. LAUSCHE. I have not resolved it in my mind, but they will look for other places, and they will be moving into areas that are more residential, scenic, and private than those adjoining within 600 feet of the highway.

Mr. DOMINICK. I appreciate the helpful comments of the Senator from Ohio. I believe he is entirely correct. The committee itself was aware of the problems involved in including the primary system in the bill. I refer to page 4 of the report where the committee says:

Though the difference between the committee amendment and the original recommendation is greater on the primary system, due to more narrow rights-of-way, it is the committee's opinion that the same control distance should apply, especially until more adequate information is available concerning the impact which this section will have on property owners adjacent to the primary system.

In effect, what the committee report says is: "We do not know what the impact of this bill is going to have on adja-

cent property owners of this system, but we are going to go ahead, anyway."

Page 5 of the report reads:

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. 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. It is expected that the necessary information will be available when the Secretary of Commerce reports to the Congress in January 1967 as required by section 308 of this act.

It does not make sound sense to me to put into effect a bill which we know will have a massive impact on property owners and travelers when, as pointed out by the Senator a few minutes ago, we do not have any concept of the cost.

To say that we are going to put it into effect anyway and get the information later, is the wrong way to legislate, so far as I am concerned.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ALLOTT. I am thinking of the primary system alone, and nothing else.

The Senator is acquainted with all the primary system roads in Colorado, leaving out the interstate roads. As one approaches these small towns, there are various facilities which highway travelers need. Local residents do not need them. They know what is there.

With respect to hotels, motels, and eating places in any of the small towns—the Senator has seen them hundreds of times—there will be found on the approach to the town small signs informing one of the places available in that town. The signs are not uniform, and they are not things of beauty. But neither are they signs which obstruct the view.

Would the Senator feel, as I somehow feel, that if we do away with these signs, as this bill would do on the primary system, the only logical consequences are two.

First, they will have to move their signs out an eighth of a mile from the limits of the road, and then establish huge signs which can be seen for a long distance and obstruct more view.

Mr. DOMINICK. I believe that is an excellent point, and it will happen.

Mr. ALLOTT. The second point is that the small establishments, the people who operate one-man shops, will have to remove their signs, but because they do not have money to erect huge signs, as I just described, they will have no advertising available to them on this basis.

Mr. DOMINICK. I suspect this is true. They will lose the tourist business and this may be the difference as to whether they can keep their heads above water or not.

Mr. ALLOTT. I appreciate the comments of the Senator. I believe this is one of the practical ways in which this bill is going to hurt the small people.

The chain motels can go off the same highway, under the terms of the act, and erect huge signs, but a small operator

with an individual unit or two, or a small coffee shop, will not be able to afford it.

Mr. DOMINICK. I appreciate the contribution of the Senator. It is pertinent to the argument and the amendment I have proposed.

I remember traveling along the scenic highway in the great State of California. It seems to me that this is a spot where signs should be prohibited in the language being set forth here.

I remember on many occasions traveling across the mountains in my State. I am sure that signs should not be erected in these areas because of the great scenic value.

I am equally sure they should not be put up along portions of the highway in Florida, and many other areas such as Wyoming.

As to include our primary system; in view of the great impact it will have is the wrong way to go about a serious problem and a problem we all would like to take care of. To include our primary system in the bill, in view of the great impact it will have, is the wrong way to cure a serious problem.

That is why I added the words dealing with scenic highways, providing that the Governor of a State shall determine which highways or portions of highways are scenic highways. The Governors of the States will have the right to determine what areas of their States will be affected by the bill.

Mr. RANDOLPH. Mr. President, I shall use only 2 minutes. The deletion of the primary system, as set forth in the amendment of the distinguished Senator from Colorado, would cut out 90 percent of the bill. If that is what Senators desire to do, by supporting the amendment of the Senator from Colorado, of course, I shall respect their right to so vote.

We have an Interstate System of 41,000 miles. We have a primary system of 225,000 miles. In this legislation, we propose to control, with reasonable standards and criteria, the areas adjacent to the highways of the country. We propose that it be done not only with respect to Interstate Highways, but with respect to the primary system of the United States as well. I do not wish to use the word "clever," because that would be an improper word to use. So I shall not use it, and then, as a practicing attorney in a court of law might do, withdraw the word after using it. I see some adroitness here on the part of the Senator from Colorado, because he ties in scenic highways.

I am intensely interested in the scenic highways of the Nation. I have been working for years for scenic highways in West Virginia. My colleague [Mr. BYRD] has been working for scenic roads in the State of West Virginia. We are just as much interested in scenic highways in our State as the Senator from Colorado is so properly interested in scenic roads in his State.

With respect to the scenic highway requirements in the Senator's amendments, what is anticipated? They would bring needless duplication of material which has already been submitted by the States to the Department of Commerce.

A report from the Department and recommendations from the President himself will be submitted to Congress, as we know, in the near future.

Mr. DOMINICK. Mr. President, I can receive with all good humor the comments made by the Senator from West Virginia, for whom I have great respect. I know he has been working to secure a scenic highway. My proposal is not designed to do anything except to try to arrange the text of the bill in such a way that I think he and I and most other Senators would find it acceptable.

I do not understand why we should find ourselves engulfed in the problem of the primary system, which can be changed from day to day and month to month by the Governor of a State. Conceivably, there can be a series of people being paid two, three, four, or five times for the same item, merely by taking out the primary system and putting it back again.

There will be a colossal impact not only on the Federal Treasury, but on the people whose livelihood is dependent on attracting customers by signs.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Is all time yielded back?

Mr. RANDOLPH. I yield back the remainder of my time.

Mr. DOMINICK. I yield back the rest of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado [Mr. DOMINICK] to the committee amendment in the nature of a substitute.

The amendment to the amendment was rejected.

Mr. FONG. Mr. President, I offer the amendment to the committee amendment which I send to the desk and ask to have read. The amendment is co-sponsored by the distinguished Senator from California [Mr. MURPHY].

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The legislative clerk read as follows:

On page 13, between lines 17 and 18, insert the following:

"(1) If any State is dissatisfied with the Secretary's final action with respect to withholding funds from such State under subsection (b) or subsection (b) of section 135 or granting approval under subsection (e), such State may appeal to any United States district court of the State. The summons and notice of appeal may be served at any place in the United States. The Secretary shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the United States court of appeals for the circuit in which the State is located and to

the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254."

On page 13, line 18, strike out "(k)" and insert in lieu thereof "(1)".

Mr. MANSFIELD. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I yield.

Mr. MANSFIELD. I have discussed a proposal with the distinguished Senator from Hawaii and the distinguished Senator from Illinois, the minority leader, and with several other Senators who who were not engaged in speaking, and I now understand it is agreeable to the Senator from New Hampshire [Mr. COTTON].

I ask unanimous consent that there be a limitation of 10 minutes on the Fong amendment, 5 minutes to a side. It is my understanding from the Senator from Hawaii that if the amendment is not accepted, he intends to ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. FONG. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FONG. Mr. President, the amendment is simple. In a colloquy this afternoon, the distinguished Senator from West Virginia, when asked a question as to whether judicial review was provided so far as the sections of the bill are concerned, said he thought judicial review was inherent.

In examining the bill and in talking with members of the legal staff, I find that the bill contains no provision for judicial review.

The amendment would provide an opportunity for judicial review to aggrieved States, States from which funds had been withheld by the Secretary of Commerce under the advertising and junkyard provisions of the bill, and from which the Secretary of Commerce withheld approval under subsection (e) of the amendment relating to industrial and commercial areas which was adopted earlier today. Such States may file suit in any U.S. district court of the State. The findings of the Secretary of Commerce, if supported by substantial evidence, would be conclusive. The burden of proof would lie with the State. If the Secretary of Commerce proved to be capricious, arbitrary, or unreasonable in his action in withholding 10 percent of the funds, or in disapproving action of a State regarding advertising in commercial and industrial areas, the State may go into court.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. MUNDT. As I understand the amendment—and I think I shall support it wholeheartedly—it would subject the veto of the Secretary of Commerce to reconsideration or review by the courts, in much the same manner as a veto by the President is subject to reconsideration by Congress.

Mr. FONG. Yes; that is exactly the point. The Senator from South Dakota is correct.

The power which will be put in the hands of the Secretary of Commerce under this bill is a vast power. He could use it capriciously. He could use it unreasonably. He could use it arbitrarily. If he did, the State so aggrieved would be empowered to ask the court to review the Secretary's capriciousness, arbitrariness, and unreasonableness.

As I said, the burden of proof would still lie with the State. If the findings of the Secretary of Commerce were supported by substantial evidence, they would be conclusive.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. COTTON. I commend the Senator. His amendment is so important that if it is adopted, I can vote for the bill. If it is not adopted, it will be impossible for me to vote for the bill, because of the power that will be placed in one man, with no right of appeal.

Mr. FONG. I thank the distinguished Senator from New Hampshire.

Mr. RANDOLPH. Mr. President, I suggest the absence of a quorum. The time for the quorum call to be charged to the time under my control.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. 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. RANDOLPH. Mr. President, I believe that there is an inherent right of review in the bill. However, I am interested in the passage of this legislation, as is the Senator from Illinois and the Senator from Montana. Many other Senators have indicated that they can support this legislation if the amendment offered by the Senator from Hawaii is agreed to.

I believe that it is in the interest of good legislative process to accept the amendment, and I accept the amendment offered by the distinguished Senator from Hawaii.

Mr. FONG. Mr. President, I thank the distinguished Senator from West Virginia for accepting the amendment.

Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

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

The question is on agreeing to the amendment of the Senator from Hawaii to the committee amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to reconsider the vote by which the amendment of the Senator from Illinois (Mr. DIRKSEN) at the end of the bill was agreed to.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. I offer a substitute for the Dirksen amendment.

Mr. DIRKSEN. Mr. President, the amendment which was agreed to this afternoon would provide that all of the funds be paid out of the General Treas-

ury. The general formula in the bill provides that 75 percent of the funds would be from Federal funds and 25 percent would come from the States.

Letting the amendment stand as it would create a conflict in the bill. I realized that at the time. I have no objection to reconsideration, and the Senator from West Virginia will then offer alternative language which would do what I want to have done and would make it conform to the basic provisions of the bill.

Mr. RANDOLPH. Mr. President, I am grateful for the comment of the Senator. I send to the desk my amendment and ask that it be read.

The PRESIDING OFFICER. The clerk will read the substitute for the Dirksen amendment.

The LEGISLATIVE CLERK. An amendment to the committee amendment is proposed by the Senator from West Virginia [Mr. RANDOLPH] as follows:

SEC. 401. Nothing in this Act shall be construed to authorize private property to be taken or the reasonable and existing use restricted by such taking without just compensation as provided in this Act.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment for the Dirksen amendment.

Mr. LAUSCHE. Mr. President, would the amendment deal with the proportion of the contribution?

Mr. MANSFIELD. It would change it to 75 percent and 25 percent in accordance with the law.

Mr. DIRKSEN. My amendment would provide for a 100-percent contribution from the Federal Treasury. However, that is in conflict with the other provisions in the bill, which provide for a 75-25-percent contribution.

Mr. LAUSCHE. It would be 75 percent and 25 percent?

Mr. DIRKSEN. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment to the Dirksen amendment.

The substitute amendment to the Dirksen amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the Dirksen amendment as amended by the substitute offered by the Senator from West Virginia [Mr. RANDOLPH].

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute for the bill, as amended.

The committee amendment in the nature of a substitute for the bill, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. COOPER. Mr. President, I yield 2 minutes on the bill to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I have been in public office some 50 years—in the State legislature, as Gov-

ernor, and as a Member of the U.S. Senate. I have been dedicated to sound development and expansion of public roads during all of that period, and I hope I have made some contributions to it.

Of course, I am for beautification of highways and increasing their safety; and I have always been for proper and reasonable control of billboards which otherwise may be hazardous. I approve of the more obvious purposes of this bill.

But, I am concerned about the hidden evils and costs of the pending proposal—even with all of the amendments which have been adopted, and all of the promises which have been made.

I do not like the force aspects of the bill—which force States to adhere under penalty of having other highway funds, particularly for our primary system roads, withdrawn for any noncompliance with this Federal act. I did not like it when the penalty was withdrawal of 100 percent of the Federal aid funds. The repugnant force principle still remains under the 10-percent penalty in the bill as amended on the floor.

No one knows how much the bill will cost the Federal Government of the States. The lack of information is so great we adopted a research amendment to try to find out at some future date.

But it is crystal clear that to control and beautify hundreds of thousands of miles in our great primary system of highways—by buying up or cleaning up an eighth of a mile on either side of their existing rights-of-way—is going to cost more taxpayer dollars than anyone has dared to mention in consideration of this bill.

This is money that neither the Federal nor the State governments have for this purpose at this time. They are having difficulty financing construction of the roads themselves—and in this situation this bill would deprive States of road construction money if they do not comply with this bill which would spend State road money for other purposes.

The objectives may be desirable within reason—but I cannot vote for this proposal until more study has been given it and more sound financing has been provided.

Mr. MANSFIELD. Mr. President, under the bill, I yield 1 minute to the distinguished Senator from Kansas.

INCREASED ANNUITIES FROM CIVIL SERVICE DISABILITY AND RETIREMENT FUND

Mr. CARLSON. Mr. President, H.R. 8469, which provides for retirement annuities increase for our Federal employees passed the House on August 3, 1965.

This bill, with amendments, passed the Senate on September 8, 1965. On September 9, 1965, the House agreed to the Senate amendment.

The bill was then returned to the Senate for signature by the Vice President and forwarding to the White House.

Some of my friends who are vitally interested in this legislation have checked and found that it has not as yet arrived at the White House.

As a member of the Senate Committee on Post Office and Civil Service, I earnestly urge that this bill be sent to the White House for final approval. This is most important in order that our Federal retirees will be eligible to receive the increased annuities on December 1.

If the bill is not signed before October 1, the retirees will lose 1 month's benefits on payments as it will be effective after January 1, 1966, instead of 1965.

REMARKS BY THE PRESIDENT AT THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW

Mr. CLARK. Mr. President, this morning, at the Washington World Conference on World Peace Through Law, the President of the United States delivered a perfectly splendid address on the general subject of peace, disarmament, and the rule of law.

I ask unanimous consent that a copy of this address may be printed at this point in the RECORD.

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

REMARKS BY THE PRESIDENT AT THE WASHINGTON WORLD CONFERENCE ON WORLD PEACE THROUGH LAW, WASHINGTON HILTON HOTEL, WASHINGTON, D.C.

I need not here reaffirm my Nation's continuing dedication to the rule of law. We will work to extend it to the relations between countries. For we believe that is the surest road to a fruitful and secure peace.

Therefore, we who seek a world of law must labor to understand the foundation on which law can rest. We must set to work to build it. For if the rule of law is an idea, the establishment of that rule is the practical work of practical men. We must not let the difficulties of this task lead us into the twin dangers of cynicism or unreasoning faith.

For the fact is that if law cannot yet solve the problems of a tormented earth, it is steadily growing in importance and in necessity.

The first condition of law is justice. That law which oppresses the weak, or denies the fair claims of the poor, will prove a flimsy barrier against the rising storm of man's demand for justice.

Law must not be the prisoner of plunder or privilege.

It is not the soothing keeper of the status quo. It is an instrument in the battle for the hopes of man. And if it is not fashioned as such an instrument—then no matter how beautifully and logically framed—it will yield to violence and terror.

If we, the fortunate of the earth, would ask other people to submit to law, then we ourselves must assume some responsibility for peoples' liberty and peoples' well-being.

International law has been primarily concerned with relations between states. In pursuit of justice, it must now concern itself more than in the past with the welfare of people.

I look forward to the day when the relief of hunger and misery and ignorance—in all parts of the world—will be fixed in legal obligation—as it now is in my own country.

When our world law embodies the right of the despairing to hope, and the responsibility of the fortunate to help, then it will be strengthened a thousandfold in the cause of peace.

If world conditions were largely satisfactory it would not be difficult to evolve a rule

of law. But we do not live in a satisfactory world. It is stained with evil and injustice, by ruthless ambition and passionate conflict. Only by fighting these forces we help build a base on which the temple of law may rest.

The second condition of law is institutions. Through them law receives meaning and force. And institutions themselves, through their own actions, help to make new law. The U.N. General Assembly has done this in peacekeeping.

The past 20 years have seen an abundant flowering of new international structures. From the Common Market and NATO, to the IBRD and the Asian Development Bank, order and legal process have been imposed upon spreading segments of the affairs of countries.

Some of these institutions have played a large role in the prosperity of the West and in keeping the peace.

Others contribute to the progress of the developing continents.

The United States has helped build many of these organizations. Their strength represents a victory for the cause you represent—a legal order contributing to the prosperity of each and the peace of all. My country intends to protect and strengthen those institutions, sharing the task with all who share our common purpose.

Central to the hope of world peace through law is the United Nations. Since its beginning, dozens of disputes, many laced with violence, have come before the world assembly. Some have remained unresolved. Many have found a settlement sufficient to allow mankind to move forward in peace. And in some places the United Nations was able to prevent conflict and bloodshed.

I hope we can strengthen the United Nations—not simply as a forum for debate—but as an arena for the solution of disputes.

That is why I have asked a great Justice of our Supreme Court, Arthur Goldberg, to become our Ambassador to the world body. The life of Ambassador Goldberg has been devoted to resolving disputes between those who at first believed that they could not yield one iota from their positions, and who came at last to sign a common agreement.

And my country will fully support the efforts of the Secretary General to bring peace between the great nations of India and Pakistan.

And perhaps in the United Nations—and with the patient effort of individual countries—we can also halt the terrible arms race which threatens to engulf the earth. Perhaps we can succeed through an effective treaty preventing the spread of nuclear weapons—through extending the test ban treaty—by obtaining an agreement halting production of fissionable material for use in nuclear weapons and allocating substantial portions of this material to peaceful uses—by agreeing to reverse the arms race in strategic nuclear weapons delivery vehicles—and by working toward general and complete disarmament under effective international controls which must be the world's goal.

The third condition of law is acceptance. World law—if it is to bring world order—must reflect the judgment and felt desires of men and nations. When law ignores this—as we have seen in our own history—it itself is ignored.

I think we may be evolving a world consensus on which law can stand. The mass of mankind is slowly realizing the dangers of conflict and the futility of war. They are accepting their responsibility to relieve their own poverty, and the misery of their fellow inhabitants of earth. They are finding—in knowledge and fear and pain—that their common interest lies in common acceptance of their own obligations and the rights of others.

We can see this in a hundred small ways. During the past year the United States was

present at 629 international conferences. Since I have been President we have participated in more such conferences than during the first 150 years of our history.

Of course, the great issues and the great dangers are not resolved. In the past 12 months there is not a continent that has been spared violence. In the past 2,000 years there has hardly been a decade without war.

If this was all, the future would look dark indeed. But there is another and a brighter thread which runs through the history of the race: It is man's drive to create and to live in harmony with his fellows. This is what we call civilization.

Law is the great civilizing machinery. It liberates the desires to build and subdues the desire to destroy. And if war can tear us apart, law can unite us—out of fear or love or reason or all three.

World peace through world law will not come quickly. We must work, in a variety of ways, to create the vital conditions which may bring us to that day—to build the justice which forms it and the institutions which give it life—and to find the understanding acceptance which will make it work. This means we must be willing to accept small advances and limited goals. But the final objective is the largest and most elusive man has known: peace. Peace which is not simply the absence of conflict or even of fear—but the framework for the fulfillment of human possibility.

How can we dare hope for that which has always escaped mankind? Perhaps it is because our invention draws us together to the point where any war is civil war. Perhaps the vastness of our destructive power makes us shrink from conflict. And perhaps—under the horror and murder of this carnage-filled century—civilization has been slowly flowering—leading us toward victory in the endless battle between man's love for his fellow and his desire to destroy him.

Law is the greater human invention. All the rest give him mastery over his world. Law gives him mastery over himself.

There are those who say the rule of law is a fruitless and utopian dream. It is true that, if it comes, it will come slowly. It will come through the practical and wise resolution of numberless problems. But to deny the possibility is to deny peace itself and that flowering of the spirit which we must believe God meant for man.

I do not deny it.

I believe in it.

And so do you.

If others join us, then the time may yet come when you and your colleagues will be honored as pathfinders toward the final armistice in man's war against himself.

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. MANSFIELD. Mr. President, I yield back all time on this side with the exception of one-half minute.

Mr. FONG. Mr. President, I ask for the yeas and nays on passage of the bill. The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time with the exception of one-half minute to make an inquiry of the distinguished majority leader concerning the program for tomorrow.

Mr. MANSFIELD. Mr. President, it is the intention—and I have discussed this with the distinguished minority leader—to lay before the Senate the immigration bill this evening. No business, of course, will be undertaken on that bill. It will be the pending business tomorrow. It is anticipated that a good part of the day will be taken up in explanations by Senators in favor of and those against the bill. It is also hoped that we shall be able to get some unobjectioned items off the calendar.

On Monday, we shall continue with the immigration bill, if we do not finish it tomorrow. Then on Tuesday, or following the immigration bill, we shall take up the foreign aid appropriation.

Mr. DIRKSEN. Mr. President, I think I can assure the Senator from Montana now that with the objections that will be made on the immigration bill, it will take all of tomorrow, and that there will be no record vote.

Mr. President, if I may be so bold as to say it, I sincerely hope that our very distinguished majority leader can take a rest over this weekend, and probably a little longer than the weekend. I understand that there are 18 inches of snow at White Fish, Mont.

Mr. MANSFIELD. That is correct.

Mr. DIRKSEN. I think he is deeply concerned, as he should be. I hope that he can go home and stay a good many days, because we will carry on with the great efficiency for which we have been noted.

So I wish him well on the journey that he will make, because I know that due to the many demands and obligations of majority leadership in the Senate he has not been able to return as often or stay as long in his State of Montana as he would have liked. That is the penalty of leadership. I know his constituents will look forward to seeing him and that they fully appreciate the leadership duties which keep him in Washington more than he would otherwise choose.

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.

The PRESIDING OFFICER. All time having been yielded back, and 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 Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio

[Mr. YOUNG] are absent on official business.

I further 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 Indiana [Mr. HARTKE], the Senator from Wyoming [Mr. MCGEE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Louisiana would vote "nay."

On this vote, the Senator from New Mexico [Mr. MONTOYA] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Nebraska would 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 Nebraska [Mr. CURTIS] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Delaware [Mr. BOGGS], the Senator from Texas [Mr. TOWER], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent by leave of the Senate.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Texas would vote "nay."

On this vote, the Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Iowa would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Delaware [Mr. BOGGS]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Delaware would vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Nebraska would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 63, nays 14, as follows:

[No. 265 Leg.]

YEAS—63

Alken
Bartlett
Bass
Bayh
Bible
Brewster

Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark

Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas

Ervin
Fannin
Fong
Gore
Harris
Hart
Hayden
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.

Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McGovern
McIntyre
McNamara
Metcalf
Mondale
Morse
Morton
Moss
Murphy
Muskie

Nelson
Neuberger
Pastore
Fell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.O.
Russell, S.C.
Smathers
Smith
Symington
Tydings
Williams, N.J.
Williams, Del.

NAYS—14

Allott
Byrd, Va.
Carlson
Eastland
Hickenlooper

Holland
Hruska
McClellan
Mundt
Pearson

Robertson
Simpson
Stennis
Thurmond

NOT VOTING—23

Anderson
Bennett
Boggs
Curtis
Ellender
Fulbright
Gruening
Hartke

Long, Mo.
McCarthy
McGee
Miller
Monroney
Montoya
Russell, Ga.
Saltonstall

Scott
Sparkman
Talmadge
Tower
Yarborough
Young, N. Dak.
Young, Ohio

So the bill (S. 2084) was passed, as follows:

S. 2084

An act to provide for scenic development and road beautification of the Federal-aid highway systems

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

TITLE I

Sec. 101. Section 131 of title 23, United States Code, is revised to read as follows:

"§ 131. Control of outdoor advertising

"(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(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 re-appropriated to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

"(c) Effective control means that after January 1, 1968, such signs, displays, and devices shall, pursuant to this section, be limited to (1) directional and other official signs and notices which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this section, and (2) signs advertising the sale or lease of property upon which they are located or activities conducted on such property.

"(d) It is also provided 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 signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards which are hereby authorized to be promulgated by the Secretary hereunder. Such national standards shall contain provisions concerning the lighting, size, and number of signs and such other requirements as may be appropriate to implement this subsection.

"(e) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays and devices whose size, lighting and spacing is to be determined by agreement between the several States and the Secretary, 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 in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary: *Provided*, That nothing in this subsection shall apply to signs as defined in section 101(c) (2).

"(f) Notwithstanding any provision of this section, any sign, display, or device in existence on or before the effective date of this subsection, which does not conform to this section shall not be required to be removed until July 1, 1970, or until the end of the fifth year after it becomes nonconforming, whichever shall last occur.

"(g) Just compensation shall be paid upon the removal of outdoor advertising signs, displays, and devices, provided they were erected and maintained on the effective date of this subsection pursuant to agreement with the owner, or one claiming through the owner, of the real estate on which they are located, and Federal funds shall be used to pay 75 per centum of such compensation. Such compensation shall be paid for the following:

"(1) The taking from the owner of such signs, display, or device of all right, title, leasehold, and interest in the fixture; that is, such sign, display, or device at such location, as secured by the agreement in effect on the effective date of this subsection; and

"(2) The taking from the owner or leaseholder of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon, as secured by the agreement in effect on the effective date of this subsection.

"(h) All public lands or reservations which are adjacent to any portion of the Interstate System and the primary system shall be controlled in accordance with the provisions of this section and the national standards.

"(i) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secretary, a State may also establish information centers at safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as a State may consider desirable.

"(j) Any State highway department which has, under the law in effect on June 30, 1965, entered into an agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, but no such State highway department shall be entitled to such pay-

ments unless the State maintains the control required under such agreement or the control required by this section, whichever control is the stricter. Nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to signs, displays, and devices on the Federal-aid highway systems than those established under this section. Such payments shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as provided in this section.

"(k) For the purposes of this section effective control also means that notwithstanding the provisions of subsection (f), after January 1, 1968,

"(1) no sign or display promoting the Federal Government or any of its departments, agencies, programs, projects or expenditures shall be allowed if such sign or display is inconsistent with the purposes of this section, nor

"(2) shall the Federal Government erect or construct any sign or display promoting any of its departments, agencies, programs, projects or expenditures. 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.

"(l) (1) If any State is dissatisfied with the Secretary's final action with respect to withholding funds from such State under subsection (b) or subsection (b) of section 135 or granting approval under subsection (e), such State may appeal to any United States district court of the State. The summons and notice of appeal may be served at any place in the United States. The Secretary shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the United States Court of Appeals for the circuit in which the State is located and to the Supreme Court of the United States upon certiorari or certification as provided in title 28 United States Code, section 1254.

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$20,000,000 for the fiscal year ending June 30, 1966, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1967."

TITLE II

Sec. 201. Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 135. Control of junkyards

"(a) The Congress hereby finds and declares that the establishment and maintenance of junkyards in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

"(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 estab-

lishment, use, and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand 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. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

"(c) Effective control means that by January 1, 1968, such junkyards shall be screened by natural objects, plantings, or fences or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

"(d) The term 'junk' shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, oddments, wastements, litter, leavings, castoffs, rummage, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

"(e) The term 'automobile graveyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicle or motor vehicle parts.

"(f) The term 'junkyard' shall mean an establishment or place of business which is maintained or operated for the use of storing, keeping, buying or selling such junk, or for the maintenance or operation of an automobile graveyard, and the term shall be construed to include garbage dumps and sanitary fills.

"(g) Notwithstanding any provision of this section, junkyards, auto graveyards and scrap metal processing facilities may be operated within areas adjacent to the Interstate System and the primary system which are zoned industrial under authority of State law, or which are not zoned under authority of State law, but are predominantly used for industrial activities.

"(h) Notwithstanding any provision of this section any junkyard in existence on or before the effective date of this section, which does not conform to the requirements of this section and which the Secretary finds as a practical matter cannot be screened, shall not be required to be removed until July 1, 1970.

"(i) Landscaping or screening costs under the provisions of this section shall be allocated in the following manner: the first \$1,500 of such costs shall be assumed by the owner of the facility screened; all costs in excess of \$1,500 shall be the Federal and State responsibility. Federal funds shall be used to pay 75 per centum of the costs of landscaping or screening under the provisions of this subsection.

"(j) If any junkyard or auto graveyard cannot be effectively screened under the provisions of this section, either by plantings or other means on the property line of the owner or between the property line and at a safe distance from the edge of the pavement, whichever is the more economical and effective, just compensation shall be paid the owner for the relocation, removal, or disposal of such facilities. Federal funds shall be used to pay 75 per centum of the costs of providing effective control by purchase or condemnation and relocation, removal, or disposal.

"(k) All public lands or reservations which are adjacent to any portion of the Interstate and primary systems shall be effectively controlled in accordance with the provisions of this section.

"(1) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$20,000,000 for the fiscal year ending June 30, 1966, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1967."

SEC. 202. The table of sections of chapter 1, title 23, United States Code, is amended by adding at the end thereof the following: "Sec. 135. Control of junkyards."

TITLE III

SEC. 301. Section 319 of title 23, United States Code, is revised to read as follows:

"§ 319. Landscaping and scenic enhancement

"(a) The Secretary may approve as a part of the construction of Federal-aid highways the costs of landscape and roadside development, including acquisition and development of publicly owned and controlled rest and recreation areas and sanitary and other facilities reasonably necessary to accommodate the traveling public.

"(b) An amount equivalent to 3 per centum of the funds apportioned to a State for Federal-aid highways for any fiscal year shall be used for acquisition of interests in and improvement of strips of land necessary for the restoration, preservation, and enhancement of scenic beauty adjacent to such highways, without being matched by the State. The Secretary may authorize exceptions from this requirement, upon application of a State and upon a showing that such amount is in excess of the needs of the State for these purposes. Any funds not used as required by this subsection shall lapse.

"(c) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed \$120,000,000 for the fiscal year ending June 30, 1966, and not to exceed \$120,000,000 for the fiscal year ending June 30, 1967."

SEC. 302. In order to provide the basis for evaluating the continuing programs authorized by amendments made by this Act, and to furnish the Congress with the information necessary for authorization of appropriations beginning after June 30, 1967, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of carrying out such programs, and shall submit such estimate to the Congress not later than January 10, 1967.

SEC. 303. There is authorized to be appropriated the sum of \$500,000 to enable the Secretary of Commerce to carry out his functions under section 135 of title 23 of the United States Code relating to highway safety programs.

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 \$5,000,000 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.

SEC. 402. Nothing in this Act shall be construed to authorize private property to be taken or the reasonable and existing use restricted by such taking without just compensation as provided in this Act.

Mr. RANDOLPH. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MUSKIE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH. Mr. President, I ask unanimous consent to authorize the Secretary of the Senate, in the engrossment of the bill, to make any necessary technical corrections.

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

Mr. RANDOLPH. Mr. President, the legislation which has just been enacted, will enhance the recreational and scenic values of the highways of America. This legislation was not only desired but was necessary. Senators responded with a vote of 63 to 14 for the bill, which indicates the overwhelming support of membership of the Senate for the President's beautification program. The Committee on Public Works and the Senate have worked effectively to preserve and develop the esthetic values of the American scene, while also protecting the rights of private property and keeping damage to individual businesses at an absolute.

I express my personal and official appreciation to Richard Royce, professional staff member of the Public Works Committee who has given such diligent and dedicated attention to this legislation from its inception. I could not have had a more capable member of any committee staff standing at my side than Dick Royce.

I also wish to thank Ron Linton, who is the Chief Clerk of the Committee on Public Works.

I also wish to add my thanks for the great work which was done by Bob Perrin, the administrative assistant to the distinguished chairman of the Committee on Public Works, the Senator from Michigan [Mr. McNAMARA].

Also, let me thank my executive assistant, Jim Harris, for his capable and diligent labors in connection with the bill.

I thank all members of the staff of the Committee on Public Works, who contributed their valuable services during consideration and preparation of the measure.

I also express my appreciation to all members of the Subcommittee on Public Roads. It is difficult to name Senators individually, because members of this subcommittee gave earnest attention to the subject, even though they were concerned with other committees dealing with education, labor, and agriculture, which made it very difficult at times to give the painstaking effort which was required in the preparation of this legislation.

In connection with all the members of the subcommittee who assisted me, it is entirely appropriate that I speak especially of the efforts of the distinguished Senator from Maine [Mr. MUSKIE], who, in committee and on the floor of the Senate has been of constant and valued support. Other Senators who joined in presenting the points which they felt were most important to be stressed in the passage of this measure have been of great assistance.

I also thank the distinguished ranking member of the subcommittee and the full committee, the Senator from Ken-

tucky [Mr. COOPER]. Even though we were in disagreement on many issues in connection with this legislation, it was a privilege to work with him, as always, because he is very careful in his attention to the details of any bill, and he is uniformly courteous. I am grateful for the cooperation he gave to the consideration of this legislation, including the administration's amendments which I have offered.

I also thank the majority leader, the Senator from Montana [Mr. MANSFIELD], and the minority leader, the Senator from Illinois [Mr. DIRKSEN], for their unflinching courtesies and assistance to me during the consideration of this legislation.

Mr. President, it is my hope that the House of Representatives will promptly consider this legislation. I believe that any differences between the House version, which I hope will pass very soon, and the Senate version, which has now passed, can be resolved, and that an effective instrumentality, which I believe we have drafted, can be sent to the President of the United States, who will, we know, quickly sign the measure into law.

Mr. MUSKIE. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am glad to yield to the Senator from Maine.

Mr. MUSKIE. Without desiring to prolong unduly the session this evening, I believe it should be stated that as one member of the subcommittee, in my judgment—and I am sure in the judgment of the rest of the subcommittee—the distinguished Senator from West Virginia [Mr. RANDOLPH], in handling this bill on the floor of the Senate, has accepted and survived with great credit one of the more difficult and frustrating assignments which I have seen assumed by any Senator in that capacity in some time. So he has to add to his credit not only the outstanding work which he performed in the committee, but also the great patience and wisdom which he has shown on the floor of the Senate, to say nothing of his fortitude in handling this difficult assignment.

I should like to add my personal commendation to the Senator from West Virginia.

Mr. RANDOLPH. I am grateful to the Senator from Maine for his kind comments.

Mr. MANSFIELD. Mr. President, the Federal aid highway system has been a boon to individual States and to the Nation as a whole. Indeed, few governmental programs have been more successful. Today, after long, hard work, we have crowned that success with a vital new dimension, a bill to provide for scenic development and road beautification of the Federal aid highway systems.

It is evident that passage of the bill would not have been accomplished without the devoted effort and the cooperation of a number of Members of this body. Special congratulations must be extended to the distinguished senior Senator from West Virginia [Mr. RANDOLPH], who so skillfully managed this bill. No one has doubted his expertise

on matters involving this country's highway system. But, in addition, he has, by the capable management of this bill, demonstrated not only his appreciation for the existent as well as the potential beauty surrounding our highways but also his legislative management abilities. I commend the Senator from West Virginia for this demonstration of his parliamentary skill in the management of this bill.

It is abundantly clear that provision for scenic development and road beautification has not been a partisan affair. I can think of no one who has worked more assiduously and purposefully toward these goals than the distinguished ranking Republican member of the Senate Committee on Public Works, the able senior Senator from Kentucky [Mr. COOPER]. Time and time again on this bill he made notable contributions and suggestions. When he proposed amendments, both in committee and on the floor, other Senators quite appropriately took notice. I extend my personal thanks to him for lending his great talent and expertise to this measure and for his great constructive assistance and cooperation in facilitating the expeditious passage of this bill; my thanks are extended also to the Senate as a whole for the cooperation displayed in considering this bill.

I would be remiss if I did not mention other individuals who have consistently worked toward the goal of passage of a highway beautification bill. I refer especially to the very helpful and capable senior Senator from Michigan [Mr. McNAMARA], the able chairman of the Senate Committee on Public Works, the junior Senator from Oregon [Mrs. NEUBERGER] who has often sponsored bills concerning road beautification, and to my distinguished colleague, the able junior Senator from Montana [Mr. MERCALF], the distinguished junior Senator from Utah [Mr. MOSS], the distinguished Senators from Illinois [Mr. DOUGLAS and Mr. DIRKSEN], the distinguished junior Senator from Maine [Mr. MUSKIE], the distinguished junior Senator from California [Mr. MURPHY], the distinguished Senators from Hawaii [Mr. FONG and Mr. INOUE], the distinguished junior Senator from Connecticut [Mr. RIBICOFF], the distinguished Senators from Colorado [Mr. ALLORT and Mr. DOMINICK], the distinguished senior Senator from New Hampshire [Mr. COTTON], the distinguished senior Senator from Delaware [Mr. WILLIAMS], and other Members of this body on both sides of the aisle, members and nonmembers of the Committee on Public Works, who have submitted and carefully argued for amendments or otherwise worked purposefully and diligently toward passage of a highway beautification bill.

I certainly feel that Senate passage of this bill is a significant landmark in this Nation's program of highway beautification.

Mr. President, let me take this time to express my deepest thanks to the distinguished Senator from Connecticut [Mr. DODD] for the patience he has shown

today, in holding up a very important speech which he had intended to give earlier, in order to allow this bill to pass.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider Calendar No. 733, H.R. 2580.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That section 201 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) be amended to read as follows:

"Sec. 201. (a) Exclusive of special immigrants defined in section 101(a)(27), and of the immediate relatives of United States citizens specified in subsection (b) of this section, the number of aliens who may be issued immigrant visas or who may otherwise acquire the status of an alien lawfully admitted to the United States for permanent residence, or who may, pursuant to section 203(a)(7) enter conditionally, (1) shall not in any of the first three quarters of any fiscal year exceed a total of 45,000 and (ii) shall not in any fiscal year exceed a total of 170,000.

"(b) The 'immediate relatives' referred to in subsection (a) of this section shall mean the children, spouses, and parents of a citizen of the United States: *Provided*, That in the case of parents, such citizen must be at least twenty-one years of age. The immediate relatives specified in this subsection who are otherwise qualified for admission as immigrants shall be admitted as such, without regard to the numerical limitations in this Act.

"(c) During the period from July 1, 1965, through June 30, 1968, the annual quota of any quota area shall be the same as that which existed for that area on June 30, 1965. The Secretary of State shall, not later than on the sixtieth day immediately following the date of enactment of this subsection and again on or before September 1, 1966, and September 1, 1967, determine and proclaim the amount of quota numbers which remain unused at the end of the fiscal year ending on June 30, 1965, June 30, 1966, and June 30, 1967, respectively, and are available for distribution pursuant to subsection (d) of this section.

"(d) Quota numbers not issued or otherwise used during the previous fiscal year, as determined in accordance with subsection (c) hereof, shall be transferred to an immigration pool. Allocation of numbers from the pool and from national quotas shall not together exceed in any fiscal year the numerical limitations in subsection (a) of this section. The immigration pool shall be made available to immigrants otherwise admissible under the provisions of this Act who are unable to obtain prompt issuance of a preference visa due to oversubscription of their quotas, or subquotas as determined by the Secretary of State. Visas and conditional entries shall be allocated from the immigration pool within the percentage limitations and in the order of priority

specified in section 203 without regard to the quota to which the alien is chargeable.

"(e) The immigration pool and the quotas of quota areas shall terminate June 30, 1968. Thereafter immigrants admissible under the provisions of this Act who are subject to the numerical limitations of subsection (a) of this section shall be admitted in accordance with the percentage limitations and in the order of priority specified in section 203."

Sec. 2. Section 202 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1152) is amended to read as follows:

"(a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101(a)(27), section 201(b), and section 203: *Provided*, That the total number of immigrant visas and the number of conditional entries made available to natives of any single foreign state under paragraphs (1) through (8) of section 203(a) shall not exceed 20,000 in any fiscal year: *Provided further*, That the foregoing proviso shall not operate to reduce the number of immigrants who may be admitted under the quota of any quota area before June 30, 1968.

"(b) Each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than the United States and its outlying possessions shall be treated as a separate foreign state for the purposes of the numerical limitation set forth in the proviso to subsection (a) of this section when approved by the Secretary of State. All other inhabited lands shall be attributed to a foreign state specified by the Secretary of State. For the purposes of this Act the foreign state to which an immigrant is chargeable shall be determined by birth within such foreign state except that (1) an alien child, when accompanied by his alien parent or parents, may be charged to the same foreign state as the accompanying parent or of either accompanying parent if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of the child from the accompanying parent or parents, and if the foreign state to which such parent has been or would be chargeable has not exceeded the numerical limitation set forth in the proviso to subsection (a) of this section for that fiscal year; (2) if an alien is chargeable to a different foreign state from that of his accompanying spouse, the foreign state to which such alien is chargeable may, if necessary to prevent the separation of husband and wife, be determined by the foreign state of the accompanying spouse, if such spouse has received or would be qualified for an immigrant visa and if the foreign state to which such spouse has been or would be chargeable has not exceeded the numerical limitation set forth in the proviso to subsection (a) of this section for that fiscal year; (3) an alien born in the United States shall be considered as having been born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country then in the last foreign country in which he had his residence as determined by the consular officer; (4) an alien born within any foreign state in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth may be charged to the foreign state of either parent.

"(c) Any immigrant born in a colony or other component or dependent area of a foreign state unless a special immigrant as provided in section 101(a)(27) or an immediate relative of a United States citizen as specified in section 201(b), shall be chargeable, for the purpose of limitation set forth in section 202(a), to the foreign state, ex-

cept that the number of persons born in any such colony or other component or dependent area overseas from the foreign state chargeable to the foreign state in any one fiscal year shall not exceed 1 per centum of the maximum number of immigrant visas available to such foreign state.

"(d) In the case of any change in the territorial limits of foreign states, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all diplomatic and consular offices."

Sec. 3. Section 203 of the Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1153) is amended to read as follows:

"Sec. 203. (a) Aliens who are subject to the numerical limitations specified in section 201(a) shall be allotted visas or their conditional entry authorized, as the case may be, as follows:

"(1) Visas shall be first made available, in a number not to exceed 20 per centum of the number specified in section 201(a)(1), to qualified immigrants who are the unmarried sons or daughters of citizens of the United States.

"(2) Visas shall next be made available, in a number not to exceed 20 per centum of the number specified in section 201(a)(1), plus any visas not required for the classes specified in paragraph (1), to qualified immigrants who are the spouses, unmarried sons or unmarried daughters of an alien lawfully admitted for permanent residence.

"(3) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(1), to qualified immigrants who are members of the professions, or who because of their exceptional ability in the sciences or the arts will substantially benefit prospectively the national economy, cultural interests, or welfare of the United States.

"(4) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(1), plus any visas not required for the classes specified in paragraphs (1) through (3), to qualified immigrants who are the married sons or the married daughters of citizens of the United States.

"(5) Visas shall next be made available, in a number not to exceed 24 per centum of the number specified in section 201(a)(1), plus any visas not required for the classes specified in paragraphs (1) through (4), to qualified immigrants who are the brothers or sisters of citizens of the United States.

"(6) Visas shall next be made available, in a number not to exceed 10 per centum of the number specified in section 201(a)(1), to qualified immigrants who are capable of performing specified skilled or unskilled labor, not of a temporary or seasonal nature, for which a shortage of employable and willing persons exists in the United States.

"(7) Conditional entries shall next be made available by the Attorney General, pursuant to such regulations as he may prescribe and in a number not to exceed 6 per centum of the number specified in section 201(a)(1), to aliens who satisfy an Immigration and Naturalization Service officer at an examination in any non-Communist or non-Communist-dominated country, (A) that (i) because of persecution or fear of persecution on account of race, religion, or political opinion they have fled (I) from any Communist or Communist-dominated country or area, or (II) from any country within the general area of the Middle East, and (ii) are unable or unwilling to return to such country or area on account of race, religion, or political opinion, and (iii) are not nationals of the countries or areas in which their application for conditional entry is made; or (B) that they are persons uprooted by catastrophic natural calamity as defined by the President who are unable to return to their usual place of abode. For the purpose of the

foregoing the term 'general area of the Middle East' means the area between and including (1) Libya on the west, (2) Turkey on the north, (3) Pakistan on the east, and (4) Saudi Arabia and Ethiopia on the south: *Provided*, That immigrant visas in a number not exceeding one-half the number specified in this paragraph may be made available, in lieu of conditional entries of a like number, to such aliens who have been continuously physically present in the United States for a period of at least two years prior to application for adjustment of status.

"(8) Visas authorized in any fiscal year, less those required for issuance to the classes specified in paragraphs (1) through (6) and less the number of conditional entries and visas made available pursuant to paragraph (7), shall be made available to other qualified immigrants strictly in the chronological order in which they qualify. Waiting lists of applicants shall be maintained in accordance with regulations prescribed by the Secretary of State. No immigrant visa shall be issued to a nonpreference immigrant under this paragraph, or to an immigrant with a preference under paragraph (3) or (6) of this subsection, until the consular officer is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14).

"(9) A spouse or child as defined in section 101(b)(1)(A), (B), (C), (D), or (E) shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa or to conditional entry under paragraphs (1) through (8), be entitled to the same status, and the same order of consideration provided in subsection (b), if accompanying, or following to join, his spouse or parent.

"(b) In considering applications for immigrant visas under subsection (a) consideration shall be given to applicants in the order in which the classes of which they are members are listed in subsection (a).

"(c) Immigrant visas issued pursuant to paragraphs (1) through (6) of subsection (a) shall be issued to eligible immigrants in the order in which a petition in behalf of each such immigrant is filed with the Attorney General as provided in section 204.

"(d) Every immigrant shall be presumed to be a nonpreference immigrant until he establishes to the satisfaction of the consular officer and the immigration officer that he is entitled to a preference status under paragraphs (1) through (7) of subsection (a), or to a special immigrant status under section 101(a)(27), or that he is an immediate relative of a United States citizen as specified in section 201(b). In the case of any alien claiming in his application for an immigrant visa to be an immediate relative of a United States citizen as specified in section 201(b) or to be entitled to preference immigrant status under paragraphs (1) through (6) of subsection (a), the consular officer shall not grant such status until he has been authorized to do so as provided by section 204.

"(e) For the purposes of carrying out his responsibilities in the orderly administration of this section, the Secretary of State is authorized to make reasonable estimates of the anticipated numbers of visas to be issued during any quarter of any fiscal year within each of the categories of subsection (a), and to rely upon such estimates in authorizing the issuance of such visas. The Secretary of State, in his discretion, may terminate the registration on a waiting list of any alien who fails to evidence his continued intention to apply for a visa in such manner as may be by regulation prescribed.

"(f) The Attorney General shall submit to the Congress a report containing complete and detailed statement of facts in the case of each alien who conditionally entered the United States pursuant to subsection (a)(7) of this section. Such reports shall be sub-

mitted on or before January 15 and June 15 of each year.

"(g) Any alien who conditionally entered the United States as a refugee, pursuant to subsection (a)(7) of this section, whose conditional entry has not been terminated by the Attorney General pursuant to such regulations as he may prescribe, who has been in the United States for at least two years, and who has not acquired permanent residence, shall forthwith return or be returned to the custody of the Immigration and Naturalization Service and shall thereupon be inspected and examined for admission into the United States, and his case dealt with in accordance with the provisions of sections 235, 236, and 237 of this Act.

"(h) Any alien who, pursuant to subsection (g) of this section, is found, upon inspection by the immigration officer or after hearing before a special inquiry officer, to be admissible as an immigrant under this Act at the time of his inspection and examination, except for the fact that he was not and is not in possession of the documents required by section 212(a)(20), shall be regarded as lawfully admitted to the United States for permanent residence as of the date of his arrival."

Sec. 4. Section 204 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1154) is amended to read as follows:

"Sec. 204. (a) Any citizen of the United States claiming that an alien is entitled to a preference status by reason of the relationships described in paragraphs (1), (4), or (5) of section 203(a), or to an immediate relative status under section 201(b), or any alien lawfully admitted for permanent residence claiming that an alien is entitled to a preference status by reason of the relationship described in section 203(a)(2), or any alien desiring to be classified as a preference immigrant under section 203(a)(3) (or any person on behalf of such an alien), or any person desiring and intending to employ within the United States an alien entitled to classification as a preference immigrant under section 203(a)(6), may file a petition with the Attorney General for such classification. The petition shall be in such form as the Attorney General may by regulations prescribe and shall contain such information and be supported by such documentary evidence as the Attorney General may require. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by a consular officer.

"(b) After an investigation of the facts in each case, and after consultation with the Secretary of Labor with respect to petitions to accord a status under section 203(a)(3) or (6), the Attorney General shall, if he determines that the facts stated in the petition are true and that the alien in behalf of whom the petition is made is an immediate relative specified in section 210(b) or is eligible for a preference status under section 203(a), approve the petition and forward one copy thereof to the Department of State. The Secretary of State shall then authorize the consular officer concerned to grant the preference status.

"(c) Notwithstanding the provisions of subsection (b) no more than two petitions may be approved for one petitioner in behalf of a child as defined in section 101(b)(1)(E) or (F) unless necessary to prevent the separation of brothers and sisters and no petition shall be approved if the alien has previously been accorded a nonquota or preference status as the spouse of a citizen of the United States or the spouse of an alien lawfully admitted for permanent residence, by reason of a marriage determined by the Attorney General to have been entered into for the purpose of evading the immigration laws.

"(d) The Attorney General shall forward to the Congress a report on each approved petition for immigrant status under sections 203(a)(3) or 203(a)(6) stating the basis for his approval and such facts as were by him deemed to be pertinent in establishing the beneficiary's qualifications for the preferential status. Such reports shall be submitted to the Congress on the first and fifteenth day of each calendar month in which the Congress is in session.

"(e) Nothing in this section shall be construed to entitle an immigrant, in behalf of whom a petition under this section is approved, to enter the United States as a preference immigrant under section 203(a) or as an immediate relative under section 201(b) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification."

Sec. 5. Section 205 of the Immigration and Nationality Act (66 Stat. 176; 8 U.S.C. 1155) is amended to read as follows:

"Sec. 205. The Attorney General may, at any time, for what he deems to be good and sufficient cause, revoke the approval of any petition approved by him under section 204. Such revocation shall be effective as of the date of approval of any such petition. In no case, however, shall such revocation have effect unless there is mailed to the petitioner's last known address a notice of the revocation and unless notice of the revocation is communicated through the Secretary of State to the beneficiary of the petition before such beneficiary commences his journey to the United States. If notice of revocation is not so given, and the beneficiary applies for admission to the United States, his admissibility shall be determined in the manner provided for by sections 235 and 236."

Sec. 6. Section 206 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1156) is amended to read as follows:

"Sec. 206. If an immigrant having an immigrant visa is excluded from admission to the United States and deported, or does not apply for admission before the expiration of the validity of his visa, or if an alien having an immigrant visa issued to him as a preference immigrant is found not to be a preference immigrant, an immigrant visa or a preference immigrant visa, as the case may be, may be issued in lieu thereof to another qualified alien."

Sec. 7. Section 207 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1157) is stricken.

Sec. 8. Section 101 of the Immigration and Nationality Act (66 Stat. 166; 8 U.S.C. 1101) is amended as follows:

(a) Paragraph (27) of subsection (a) is amended to read as follows:

"(27) The term 'special immigrant' means—

"(A) an immigrant who was born in any independent foreign country of the Western Hemisphere or in the Canal Zone and the spouse and children of any such immigrant, if accompanying, or following to join him: *Provided*, That no immigrant visa shall be issued pursuant to this clause until the consular officer is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14);

"(B) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

"(C) an immigrant who was a citizen of the United States and may, under section 324(a) or 327 of title III, apply for reacquisition of citizenship;

"(D) (1) an immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of carrying on the vocation of minister of a religious denomination, and whose services are needed by such religious denomination having a bona fide organization in the

United States; and (2) the spouse or the child of any such immigrant, if accompanying or following to join him; or

"(E) an immigrant who is an employee, or an honorably retired former employee, of the United States Government abroad, and who has performed faithful service for a total of fifteen years, or more, and his accompanying spouse and children: *Provided*, That the principal officer of a Foreign Service establishment, in his discretion, shall have recommended the granting of special immigrant status to such alien in exceptional circumstances and the Secretary of State approves such recommendation and finds that it is in the national interest to grant such status."

(b) Paragraph (32) of subsection (a) is amended to read as follows:

"(32) The term 'profession' shall include but not be limited to architects, engineers, lawyers, physicians, surgeons, and teachers in elementary or secondary schools, colleges, academies, or seminaries."

(c) Subparagraph (1)(F) of subsection (b) is amended to read as follows:

"(F) a child, under the age of fourteen at the time a petition is filed in his behalf to accord a classification as an immediate relative under section 201(b), who is an orphan because of the death or disappearance of, abandonment or desertion by, or separation or loss from, both parents, or for whom the sole or surviving parent is incapable of providing the proper care which will be provided the child if admitted to the United States and who has in writing irrevocably released the child for emigration and adoption; who has been adopted abroad by a United States citizen and his spouse who personally saw and observed the child prior to or during the adoption proceedings; or who is coming to the United States for adoption by a United States citizen and spouse who have complied with the preadoption requirements, if any, of the child's proposed residence: *Provided*, That no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this Act."

Sec. 9. Section 211 of the Immigration and Nationality Act (66 Stat. 181; 8 U.S.C. 1181) is amended to read as follows:

"Sec. 211. (a) Except as provided in subsection (b) no immigrant shall be admitted into the United States unless at the time of application for admission he (1) has a valid unexpired immigrant visa or was born subsequent to the issuance of such visa of the accompanying parent, and (2) presents a valid unexpired passport or other suitable travel document, or document of identity and nationality, if such document is required under the regulations issued by the Attorney General. With respect to immigrants to be admitted under quotas of quota areas prior to June 30, 1968, no immigrant visa shall be deemed valid unless the immigrant is properly chargeable to the quota area under the quota of which the visa is issued.

"(b) Notwithstanding the provisions of section 212(a)(20) of this Act in such cases or in such classes of cases and under such conditions as may be by regulations prescribed, returning resident immigrants, defined in section 101(a)(27)(B), who are otherwise admissible may be readmitted to the United States by the Attorney General in his discretion without being required to obtain a passport, immigrant visa, reentry permit or other documentation."

Sec. 10. Section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182) is amended as follows:

(a) Paragraph (14) is amended to read as follows:

"Aliens seeking to enter the United States, for the purpose of performing skilled or unskilled labor, unless the Secretary of Labor has determined and certified to the Secre-

tary of State and to the Attorney General that (A) there are not sufficient workers in the United States who are able, willing, qualified, and available at the time of application for a visa and admission to the United States and at the place to which the alien is destined to perform such skilled or unskilled labor, and (B) the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed. The exclusion of aliens under this paragraph shall apply to special immigrants defined in section 101(a)(27)(A) (other than the parents, spouses, or children of United States citizens or of aliens lawfully admitted to the United States for permanent residence), to preference immigrant aliens described in section 203(a)(3) and (6), and to nonpreference immigrant aliens described in section 203(a)(8);"

(b) Paragraph (20) is amended by deleting the letter "(e)" and substituting therefor the letter "(a)".

(c) Paragraph (21) is amended by deleting the word "quota".

(d) Paragraph (24) is amended by deleting the language within the parentheses and substituting therefor the following: "other than aliens described in section 101(a)(27)(A) and (B)."

Sec. 11. The Immigration and Nationality Act (66 Stat. 175; 8 U.S.C. 1151) is amended as follows:

(a) Section 221(a) is amended by deleting the words "the particular nonquota category in which the immigrant is classified, if a nonquota immigrant," and substituting in lieu thereof the words "the preference, nonpreference, immediate relative, or special immigration classification to which the alien is charged."

(b) The fourth sentence of subsection 221(c) is amended by deleting the word "quota" preceding the word "number;" the word "quota" preceding the word "year;" and the words "a quota" preceding the word "immigrant," and substituting in lieu thereof the word "an".

(c) Section 222(a) is amended by deleting the words "preference quota or a nonquota immigrant" and substituting in lieu thereof the words "an immediate relative within the meaning of section 201(b) or a preference or special immigrant".

(d) Section 224 is amended to read as follows: "A consular officer may, subject to the limitations provided in section 221, issue an immigrant visa to a special immigrant or immediate relative as such upon satisfactory proof, under regulations prescribed under this Act, that the applicant is entitled to special immigrant or immediate relative status."

(e) Section 241(a)(10) is amended by substituting for the words "Section 101(a)(27)(C)" the words "Section 101(a)(27)(A)".

(f) Section 243(h) is amended by striking out "physical persecution" and inserting in lieu thereof "persecution on account of race, religion, or political opinion".

Sec. 12. Section 244 of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254) is amended as follows:

(a) Subsection (d) is amended to read:

"(d) Upon the cancellation of deportation in the case of any alien under this section, the Attorney General shall record the alien's lawful admission for permanent residence as of the date the cancellation of deportation of such alien is made, and unless the alien is entitled to a special immigrant classification under section 101(a)(27)(A), or is an immediate relative within the meaning of section 201(b) the Secretary of State shall reduce by one the number of nonpreference immigrant visas authorized to be issued under section 203(a)(8) for the fiscal year then current."

(b) Subsection (f) is amended by deleting "entered the United States as a crew-

man; or (2)" and by changing "(3)" wherever it appears in said subsection to "(2)".

SEC. 13. Section 245 of the Immigration and Nationality Act (66 Stat. 217; 8 U.S.C. 1255) is amended as follows:

(a) Subsection (b) is amended to read:

"(b) Upon the approval of an application for adjustment made under subsection (a), the Attorney General shall record the alien's lawful admission for permanent residence as of the date the order of the Attorney General approving the application for the adjustment of status is made, and the Secretary of State shall reduce by one the number of the preference or nonpreference visas authorized to be issued under section 203(a) within the class to which the alien is chargeable, for the fiscal year then current."

(b) Subsection (c) is amended to read:

"(c) The provisions of this section shall not be applicable to any alien who is a native of any country of the Western Hemisphere or of any adjacent island named in section 101(b)(5), other than any such alien born in an independent foreign country of the Western Hemisphere, who, because of persecution or fear of persecution on account of race, religion, or political opinion, is out of his usual place of abode and unable to return thereto."

SEC. 14. Section 281 of the Immigration and Nationality Act (66 Stat. 230; 8 U.S.C. 1351) is amended as follows:

(a) Immediately after "Sec. 281." insert "(a)";

(b) Paragraph (6) is amended to read as follows:

"(6) For filing with the Attorney General of each petition under section 204 and section 214(c), \$10; and";

(c) The following is inserted after paragraph (7), and is designated subsection (b):

"(b) The time and manner of payment of the fees specified in paragraphs (1) and (2) of subsection (a) of this section, including but not limited to partial deposit or prepayment at the time of registration, shall be prescribed by the Secretary of State; and

(d) The paragraph beginning with the words "The fees * * *" is designated subsection (c).

SEC. 15. (a) Paragraph (1) of section 212 (a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182(a)(1)) is amended by deleting the language "feeble-minded" and inserting the language "mentally retarded" in its place.

(b) Paragraph (4) of section 212(a) of the Immigration and Nationality Act (66 Stat. 182; 8 U.S.C. 1182(a)(4)) is amended by deleting the word "epilepsy" and substituting the words "or sexual deviation".

(c) Sections 212 (f), (g), and (h) of the Immigration and Nationality Act, as added by the Act of September 26, 1961 (75 Stat. 654, 655; 8 U.S.C. 1182), are hereby redesignated sections 212 (g), (h), and (i), respectively, and section 212(g) as so redesignated is amended by inserting before the words "afflicted with tuberculosis in any form" the following: "who is excludable from the United States under paragraph (1) of subsection (a) of this section, or any alien" and by adding at the end of such subsection the following sentence: "Any alien excludable under paragraph (3) of subsection (a) of this section because of past history of mental illness who has one of the same family relationships as are prescribed in this subsection for aliens afflicted with tuberculosis and whom the Surgeon General of the United States Public Health Service finds to have been free of such mental illness for a period of time sufficient in the light of such history to demonstrate recovery shall be eligible for a visa in accordance with the terms of this subsection."

SEC. 16. Sections 1, 2, and 11 of the Act of July 14, 1960 (74 Stat. 504-505), as amended

by section 6 of the Act of June 28, 1962 (76 Stat. 124), are repealed.

SEC. 17. Section 221(g) of the Immigration and Nationality Act (66 Stat. 192; 8 U.S.C. 1201(g)) is amended by deleting the period at the end thereof and adding the following:

"Provided further, That a visa may be issued to an alien defined in section 101(a)(15)(B) or an alien defined in section 101(a)(15)(F), in whose behalf evidence has been submitted that he will be admitted and regularly enrolled as a student at an educational institution within the United States approved by the Attorney General, if such alien is otherwise entitled to receive a visa, upon receipt of a notice by the consular officer from the Attorney General of the giving of a bond with sufficient surety in such sum and containing such conditions as the consular officer shall prescribe, to insure that at the expiration of the time for which such alien has been admitted by the Attorney General, as provided in section 214(a), or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under section 248 of the Act, such alien will depart from the United States."

SEC. 18. So much of section 272(a) of the Immigration and Nationality Act (66 Stat. 226; 8 U.S.C. 1322(a)) as precedes the words "shall pay to the collector of customs" is amended to read as follows:

"Sec. 272. (a) Any person who shall bring to the United States an alien (other than an alien crewman) who is (1) mentally retarded, (2) insane, (3) afflicted with psychopathic personality, or with sexual deviation, (4) a chronic alcoholic, (5) afflicted with any dangerous contagious disease, or (6) a narcotic drug addict."

SEC. 19. Section 249 of the Immigration and Nationality Act (66 Stat. 219; 8 U.S.C. 1259) is amended by striking out "June 28, 1940" in clause (a) of such section and inserting in lieu thereof "June 28, 1958".

SEC. 20. This Act shall become effective on the first day of the first month after the expiration of thirty days following the date of its enactment except as provided herein.

SEC. 21. (a) There is hereby established a Select Commission on Western Hemisphere Immigration (hereinafter referred to as the "Commission") to be composed of fifteen members. The President shall appoint the Chairman of the Commission and eight other members thereof. The President of the Senate, with the approval of the majority and minority leaders of the Senate, shall appoint three members from the membership of the Senate. The Speaker of the House of Representatives, with the approval of the majority and minority leaders of the House, shall appoint three members from the membership of the House. A vacancy in the membership of the Commission shall be filled in the same manner as the original designation and appointment.

(b) The Commission shall study the following matters:

(1) Prevailing and projected demographic, technological, and economic trends, particularly as they pertain to Western Hemisphere nations;

(2) Present and projected unemployment in the United States, by occupations, industries, geographic areas and other factors, in relation to immigration from the Western Hemisphere;

(3) The interrelationships between immigration, present and future, and existing and contemplated national and international programs and projects of Western Hemisphere nations, including programs and projects for economic and social development;

(4) The operation of the immigration laws of the United States as they pertain to Western Hemisphere nations, with emphasis on the adequacy of such laws from the stand-

point of fairness and from the standpoint of the impact of such laws on employment and working conditions within the United States;

(5) The implications of the foregoing with respect to the security and international relations of Western Hemisphere nations; and

(6) Any other matters which the Commission believes to be germane to the purposes for which it was established.

(c) On or before July 1, 1967, the Commission shall make a first report to the President and the Congress, and on or before January 15, 1968, the Commission shall make a final report to the President and the Congress. Such reports shall include the recommendations of the Commission as to what changes, if any, are needed in the immigration laws in the light of its study. The Commission's recommendations shall include, but shall not be limited to, recommendations as to whether, and if so how, numerical limitations should be imposed upon immigration to the United States from the nations of the Western Hemisphere. In formulating its recommendations on the latter subject, the Commission shall give particular attention to the impact of such immigration on employment and working conditions within the United States and to the necessity of preserving the special relationship of the United States with its sister Republics of the Western Hemisphere.

(d) The life of the Commission shall expire upon the filing of its final report, except that the Commission may continue to function for up to sixty days thereafter for the purpose of winding up its affairs.

(e) Unless legislation inconsistent herewith is enacted on or before June 30, 1968, in response to recommendations of the Commission or otherwise, the number of special immigrants within the meaning of section 101(a)(27)(A) of the Immigration and Nationality Act, as amended, exclusive of special immigrants who are immediate relatives of United States citizens as described in section 201(b) of that Act, shall not, in the fiscal year beginning July 1, 1968, or in any fiscal year thereafter, exceed a total of 120,000.

(f) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its duties.

(g) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of \$100 for each day spent in the work of the Commission, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses, when away from his usual place of residence, in accordance with section 5 of the Administrative Expenses Act of 1946, as amended. Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses, when away from his usual place of residence, in accordance with the Administrative Expenses Act of 1946, as amended.

(h) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this section.

SEC. 22. (a) The designation of chapter 1, title II, is amended to read as follows: "CHAPTER 1—SELECTION SYSTEM".

(b) The title preceding section 201 is amended to read as follows: "NUMERICAL LIMITATIONS".

(c) The title preceding section 202 is amended to read as follows: "NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE".

(d) The title preceding section 203 is amended to read as follows: "ALLOCATION OF IMMIGRANT VISAS".

(e) The title preceding section 204 is amended to read as follows: "PROCEDURE FOR GRANTING IMMIGRANT STATUS".

(f) The title preceding section 205 is amended to read as follows: "REVOCATION OF APPROVAL OF PETITIONS".

(g) The title preceding section 206 is amended to read as follows: "UNUSED IMMIGRANT VISAS".

(h) The title preceding section 207 is repealed.

(i) The title preceding section 224 of chapter 3, title II, is amended to read as follows: "IMMEDIATE RELATIVE AND SPECIAL IMMIGRANT VISAS".

(j) The title preceding section 249 is amended to read as follows: "RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JULY 1, 1924, OR JUNE 28, 1958".

Sec. 23. (a) The table of contents (Title II—Immigration, chapter 1) of the Immigration and Nationality Act, is amended to read as follows:

"CHAPTER 1—SELECTION SYSTEM

"Sec. 201. Numerical limitations.

"Sec. 202. Numerical limitation to any single foreign state.

"Sec. 203. Allocation of immigrant visas.

"Sec. 204. Procedure for granting immigrant status.

"Sec. 205. Revocation of approval of petitions.

"Sec. 206. Unused immigrant visas."

(b) The table of contents (Title II—Immigration, chapter 3) of the Immigration and Nationality Act, is amended by changing the designation of section 224 to read as follows:

"Sec. 224. Immediate relative and special immigrant visas."

(c) The table of contents (Title II—Immigration, chapter 5) of the Immigration and Nationality Act is amended by changing the designation of section 249 to read as follows:

"Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to July 1, 1924, or June 28, 1958."

Sec. 24. Paragraph (6) of section 101(b) is repealed.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business for the day, it adjourn until 12 o'clock noon tomorrow.

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

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORTS ON OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and the

Army General Staff, as of June 30, 1965 (with accompanying reports); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Executive Secretary, Department of the Army, transmitting, pursuant to law, a report on Department of the Army research and development contracts, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

STATISTICAL SUPPLEMENT, STOCKPILE REPORT

A letter from the Deputy Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a statistical supplement, stockpile report, for the 6-month period ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

REPORT ON FEDERAL CONTRIBUTIONS—PERSONNEL AND ADMINISTRATION

A letter from the Director of Civil Defense, Office of the Secretary of the Army, transmitting, pursuant to law, a report on Federal contributions—personnel and administration, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF SMALL BUSINESS ACT

A letter from the Executive Administrator, Small Business Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Small Business Act (with accompanying papers); to the Committee on Banking and Currency.

REPORT ON FEDERAL AID IN FISH AND WILDLIFE RESTORATION

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on Federal aid in fish and wildlife restoration, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

REPORT ON COMMISSARY ACTIVITIES OUTSIDE THE CONTINENTAL UNITED STATES

A letter from the Assistant Secretary of Commerce, reporting, pursuant to law, that Department conducted no commissary activities outside the continental United States, during the fiscal year 1965; to the Committee on Commerce.

REPORT ON TORT CLAIMS PAID BY THE DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1965 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON TORT CLAIMS PAID BY THE DEPARTMENT OF THE INTERIOR

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1964 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Tucson-Pima County Central Trades, favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

A resolution adopted by the House of Delegates of the American Bar Association, favoring the enactment of Senate bill 1666, for the creation of additional judgeships in the U.S. courts of appeals; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2070. A bill to provide for holding terms of the U.S. District Court for the District of South Dakota at Rapid City (Rept. No. 749).

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

S. 1357. A bill to revise existing ball practices in courts of the United States, and for other purposes (Rept. No. 750).

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

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States", and for other purposes (Rept. No. 752).

By Mrs. NEUBERGER, from the Committee on Commerce, with amendments:

S. 774. A bill to provide that the Department of Commerce shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures (Rept. No. 751).

SETTLEMENT OF DISPUTES INVOLVING AMATEUR ATHLETICS—REPORT OF A COMMITTEE (S. REPT. NO. 753)

Mr. MAGNUSON, from the Committee on Commerce, reported an original resolution (S. Res. 147) providing for the settlement of disputes involving amateur athletics, and submitted a report thereon; which report was ordered to be printed, and the resolution to be placed on the calendar, as follows:

S. RES. 147

Whereas disputes have existed for many years between the Amateur Athletic Union of the United States, the National Collegiate Athletic Association, other amateur athletic organizations, and their affiliates or associates; and

Whereas these disputes have discouraged the full development of amateur athletics in the United States and the maximum performance by athletes representing the United States in international competition; and

Whereas the parties have not been able to resolve their differences through their own efforts or through previous arbitration efforts; and

Whereas it is necessary and desirable for the United States to maintain a vigorous amateur athletic program that will field the best possible teams in domestic and international competition, will protect and provide for the welfare of the individual amateur athlete, will achieve the broadest possible participation by amateur athletes in competitive sports, and will maintain a harmonious and cooperative relationship among all amateur athletic organizations; and

Whereas it is essential that means be provided whereby such disputes can be equitably and finally resolved: Now, therefore, be it

Resolved, That the President of the Senate is hereby authorized to appoint an independent board of arbitration composed of five members, one of whom he shall designate as Chairman, for the purpose of considering disputes relating to the conduct, development, and protection of amateur athletics, which are submitted to it by the parties to such disputes, and rendering decisions determining such disputes which shall be consistent with the purposes of this resolution and shall be final and binding on such parties.

Sec. 2. In the consideration of disputes submitted to the Board appointed under this resolution the members of such Board should consider and determine all relevant facts and issues necessary to the attainment of the goals set out in the preamble to this resolution.

Sec. 3. Until such time as the Board appointed pursuant to this resolution renders its decision in the current dispute between the Amateur Athletic Union of the United States and the National Collegiate Athletic Association, the interested and affected parties should be governed by the following principles:

(a) An immediate and general amnesty shall be granted to all individuals, institutions, and organizations affected by this dispute in any amateur sport.

(b) Any disciplinary action proposed or pending against individuals, institutions, and organizations for reasons related to such dispute shall be vacated.

(c) Any discrimination against the full use of all available facilities for scheduled meets and tournaments shall be discontinued.

(d) Any restraints against participation by any athlete in scheduled meets and tournaments shall be discontinued.

Sec. 4. The Board appointed pursuant to this resolution shall report to the Senate not later than February 15, 1966, and from time to time thereafter as it may deem necessary, with respect to its activities under this resolution.

BILLS INTRODUCED

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

By Mr. KUCHEL:

S. 2539. A bill to authorize the Secretary of the Interior to construct, operate and maintain the San Felipe division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

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

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

S. 2540. A bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes; to the Committee on Foreign Relations.

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

By Mr. CANNON:

S. 2541. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

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

By Mr. PROXMIER:

S. 2542. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

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

CONCURRENT RESOLUTION

TO REQUEST THE PRESIDENT TO TRANSMIT TO THE SENATE COMMITTEE ON FOREIGN RELATIONS A REPORT ON EAST-WEST TRADE

Mr. JAVITS (for himself and Mr. Dobb) submitted a concurrent resolution

(S. Con. Res. 60) to request the President to transmit to the Senate Committee on Foreign Relations a report on East-West trade, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

RESOLUTION

SETTLEMENT OF DISPUTES INVOLVING AMATEUR ATHLETICS

Mr. MAGNUSON, from the Committee on Commerce reported an original resolution (S. Res. 147) providing for the settlement of disputes involving amateur athletics, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. MAGNUSON, which appears under the heading "Reports of Committees".)

SAN FELIPE DIVISION, CENTRAL VALLEY PROJECT

Mr. KUCHEL. Mr. President, I introduce, for appropriate reference, a bill to authorize the San Felipe division of the Central Valley project in the State of California.

The San Felipe division is estimated to cost approximately \$98 million and has the extremely high benefit-to-cost ratio of 3.15 to 1. Being an integral part of the Central Valley project, all of the costs and a considerable surplus will be repaid into the United States Treasury within 50 years from the date that construction is completed.

The project is designed to help meet the water needs of a burgeoning population in the Santa Clara Valley in Santa Clara and San Benito Counties, and the lower Pajaro River basin in Santa Cruz and Monterey Counties, in my State. The area involved contains some 448,000 acres and a present population of approximately 1 million people. It is estimated that by the year 2020 there will be a metropolitan population of over 2,500,000.

Agriculture and suburban demands have far exceeded the local water supplies and the limited import water supplies available. Municipal and industrial expansion in this very rapidly expanding population center is being maintained by serious overdrafts from the ground water supply. To help meet this overdraft and to provide for future requirements, the San Felipe division will make available an average import of 293,000 acre-feet of water annually from Central Valley project sources.

Of this imported water, approximately 75 percent will be for municipal and industrial use, with the remaining 25 percent for agriculture.

The principal features of the project include a 10.3-mile tunnel from the almost completed San Luis project, which will convey water through the Pacheco Pass to a 94-mile canal and a 10-mile closed conduit to the service area. In addition, there will be pumping facilities, three small reservoirs, and a distribution system. In the development of the San

Luis project, Congress has already authorized over \$2 million to provide, as a part of the project, the Pacheco Tunnel Inlet.

The plan is engineeringly feasible, economically justified, and desirable to meet ultimate import needs.

The Secretary of the Interior recently presented to the Senate Interior Committee information which clearly shows that the Central Valley project is an excellent project, in sound financial condition, and is substantially ahead of the payout requirements. During the next 50 years, there will be available for further development of the Central Valley project a surplus of over \$600 million. This makes possible the addition of such necessary units as the San Felipe division, particularly where the function of municipal and industrial water is relatively more important.

The California Water Commission has unanimously gone on record strongly urging Congress to authorize the San Felipe division at the earliest possible date. By resolution it has found that the plan is fully justified, needed and an important worthwhile water development.

If California is to assure its continuing population and economic growth, it must never cease in its efforts to guarantee an ever-increasing water supply. As I have said so often, it will take the combined efforts of local agencies, the State itself, and those of the Federal Government.

I ask that the Senate give its expeditious and favorable consideration to this project.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

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

The bill (S. 2539) to authorize the Secretary of the Interior to construct, operate and maintain the San Felipe division, Central Valley project, California, and for other purposes introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of providing irrigation and municipal and industrial water supplies, area re-development, conserving and developing fish and wildlife resources, enhancing outdoor recreation opportunities, and other related purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory therefor or supplementary thereto), is authorized to construct, operate, and maintain, as an addition to, and an integral part of, the Central Valley project, California, the San Felipe division. The principal works of the unit shall consist of the Pacheco tunnel, pumping plants, power transmission facilities, canals, pipelines, regulating reservoirs, and distribution facilities.

Sec. 2. Subject to the provisions of this Act, the operation of the San Felipe division shall be integrated and coordinated, from both a financial and an operational standpoint, with the operation of other features

of the Central Valley project, as presently authorized and as may in the future be authorized by Act of Congress, in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available.

Sec. 3. The Secretary is authorized in connection with the San Felipe division to construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with the other division purposes.

Sec. 4. In locating and designing the works and facilities authorized for construction by this Act, and in acquiring or withdrawing any lands as authorized by this Act, the Secretary shall give due consideration to reports prepared by the State of California on the California water plan, and shall consult with local interests who may be affected by the construction and operation of said works and facilities or by the acquisition or withdrawal of lands, through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

Sec. 5. There is hereby authorized to be appropriated for construction of the San Felipe division, Central Valley project, the sum of \$100,000,000 (1963 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project.

INTERNATIONAL FLOOD CONTROL PROJECT FOR THE TIJUANA RIVER

Mr. KUCHEL. Mr. President, for myself and on behalf of my distinguished colleague from California [Mr. MURPHY] I introduce, for appropriate reference, a bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes.

This project, if approved by the Congress and if approved by Mexico, will be an international project to be jointly constructed and operated by the Governments of the United States and Mexico through the respective sections of the International Boundary and Water Commission. Each Government would perform the work required in its country under a jointly agreed upon plan, design and construction schedule, under the supervision of the Commission.

The U.S. Army Corps of Engineers has established that there is an urgent need for flood protection in the U.S. portion of the Tijuana River. It is also clear that Mexican efforts at flood control in their portion of the river can be made much more meaningful by accompanying U.S. efforts north of the border. In accordance with the Corps of Engineers recommendation, it is my opinion that this

project should be undertaken and completed at the earliest possible date.

Completion of this project would significantly reduce flood damage in two important cities in California—San Diego and Imperial Beach. Both of these communities are solidly supporting this legislation, as is the Governor of California and his advisory committee on Tijuana River problems.

I think this bill offers a unique opportunity for the United States to further strengthen its ties with the Government of Mexico. By joining with our good neighbors in Baja California in functional projects, such as this one, I think we do much to improve Mexican-American relations. In fact, such a project will improve our image throughout all Latin America.

I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2540) to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes, introduced by Mr. KUCHEL (for himself and Mr. MURPHY), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in "Report on an International Flood Control Project, Tijuana River Basin," prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

Sec. 2. If agreement is concluded pursuant to section 1 of this Act, the said United States Commissioner is authorized to construct, operate, and maintain the portion of such project assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States Section, such sums as may be necessary to carry out the provisions of this Act: *Provided*, That no part of any appropriation made shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States.

REVISION OF FEDERAL ELECTION LAWS

Mr. CANNON. Mr. President, I introduce for appropriate reference a bill to revise the Federal election laws, to prevent corrupt practices, and for other

purposes, and ask that it lie on the desk for 1 week for additional sponsors.

For many years careful study has been given to all Federal election laws for the purpose of bringing them into closer harmony with present-day election practices and to correct several deficiencies which have become more troublesome with successive campaigns.

The Federal Corrupt Practices Act of 1925, as amended, is 40 years old. At the time of its passage, radio was not broadly used in election campaigning and television was unknown. It is totally unrealistic to attempt to regulate political finances in the 1960's using a law passed in the 1920's. The only practical solution to the problems inherent in existing election laws is to repeal them and adopt new legislation designed to meet not only today's needs, but those of the future as well. Flexible formulas instead of fixed limitations provide the only feasible means of establishing reasonable ceilings upon campaign expenditures.

This bill incorporates formulas based upon votes cast or voters registered in determining the amount which a candidate for U.S. Senator or Representative may spend in his campaign for election. The bill similarly sets forth a formula controlling the amount which a national committee may spend.

Hearings, studies, and investigations conducted by the Subcommittee on Privileges and Elections during previous years have convinced me that public disclosure of political contributions and expenditures is the only fair and effective means of limiting such finances. Public disclosure would act as a deterrent upon excessive contributions and expenditures, and the voters could express their approval or disapproval at the polls.

Financial statements would be required at timely intervals by national committees and all candidates for elective Federal office. The financial statements would be filed not only with the Clerk of the House of Representatives and the Secretary of the Senate, but also with the secretary of State of each State or the officer authorized to perform the functions of a secretary of State. This local filing would enable citizens all over the United States to inform themselves of the contributions received and expenditures made by political committees and candidates or by others acting in their behalf.

Finally, every effort should be made to encourage individual voters to participate actively in political campaigns by making financial contributions to the party or candidate of their choice.

Voters bear a civic responsibility to support good government and ought, in good conscience, to lend their financial assistance to the parties and the candidates whom they believe best qualified to furnish good government.

As in the case of charitable causes, however, contributions are more easily obtained when some small tax benefit can be realized by donors. A tax credit not to exceed the sum of \$10 during any calendar year would result in some loss of tax revenues but that loss would be more

than balanced, in my opinion, by a broadened base of campaign contributions which, in turn, would relieve parties and candidates of heavy debt burdens and obligations to large contributors.

In summary, Mr. President, this bill is intended to correct flaws in existing legislation and serve the needs of the public and candidates for Federal office by extending provisions for public disclosure, creating more reasonable and flexible ceilings on campaign contributions and expenditures and encouraging all Americans to aid their parties and candidates by offering a small tax benefit.

It is my hope that when the bill is reported back to the Senate, all Senators will give it their serious consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nevada.

The bill (S. 2541) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Rules and Administration.

AMENDMENT OF SMALL BUSINESS ACT

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill, to amend the Small Business Act, and ask unanimous consent to insert in the Record at this point a letter from the Small Business Administration requesting this legislation, together with the SBA analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and analysis will be printed in the Record.

The bill (S. 2542) to amend the Small Business Act, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter and analysis presented by Mr. PROXMIRE are as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C.

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

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill amending the Small Business Act, together with an analysis thereof. For the reasons stated in the analysis we consider the proposed amendment to be desirable.

The bill would increase from \$1,721 million to \$1,841 million the total amount of the revolving fund authorization established by section 4(c) of the Small Business Act for the purposes of the financial assistance programs conducted by the Small Business Administration pursuant to that Act and pursuant to the Small Business Investment Act of 1958.

The Bureau of the Budget has advised that there is no objection to the submission of this bill from the standpoint of the Administration's programs.

With kind regards, I am

Sincerely,

Ross D. Davis,
Executive Administrator.

Enclosures.

ANALYSIS OF THE BILL

The bill would increase from \$1,721 million to \$1,841 million the total amount of the revolving fund authorization established by section 4(c) of the Small Business Act for the purposes of the financial assistance programs conducted by the Small Business Administration pursuant to that Act and pursuant to the Small Business Investment Act of 1958.

In substance section 4(c) presently permits SBA to have as much as \$1,841 million outstanding from the fund at any particular time for the purposes of the agency's financial assistance programs under the Small Business Act and the Small Business Investment Act of 1958. Nevertheless, it restricts appropriations for these same purposes to \$1,721 million.

Until recently, the section has always provided funding authority equal to the full sum of the separate dollar limitations on SBA's financial assistance activity. The present discrepancy of \$120 million stems from Public Law 89-78 which, without making a commensurate increase in the maximum amount of the authorization, raised from \$341 million to \$461 million the aggregate sum that may be outstanding at any one time for the purposes of the small business investment program.

Since \$1,645 million have already been appropriated to the revolving fund, the existing authorization maximum of \$1,721 million limits further appropriations to \$76 million. It is entirely possible, in view of the unexpected number and magnitude of recent physical disasters, including Hurricane Betsy, that a supplemental appropriation of more than \$76 million may be required in the near future to enable SBA to provide assistance to disaster victims and, at the same time, continue at planned levels the other important loan programs conducted by the agency.

The provisions of the bill, adding \$120 million to the \$1,721 figure, would have the twofold effect of eliminating the described discrepancy and providing a wider margin of safety against the contingencies of the disaster loan program.

REPORT ON EAST-WEST TRADE

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Connecticut [Mr. Dobb], out of order I submit a concurrent resolution to request the President to transmit to the Senate Committee on Foreign Relations a report on East-West trade.

The issues involved in East-West trade were subject to extended debate in the Congress in October 1963 when we considered the proposed sale of wheat to the U.S.S.R. Late last year, and early this year, the Senate Foreign Relations Committee held hearings on this subject. In May, a committee appointed by the President issued a full report and made a series of recommendations regarding United States trade with the European Communist bloc nations as did the highly distinguished Committee for Economic Development (CED) and its associate organizations in Western Europe and Japan. It cannot be said, therefore, that these issues have not been fully explored.

It is clear from the decision to sell wheat to the U.S.S.R. and to sign a trade agreement with Rumania last year, and from the recent dispatch of a U.S. trade mission to Rumania and Poland, that the administration has concluded that, on balance, it is in the U.S. interest to grad-

ually expand trade in nonstrategic goods with the European Communist countries.

The President should now recommend to Congress the changes he deems necessary in existing U.S. laws and regulations to permit the United States to engage in trade in nonstrategic goods with these nations. Existing laws relating to such trade—among them the denial by the United States of most-favored-nation treatment for the goods of most European Communist bloc countries and the lack of a predictable procedure for guarantees of loans in connection with major export shipments to these countries—are much too inflexible and may well need to be modified to give the President the needed authority in foreign policy.

I hope that among his recommendations to the Congress the President will also suggest means to bring about a harmonization of the trade policy of industrialized countries of the free world toward Communist countries. Earlier this year I recommended to the Senate Foreign Relations Committee that we negotiate a code of fair trading practices first with our allies then with the European Soviet bloc as a means to bringing about once more a common Western policy on East-West trade.

I am therefore introducing today a Senate Concurrent Resolution calling on the President to transmit his recommendations to the Senate Foreign Relations Committee, the House Foreign Affairs Committee, and other appropriate committees of the Congress by July 1, 1966 with regard to revisions in United States laws and regulations governing our trade and economic relations with Communist bloc nations that he deems necessary and desirable in the national interest.

I hope that this resolution will now be referred to the Senate Foreign Relations Committee and that it will receive immediate and careful consideration.

Mr. PASTORE. Mr. President, reserving the right to object, I understand that this concurrent resolution would go to the Commerce Committee. I wonder if this has been cleared with the Senator from Washington. I think that the unanimous-consent request was that it be sent to the Committee on Foreign Relations out of order.

Mr. JAVITS. Mr. President, I did not make any request as to reference.

Mr. PASTORE. Mr. President, I thought the Senator mentioned it being referred out of order.

Mr. JAVITS. Mr. President, I asked that it be referred out of order and I said that I expected that it would go to the Committee on Foreign Relations, but the chairman will decide.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 60) was referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President is requested to transmit to the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House of Representatives and other appropriate Committees of Congress on or before July 1, 1966 his recommendations, including legislative

proposals designed to carry out such recommendations, with respect to revision of laws governing United States trade and economic relations with Communistic bloc nations, as may be necessary and desirable in the national interest. Such recommendations and proposals shall take into account the recommendations contained in the report, dated April 29, 1965, of the Special Committee on United States Trade Relations with East European Countries and the Soviet Union.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and concurrent resolution:

Authority of September 8, 1965:

S. 2507. A bill to authorize the Secretary of the Interior to conduct a program of research regarding overhead electric transmission lines and the effect of such lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country: Mr. CHURCH, Mr. CLARK, Mr. DOUGLAS, Mr. GRUENING, Mr. METCALF, and Mr. MORSE.

S. 2508. A bill to authorize the Secretary of the Interior to conduct a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmissions: Mr. CHURCH, Mr. CLARK, Mr. DOUGLAS, Mr. GRUENING, Mr. METCALF, and Mr. MORSE.

Authority of September 14, 1965:

S. Con. Res. 59. Concurrent resolution to authorize establishment of Joint Select Committee To Study East-West Trade: Mr. COOPER, Mr. DOMINICK, Mr. DOUGLAS, Mr. MUNDT, Mr. RIBICOFF, and Mr. SMATHERS.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Hosea M. Ray, of Mississippi, to be U.S. attorney, for the northern district of Mississippi, for a term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in the nomination to file with the committee, in writing, on or before Thursday, September 23, 1965, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, September 16, 1965, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 7. An act to provide for the establishment of the Spruce Knob-Seneca Rocks Na-

tional Recreation Area, in the State of West Virginia, and for other purposes;

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and 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;

S. 1903. An act to amend the United Nations Participation Act, as amended (63 Stat. 734-736); 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."

MEXICAN INDEPENDENCE DAY

Mr. ALLOTT. Mr. President, today is a significant day for freedom-loving people everywhere. This day of September 16, 1965, marks the 155th anniversary of the Mexican Independence Day and once again appropriate ceremonies and celebrations will commemorate the heroic struggle of the Mexican people against tyranny and foreign domination.

One hundred and fifty-five years ago, against a backdrop of the Napoleonic invasion of Spain, a now legendary parish priest by the name of Miguel Hidalgo y Costilla, ignited a spark of revolution that was ultimately to illuminate the full light of liberty for his oppressed people. Profoundly influenced by the doctrines espoused in the American and French Revolution, "liberty, equality, and fraternity," Father Hidalgo dedicated himself and his intrepid followers to the extension of human rights, dignity, and national self-determination for all the citizens of Mexico. This grassroots force, armed initially with little more than courage and conviction, waged a heroic struggle against the yoke of foreign and domestic tyranny. Allende, Morelos, and finally Iturbide caught up the fallen banner of liberty after Father Hidalgo was captured and cruelly executed. Finally, after 10 years of costly sacrifice, the Mexican people achieved their long-sought goal of national independence and a more equal extension of human rights and dignities.

Today Mexico is reaping the rewards of many years of progressive social, economic, and political progress. She stands as a symbol of progress and is a bulwark in the fortress of democracy. She has swiftly marked out of the ranks of undeveloped nations and has exhibited an unprecedented record of social and economic growth. Her industrial production is spiraling upward at a rapid rate which has enabled her to become Latin America's second most prolific producer of steel and oil. It has also enabled her to fashion the best highway network in Latin America. Unlike many formerly undeveloped nations Mexico has accomplished these tremendous improvements without any degree of exploitation of property or human rights.

The people of the United States always have treasured the bonds of affection and mutual interest that have linked them to their good neighbors in the south. The destinies of our two countries are joined like blood brothers in the common cause of freedom and dignity for all men. My own State of Colorado, has benefited greatly from the manifest contributions of our citizens of Mexican descent. Their industriousness and vigor has been evident in all fields of private and public endeavor. Their language, music, food, their whole culture, has immeasurably enriched and influenced our own culture. On this anniversary I am proud to extend my very best wishes to our friends south of the border as well as to those who have decided to make our America their home. We, in the United States, have great reason to celebrate this day with our friends to the south and to extend our thanks for their many contributions to our culture, our freedom, and our economy.

SESQUICENTENNIAL OF THE GOLDEN LAMB, OHIO'S OLDEST INN

Mr. LAUSCHE. Mr. President, it is a pleasure for me to call to the attention of my colleagues the fact that the citizens of the community of Lebanon, Ohio, will celebrate on September 17 and 18 the sesquicentennial of the Golden Lamb, Ohio's oldest inn which has for generations been a mecca for thousands who enjoy fine food in an atmosphere of beauty and restfulness.

I convey to the community of Lebanon congratulations and best wishes upon this occasion.

Store clerks will wear the habiliments of a century and a half ago, and antiques made by the Shakers, a religious sect which sprang from the Quakers and migrated westward into Warren County in 1802, will be viewed.

The genesis of the Golden Lamb dates from December 23, 1803, the year of Ohio's statehood, when Jonas Seaman, who owned a log cabin, was granted a license to operate a "house of public entertainment." The present building dating from 1815 is on the original log cabin site.

The first guests came on foot or horseback; next in an ever-increasing procession, in every kind of conveyance, the pioneers moved into the Northwest Territory. These were days of hostile Indians as well as marauding white renegades, and all parties traveling maintained constant vigil against attack.

Throughout the years, through prosperity and bad times, the inn has maintained its high standards of gracious hospitality, excellent cuisine and clean, comfortable beds.

The parlors of the Golden Lamb saw the inception of plans for Ohio's canals, for good roads, for railroads and bridges.

Political rallies and celebrations were frequent.

Owners of the Golden Lamb since 1926 are Mr. and Mrs. Robert H. Jones. They have completely renovated the building over the years and have furnished the interior completely with antiques. The building today has four floors, a lobby, four public and four private dining rooms and 40 guest rooms, all with telephones, television, and air conditioning. Here may be found a rare collection of Shaker documents, literature, and furniture.

Rooms have been named for famous guests including Presidents John Quincy Adams, Martin Van Buren, William Henry Harrison, Rutherford B. Hayes, Ulysses S. Grant, William McKinley, Warren G. Harding and William Howard Taft. Other famous names are those of Henry Clay, Harriet Beecher Stowe, Henry Ward Beecher, Charles Dickens, Samuel L. Clemens, James G. Blaine, and James Whitcomb Riley.

WEATHER BREAKTHROUGH

Mr. SMATHERS. Mr. President, Monday, September 13, Secretary of Commerce John T. Connor sent to President Johnson a memorandum concerning the activities of the recently formed Environmental Science Services Administration.

In his memorandum, Secretary Connor touched upon the outstanding work of the U.S. Weather Bureau in issuing timely and accurate warnings of hurricane Betsy, the second tropical storm of the current season. Beginning 11 days before Betsy unleashed her fury on the continental United States, the Weather Bureau took up a constant watch over the erratic actions on this killer storm, and because of the efforts of such skilled forecasters as Gordon Dunn, the Director of the National Hurricane Center in Miami, Betsy—unwelcome as she was—did not arrive unannounced or unexpected.

But even through residents of Florida and Louisiana were as prepared as human beings could be for the howling winds and crushing waves of this latest hurricane, the extent of the devastation it wreaked is only just beginning to filter into the numbed consciousness of a shocked nation. Even the present incomplete damage estimates stagger the imagination.

In Florida, where officials have had a week to assess the effects of Betsy, it is estimated that her anger has resulted in the destruction of \$119,204,550 worth of property in seven counties. As new information comes in, this estimate will doubtlessly rise. To date, we know that several persons died; that nearly 4,500 homes were completely lost or damaged; and that the entire south Florida crop of avocados and limes, valued at some \$300,000, was destroyed.

In Louisiana, the picture is far bleaker. With the floodwaters brought by the hurricane still not fully receded, dollar amounts cannot yet be accurately placed on Betsy's toll, but they will surely run over \$1 billion. As of this morning, the bodies of 63 persons have been

found. The storm damaged or destroyed over 155,000 homes and 50 to 75 percent of the State's cotton crop was crushed into the earth, never to be harvested.

Mr. President, these fearful indications of the violence nature is capable of hurling at her subjects prompted Secretary Connor to include in his memorandum to President Johnson the statement:

It is clear that the time has come for us to move vigorously forward to explore the possibilities of modifying and controlling the weather in beneficial ways. I cannot emphasize too strongly the importance of weather modification to the Nation at large.

Hurricane Betsy has given a special sense of urgency to the Secretary's words, words that point to a need that has been dramatized year after year as hurricanes have boiled out of their spawning grounds in the South Atlantic to attack the eastern and gulf coasts of the United States.

In 1964, for instance, the severest hurricane season in 25 years brought death to 49 people and ravaged more than one-half billion dollars worth of property. This devastation was but a repeat demonstration of nature's seeming determination to prove the inconsequence of man and his works.

But hurricanes are not the only manifestations of the cruelties the weather can impose. On Palm Sunday this year, tornadoes slammed into areas in the Midwest, killing 272 people, injuring hundreds, and destroying more than \$250 million worth of property.

And, great as our flood control efforts have been in recent decades, we still read annually of mighty rivers spilling over their banks and sweeping away crops, homes, and even lives as a result of too much rain or a sudden thaw.

If the excesses of nature cause trying hardship for man, so too does her sporadic stinginess. The depleted reservoirs of the Northeast give testimony to this unfortunate fact. That region is gripped by a crippling drought that has lasted many months. As supplies of potable water become ever shorter, New York City, Philadelphia, and other major eastern population centers are being forced to adopt more and more stringent water restrictions. No immediate relief for millions of thirsty citizens is in sight, and, in fact, the situation becomes more critical every day.

In Florida, the 1.5-million-acre Everglades National Park suffered a 4-year lack of rain that endangered the survival of numerous rare forms of wildlife and threatened to turn the area into a virtual desert. While recent rainfalls have helped greatly, no permanent solution has yet been reached that will assure the preservation of one of the rarest and most vital parts of our national landscape.

But, Mr. President, Secretary Connor's call to greater efforts at weather modification points the way to an eventual victory for man in his constant battle with the elements. Already, scientists have had some success in tests aimed at changing certain weather patterns, and new technological breakthroughs have given us an increased

research capability. Computers now enable scientists to simulate weather conditions in the laboratory and to experiment with controlling them. Such programs as Project Stormfury, which is conducted by the Weather Bureau in conjunction with the Navy, are demonstrating that, even with what we know at present, we can, in a limited way, alter the characteristics of cumulus clouds and tropical storms.

Ahead is a future when residents of areas now plagued with hurricanes, tornadoes, floods, or droughts can live secure in the knowledge that a system of weather modification has enhanced the generosity of nature while blunting her occasional furies. At long last, we will not only be able to talk about the weather, but we will be able to do something about it.

Mr. President, the long-range implications of such control over our environment extend into every realm of human activity and promise benefits beyond our fondest dreams. I am convinced that Congress should and must cooperate to the fullest with the Secretary of Commerce and the Environmental Science Services Administration in bringing to fruition the plans outlined by Secretary Connor for guaranteeing a future of fair weather.

THE NATIONAL HUMANITIES FOUNDATION WILL CONSTITUTE ANOTHER IMPORTANT ACHIEVEMENT OF THE 89TH CONGRESS

Mr. GRUENING. Mr. President, we have come a long, long way since January 7, 8 months ago, when on behalf of myself and 35 colleagues I introduced S. 111 to provide for the establishment of the National Humanities Foundation to promote progress, research, and scholarship in the humanities and the arts.

Extensive and informative hearings have been held by the chairman of the Senate Labor and Public Welfare Special Subcommittee on Arts and Humanities, our able and industrious colleague, the junior Senator from Rhode Island [Mr. PELL]. America and its arts and humanities are indebted to him for his efforts to improve the opportunities of all of us to better the quality of our lives.

On March 10 President Johnson sent to the Congress his proposal for legislation to promote progress and scholarship in the arts and humanities. This bill, S. 1483, was introduced the same day by the Senator from Rhode Island [Mr. PELL] for himself and on my behalf and for the knowledgeable senior Senator from New York [Mr. JAVITS]. That bill was known as the National Foundation on the Arts and the Humanities Act of 1965.

In transmitting the proposal to the Congress President Johnson recalled his statement in his state of the Union address in which he noted:

We must also recognize and encourage those who can be pathfinders for the Nation's imagination and understanding.

In his statement on the proposed National Foundation on the Arts and Humanities Act of 1965 the President said:

The humanities are an effort to explore the nature of man's culture and to deepen understanding of the sources and goals of human activity. Our recommendations recognize this effort as a central part of the American national purpose, and provide modest support to those whose work offers promise of extending the boundaries of understanding.

Pursuit of artistic achievement, and making the fruits of that achievement available to all its people, is also among the hallmarks of a Great Society.

The administration proposal was similar to the bills which Senator PELL and I had introduced, and it contained the proposals for the arts which Senator JAVITS had been working to achieve for a long time.

Working together, learning from men and women who share our concern for the need to strengthen our humanities and our arts, and concomitantly the quality of man's life on earth, we have today reached a long-awaited landmark.

The bill coming before us, improved by the Senate and the House, will place humanities and arts under a single roof and establish separate funded programs for each. We can use the tools of this bill in building the Great Society.

Humanities and the arts are entwined. To have separated them completely would have created an undesirable and needless alienation.

All of us can be proud of the outstanding and productive efforts to bring to us the best possible bill. I urge favorable consideration of the House approved version of this proposed legislation which contains, generally, features similar to the Senate approved bill.

We would be wise to start work as soon as possible. As President Johnson said in transmitting the administration's proposal:

This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

WATER RESOURCES COUNCIL REPORT TO THE PRESIDENT ON THE DROUGHT IN THE NORTHEASTERN UNITED STATES

Mr. JACKSON. Mr. President, on September 8, the Committee on Interior and Insular Affairs held an informational hearing on the current water crisis in the Northeastern United States which has been aggravated by the severe drought in recent years.

At our hearing, the Chairman of the recently established Water Resources Council, Secretary of the Interior Stewart Udall, announced that a second report to President Johnson had just been completed by the Council. Although the report was not available at that time, it has now been released and will be made a part of our hearing record on this important matter. I ask unanimous consent to have printed at this point in my

remarks a release from the White House outlining the report of the Water Resources Council.

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

WATER RESOURCES COUNCIL REPORT TO THE PRESIDENT ON THE DROUGHT IN NORTHEASTERN UNITED STATES

President Johnson announced that he had received an interim report on the Northeastern drought from his Water Resources Council, headed by Interior Secretary Stewart Udall. The report concluded that the emergency actions now underway to alleviate the drought, if accompanied by aggressive conservative measures and rainfall at last year's levels, will meet the major water needs of the more than 25 million people in the Northeastern United States through next spring's thaw.

The President stated that he was satisfied with the progress made to date, but called upon the Governors and mayors of the affected areas to continue their stringent efforts to conserve existing water supplies, particularly in view of the critical situation still prevailing in New York City, Philadelphia, and northern New Jersey. The President also reaffirmed his pledge to the citizens of the Northeast to cooperate with them in doing whatever else may be necessary to combat the drought.

The short-term emergency actions resulted from a series of White House conferences called last month, and from the visits of the water crisis team dispatched by the President to the cities hit the hardest by the drought. The plans were developed through the work of the Federal Government and State and local officials in New York, New Jersey, Delaware and Pennsylvania in what the President termed an "outstanding American effort."

The emergency actions are designed to establish a strategic water bank to allow for timely shifts of water within the Delaware River Basin system; provide an emergency pump pipeline system at Lake Hopatcong, N.J., and to release water stored in the Greenwood Lake to the Newark reservoirs; retard the Delaware River salt water front.

They followed the destination by the President of drought-stricken sections in New York, New Jersey, Pennsylvania, and Delaware as disaster areas.

The major findings in the Water Resources Council report were:

1. Although the past few weeks brought substantial rains to many places in the heart of the drought area, these were not sufficiently above the normal for this season of the year to significantly ameliorate drought conditions.

2. The critical situation persists in New York City, Philadelphia and northern New Jersey. Water conservation is being widely practiced. A water bank has been established at the Neversink and Pepacton Reservoirs to allow for timely shifts of water within the Delaware system. The salt water front in the Delaware is being retarded by a combination of measures. New York City is taking steps to construct the pumping plant at Chelsea. Additional water will be available from reservoirs and wells to assist in meeting the northern New Jersey shortage.

3. Emergency water supply sources have been located for some 23 additional communities in Vermont, New Hampshire, Massachusetts, New York, and Pennsylvania identified as having critical water shortages and, from information now available, it appears that the communities are in process of taking actions necessary to meet the short-term emergencies.

The report concluded:

1. That the emergency actions agreed upon, if accomplished promptly, in conjunction

with the efforts of the municipalities and States involved, and assuming that precipitation in the coming fall and winter is essentially the same as for the same period last year, can meet the major water supply needs of northern New Jersey, New York City, and Philadelphia over the emergency period through next spring's thaw.

2. That Federal agencies should continue their overview of the Northeast drought situation and continue to provide technical assistance, emergency agricultural assistance, temporary use of power, small watershed and flood control reservoir storage, and other measures.

3. That the Delaware River Basin Commission with assistance from the Federal agencies continue surveillance of the water shortage situation relating to New York City, Philadelphia-Camden, and northern New Jersey.

4. That in providing for the immediate emergency situation simultaneous consideration must be given timely and prudent preparations for a 5th year of drought.

The Water Resources Council and the Delaware River Commission will continue to monitor the drought situation and will continue to render technical assistance to the States and communities affected by the drought.

The Water Resources Council consists of the Secretary of the Interior as Chairman, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, the Secretary of the Army, and the Chairman of the Federal Power Commission. The President instructed the Council on July 14, 1965, to render all possible assistance in alleviating the 4-year drought situation.

The report of the Council carries a breakdown of current and planned actions by the Federal agencies represented on the Council and by other Federal agencies.

Mr. JACKSON. Mr. President, I am particularly pleased with the action and progress made by the Water Resources Council since its establishment by Public Law 89-80, signed by the President this past July. It is hoped that this will be a responsible, coordinating, planning unit which will bring unity and cohesion to the major task of planning our Nation's water resources development.

HOODLUMS AND CIVIL RIGHTS

Mr. LAUSCHE. Mr. President, I commend the editor of the Register, America's national Catholic newspaper, of Denver, Colo., for his front page cartoon of September 12, 1965, which pointedly demonstrated that a picture is worth a thousand words.

A sly, vicious hoodlum wolf masquerading under the cloak of the innocent lamb labeled "The Honest Civil Rights Movement" goes about his sinister business brandishing the torch of riot, slaughter, looting.

In many places of the Nation, under the guise of promoting civil rights, hoodlums, and other enemies of our Government are endeavoring to garb themselves in the cloak of the lamb. All righteous citizens should be constantly alert and vigorously protest these offenses against the true civil rights movement and the aims of our Government.

SENATOR CLARK ON WORLD LAW AND DISARMAMENT

Mr. PROXMIRE. Mr. President, the senior Senator from Pennsylvania [Mr.

CLARK], made an extraordinarily eloquent speech today before the Washington World Conference on World Peace Through Law.

This was a highly significant speech on the great question of our times—arms control and disarmament.

I ask unanimous consent that Senator CLARK's speech be printed at this point in the RECORD.

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

THE LAW OF DISARMAMENT

Someone once said that war was too important a matter to be left to the generals. That remark could well be amended by adding that peace is too important to be left to the politicians. Speaking as one who has never been a general—although I was once a colonel—but who is both a politician and a lawyer, I would agree with both statements and suggest that the time has now come for matters of war and peace to be turned over to the true experts—the lawyers. While that observation may sound facetious, in fact it is not. For if one subscribes to the view that stable and enduring peace can only be achieved through general and complete disarmament under enforceable world law, as I emphatically do, one must also recognize the unique responsibility which we as lawyers and jurists have in the search for peace.

It is scarcely possible to overemphasize the urgency of our task. We must move toward peace not inch by inch, but—to borrow a phrase from John Gardner, the new Secretary of Health, Education, and Welfare of the United States—by "barracuda bites."

For one thing is certain, in this most uncertain time of accelerating tensions and mounting stockpiles of lethal weaponry. It is that on the road to peace we cannot stand still. Either we go forward on that road to a planned peace or the octopus of events will drag us downward into war, as it is by way of doing right now in Vietnam, India, and Pakistan. And we shall not be able to go forward without a radical and substantial development of disarmament law. This development was promised in articles 2 and 26 of the United Nations Charter 20 years ago; but the promise has not as yet been performed.

To attain the kind of peace for which the peoples of all nations yearn, we must achieve in the near future both worldwide disarmament and world law to enforce it. The two are inseparable. Disarmament won't work unless there is law to enforce it. To be effective, disarmament must be total, though achieved in stages which will take several years to complete.

There are those who say that the attainment of world peace through world law is impossible and that the only way peace can be achieved is by contriving either a stable balance of power built on mutual deterrence or by building a universal empire based on overwhelming military power such as Rome. Indeed the history of diplomacy since Napoleon has been a search for the former solution. But two hideous and bloody wars and a host of lesser engagements have proven that in the 20th century the search for either a stable balance of armed power or in the alternatives, a universal empire is fruitless.

Nevertheless the skeptics continue to insist that there is no alternative to balance-of-power politics, that we had better make the best of it and not go chasing off after crazy schemes. However, I am sure that there were once those who said that there is no alternative to the law of the jungle, that the best thing one could do was get a good stout club, grab the first woman in sight by her hair and not wander too far out of the cave at night.

Somehow, out of a combination of necessity and ingenuity, law finally came into being, backed up by institutions which were universally acknowledged as having the power and the duty to enforce it.

Of all of man's inventions, this least celebrated one, law, may eventually be the most significant. It is possible to have a civilized society without the wheel or the lever, but it is impossible to have civilization without law courts, lawyers, and armed policemen to enforce judgments and decrees.

What man has done to make civilization possible—namely, to create enforceable law within nation states—he now must do on a world scale to make it possible for worldwide civilization to survive. This is the core of the matter: General and complete disarmament under enforceable world law is essential to the survival of civilization. The rest, which follows, is a necessary qualification.

For there is no rationale for requiring an enforceable world law which purports to regulate all aspects of the lives of individuals and nations. The scope of world law must be limited by the conditions which require it; it should be only the law of war prevention, not the law of marriage and divorce or property rights or private contracts or water rights. The key to war prevention is disarmament, general and complete, established by treaties carefully drafted by lawyers and it must be enforced through the judicial process by some sort of an international peacekeeping police force with a monopoly of the weapons of war.

Now, plainly, none of this can be achieved unless all nations are prepared to yield a certain amount of national sovereignty and to be creative and imaginative in erecting new international institutions to carry out the job of achieving, monitoring world peace through world law in a disarmed world.

These institutions created by legal craftsmen should include the following:

1. A vetoless international disarmament organization, to insure compliance with disarmament obligations by all nations at all stages of the disarmament process, and after general and complete disarmament has been achieved. This body would have the important duty of verifying that all nations had complied with the requirements of each stage of disarmament before ordering them to proceed to the next stage.

2. An adequate world police force. In order to keep the peace during the period of disarmament and thereafter it will be necessary to create, parallel with the disarmament process, a strong and heavily armed force of, say, 300,000 men, composed of individual volunteers and not of national contingents, with safeguards to prevent any nation or group of nations from exercising undue control, and to provide assurances against abuse of power by this force.

3. International tribunals of mediation, conciliation, and adjudication to provide fully for the peaceful settlement of all international disputes, in lieu of force or the threat of violence.

There is much which we as lawyers and jurists can do to convert these institutions from dreams to realities. Accordingly I propose to this panel the formation of an international commission of jurists to draft a detailed plan for general and complete disarmament under law which contains safeguards adequate for the protection of all nations and which meets the legitimate objections and fears of all nations. The membership of this international commission of jurists should be as broadly representative as possible, and all nations should be encouraged to contribute their best legal brains and talent to this effort. The embryo of such a commission presently exists at the 18-Nation Disarmament Conference in Geneva in the form of a committee of jurists consisting of representatives of the United States, the United

Kingdom, Italy, and Canada. It could be nourished and be born a healthy child by adding representatives from the legal profession of all states having significant armed forces, assisted by representatives of the weaker countries which nevertheless have an important stake in world peace.

It is no secret that the work of the 18-Nation Disarmament Conference at Geneva has been severely limited by the absence from the bargaining table of two major powers: France and China. I would hope that both the French and the Chinese would be willing to participate in the work of the International Commission of Jurists which I have proposed, and would send their best lawyers to help shape the detailed language of a comprehensive plan for achieving general and complete disarmament under enforceable world law.

A number of conditions are indispensable to the success of such an enterprise as this. First, and possibly most important, an enlightened world opinion must come to understand the need to create enforceable world law and to bring about and maintain general and complete disarmament. Old ideas die hard. The notion that security can be bought in an arms race is a particularly persistent myth.

However, I am confident that this Second World Conference on World Peace Through Law, and other meetings and conferences on related themes can perform a valuable educational function. To borrow Adlai Stevenson's famous phrase, we must not be afraid to talk sense to the people of the world, to help them break the old patterns of thinking and forge new constructive ones. This has been a major function of the legal profession.

Next, we must strive to build and strengthen the growing detente between East and West and between developed and underdeveloped countries. All nations have an interest in finding mutually acceptable ways to reduce the danger of war, to improve their standards of living and to lift the heavy burden of armaments from the backs of their peoples. I regret the absence of representatives from the Soviet Union and the Chinese Peoples' Republic from this world conference. I hope that next time around they will be present.

Finally, the disarmament process must be adequately financed by an automatic tax payable directly, not through national treasuries, to the International Disarmament Organization. We cannot allow the effort to flounder for lack of funds.

In connection with the foregoing I submit for the consideration of this working session on disarmament and of this conference itself two documents. The first is U.S. Senate Concurrent Resolution 32 of the 89th Congress, the planning for peace resolution. This proposal cosponsored by 26 Senators sets forth in greater detail the matters I have been discussing this morning. The second is a report made by a group of distinguished international experts in the field of U.N. reform and disarmament to the Stanley Foundation setting forth a more detailed plan for achieving world peace under enforceable world law.

One hears a great deal about how one nation or another is not genuinely interested in disarmament. But I hope the doubters on all sides will take a new look at the concept of enforceable world law and will come to appreciate the necessity for yielding a measure of national sovereignty in order to achieve world peace.

Just a few months ago in San Francisco, the Secretary-General of the United Nations, U Thant, asked: "Is it really only the scourge of war or the lash of terror that can move us to the goal of peace and justice in the world? Can we not make the effort to advance out of our own sense of responsibility and knowledge, rather than be driven like

refugees before a storm which may be unleashed by our own inability to take hold of the future?"

All of us here—judges, lawyers, teachers of the law, yes, even politicians—as members of the international fellowship of the legal profession and as individual human beings as well, know that the answer to U Thant's question must be yes. Let us acknowledge the special responsibility which we have for creating the legal foundations for peace, and set ourselves, in a spirit of cooperation and good fellowship, to the prompt completion of our appointed tasks.

PERSONNEL PRACTICES AND PROCEDURES IN THE FEDERAL GOVERNMENT

Mr. McINTYRE. Mr. President, recently the Government Employees' Council of the AFL-CIO, a group of 31 unions representing some 1 million men and women in career civil service positions, raised some rather pointed questions concerning the existing personnel practices and procedures in the Federal Government.

In effect, these unions have posed these questions to both the executive and legislative branches of the Government:

First. Is the closing of military installations going to result in real savings to the taxpayers, or will it lead merely to the purchase of military hardware from private, profit-oriented firms—at an ultimately higher cost to the public?

Second. Is it wise to continue to have private contractors sell to the Government those services which have historically and successfully been performed by civil service employees—particularly if the cost for obtaining these services from the private sector of the economy is substantially higher than for direct-hire personnel?

Third. Is it either economically or militarily sound to have men in uniform assigned to civilian tasks—working as plumbers or carpenters or chauffeurs or in scores of other jobs—when such practices not only cost the taxpayers more, but also deprive them of the military potential which these servicemen represent?

These are questions which, individually, have concerned many Members of the Congress for some time. My own concern over the base closure question in general, and its application to the Portsmouth Navy Yard in my own State, in particular, is well known. Other distinguished Members of the Senate have joined me in expressing alarm over these decisions on military installations—on the basis of their impact on the economies of the communities in which these facilities are located, on the basis of their impact on our military preparedness, and on the basis of the ultimate savings, or lack of savings, that are involved. Other Members have spoken out on the question of the contracting out procedures and the use of military personnel in civilian jobs. So these are matters that concern—and have concerned—many of us for some time.

The Government Employees' Council has estimated that, taken together, these practices involve a waste of some \$2 billion a year to the American taxpayers.

This is a staggering amount, Mr. President. It is more than the amount which we have recently voted to prosecute the war against communism in Vietnam. It is more than the amount which we have voted to carry on the war against poverty at home. It is more than the amount which the President recently announced would be required to put a manned orbital laboratory into space. Clearly, in the face of waste of this magnitude, it is urgent that we root out the cause and proceed to correct the situation.

The 31 Government unions in the council have charged that two factors are involved in this siphoning off of taxpayers' funds:

First. They contend that a directive issued by the Bureau of the Budget in 1959—a directive that is still in force—virtually pressures Government agencies into buying services from commercial sources, even when these services cost far more than it would to have the same assignment carried out by career civil service personnel.

Second. They contend that the Whitten amendment, which establishes the ceilings on Government employment, is unrealistic and that it makes it impossible for Federal agencies to carry out their missions with direct-hire personnel. These ceilings, the Government Employees' Council asserts, encourage agencies to turn either to commercial or military sources for the people that are required to get the job done.

The Government Employees' Council has written to the President of the United States, asking for the opportunity to discuss with him, or his designees, the steps which might be taken to alleviate this situation. But the fact of the matter is, Mr. President, that the proposed solutions call for affirmative action, not only by the executive branch of the Government, but by the legislative branch, as well.

For that reason, I have written to President Johnson requesting that Members of the Congress—specifically, delegations from the Senate and House Post Office and Civil Service and Armed Services Committees—be made parties to any discussions between the administration and the Government Employees' Council on this critical subject. I ask unanimous consent that the text of my letter to the President be inserted at this point in my remarks.

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

SEPTEMBER 15, 1965.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have read with considerable interest the recent request made by the Government Employees' Council of the AFL-CIO for an early meeting with officials of your administration to discuss ways in which substantial economies can be effected through drastic revision of the present personnel policies and practices of the Federal Government.

These unions—which represent nearly 1 million employes in the Federal service—have raised serious questions involving such matters as the closure of military bases, the use of contractor personnel instead of career civil servants, and the assignment of our

men in uniform to the performance of civilian tasks.

The Government Employees' Council, relying on testimony presented to a committee of the House of Representatives as well as on information available to its own member unions, has indicated that these practices may be resulting in a waste of as much as \$2 billion a year. This represents a staggering drain of taxpayers' dollars and is, I am sure, of major concern to you in your continuing efforts to economize wherever possible in Government.

The unions in the Government Employees' Council have proposed certain steps which they feel could lead to substantial cost reductions. These savings could be used either to finance some of the Great Society programs which are being enacted into law under your leadership, or to further reduce the tax burden on the American people.

Some of the proposals which these unions have made in the nature of corrective action involve decisions which can be made within the executive branch; others would require action by the legislative branch. Because of the dual nature of the remedies proposed, it might therefore be helpful if there were a joint exploration of the nature and extent of the problem, and a joint decision on the steps which can best be taken to alleviate the present situation.

I would respectfully propose, therefore, that, in your arrangements for any meeting with representatives of the Government Employees' Council on this matter, you give consideration to inviting a select group from the legislative branch to join in the discussions. Perhaps the best course of action would be to invite delegations from the Senate and House Post Office and Civil Service and Armed Services Committees, since these are the agencies of the Congress which deal most directly with personnel issues.

A joint approach to the problems raised by these unions would go a long way toward reinforcing the cooperative spirit between the executive and legislative branches of our Federal establishment. Of equal importance, it would permit a more orderly effort in devising solutions to a very serious national problem—an approach that would respect the responsibilities of the respective branches of Government to serve the American people.

I hope you will give favorable consideration to this approach, and to the request of the Government Employees' Council for an early meeting to explore the issues in depth. I believe it would be a constructive way to implement your own avowed intention of economizing in the use of tax dollars, without scrimping on the services which our Government renders to its citizens.

Respectfully yours,

TOM MCINTYRE,
U.S. Senator.

Mr. McINTYRE. Mr. President, I have endeavored to make the point that the processes of Government are best served if we can strengthen the relationship between the executive and legislative branches. In recent months, the press has accused the Congress of attempting to usurp the prerogatives of the executive branch. This, of course, is not true. We have merely expressed our displeasure with some of the unilateral actions taken by some Federal appointees, and we have tried to discharge our obligations to the American people in a manner that will guarantee the best possible solutions to the many problems which confront us as a nation.

Whether the problem deals with the closing of military bases, or the allocation of work between Government and private facilities, or the contracting-out to the

private sector of the economy of work historically done by the men and women on the career rolls of our Government, or the misuse of the men in uniform who are supposed to be defending our Nation—whatever the problem, we can best devise solutions if we all work together, within the framework of our constitutional form of Government. This is the reason why I have requested the President of the United States to include Members of Congress in any discussions with the Government Employees' Council on the question of wasting taxpayers' money through misguided personnel policies.

I would like, Mr. President, to acknowledge the debt which is owed to this group of AFL-CIO unions for turning the spotlight of public opinion on this urgent problem. To help acquaint my colleagues and the American people with the extent of the contribution which this group of unions has made, I ask unanimous consent that the text of the letter from GEC Chairman E. C. Hallbeck to President Johnson, together with a background statement which these unions have issued, be incorporated into my remarks.

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

TEXT OF A LETTER TO PRESIDENT JOHNSON FROM E. C. HALLBECK, CHAIRMAN OF THE GOVERNMENT EMPLOYEES' COUNCIL, AFL-CIO

DEAR MR. PRESIDENT: The 31 unions comprising the Government Employees' Council, AFL-CIO, are conscious of your keen desire to achieve sound economies in the Federal service. We are aware also of your deep interest in the well-being of the men and women who devote their careers to public service in various Federal agencies.

For these reasons, we offer several suggestions to save the Government as much as \$2 billion each fiscal year, without impairing any essential services to the American people.

Earlier this year, you will recall, the Subcommittee on Manpower of the House Committee on Post Office and Civil Service issued a report on the personnel practices of the Department of Defense. In this report, the subcommittee estimated that as much as \$1,400 million was being lost annually by contracting to private companies work which has historically and successfully been handled by civil service employees.

The subcommittee's report concentrated exclusively on the Department of Defense—which, by the nature of its huge budget, is probably the largest user of these contracts. But there is considerable evidence which could be adduced to show similar examples in other executive departments and agencies—the Post Office Department, the National Aeronautics and Space Administration, and the General Services Administration, to name just a few. These practices in non-Defense agencies could add up to as much as \$600 million more each year.

The Government Employees' Council proposes four steps to alleviate the situation:

1. Withdrawal or substantial modification of Bureau of the Budget bulletin No. 60-2. This document was issued in 1959 by another administration, setting forth, as official policy, the concept that the Government should not perform services and functions which can be provided by private firms. Regrettably, this document has not been revised in succeeding years. It specifically permits agency officials to purchase services

from private firms even when they are far more costly to the taxpayers than the use of direct-hire civil service personnel. We believe this flies in the face of your administration's efforts to achieve meaningful economies.

2. Ending entirely the use of military personnel to perform civilian functions. This has proven quite costly in tax dollars, on the basis of the House subcommittee hearings. Just a few days ago, Representative DAVID N. HENDERSON, the subcommittee chairman, estimated that at least 50,000 active-duty military men in our armed services are performing civilian-type work. This is detrimental to our defense posture as well as harmful to your economy efforts. Particularly now, in view of the serious military situation in the Far East, we believe these personnel should be released to combat duty, and their civilian functions—carpenters, painters, chauffeurs, typists, stock clerks, statisticians, et cetera—be returned to the civil service category where they previously belonged.

3. Repeal of the Whitten amendment, which has placed unrealistic ceilings on Federal agencies. The council was gratified with your action of August 6, 1965 in signing H.R. 6622 into law. The new statute helps relieve a critical situation by exempting the Post Office Department from the personnel restrictions of the Whitten amendment. However, as long as Korean war-type ceilings are placed on other agencies—ceilings which do not take into account the additional demands generated by an ever-increasing population, and the additional services required by new statutes and expanding agency functions—these restrictions will serve as an open invitation to agencies to purchase untold numbers of man-years of service outside the Government in order to achieve agency missions. Procurement of these services from private companies results in far higher costs to the taxpayers than does the direct hire of additional civil service employees.

4. A review in depth of Defense Department plans to close or consolidate military installations. While there may be some activities which are no longer essential because of changing defense requirements, the Government Employees' Council believes that the determination to close many facilities constitutes false economy. The military hardware being produced at some of these installations remains vital to the defense of freedom, and the Defense Department will be forced to obtain this hardware from private firms. This will lead, inevitably, to greater expenditure of taxpayers' dollars. The Manpower Subcommittee has indicated it plans to hold hearings on the base-closure question. We hope the administration will join with us in a serious review of this matter before the subcommittee in the interest of sound fiscal management.

While welcoming this administration's efforts toward economy, the Government Employees' Council is concerned that it might be turned in the direction of merely reducing the size of the Government payroll. In years gone by, Federal employees have been the whipping boys for many a so-called economy drive, for it has long been popular to regard Federal employment as some evil that must be avoided at all costs. We are confident that your administration has no such thought in mind, but we are concerned that overzealous officials at lower levels in the executive department might construe the frugality drive as open season on civil service employees.

If this should prove to be the case—if the tactics at the agency level should be to slash payrolls and then turn work over to private contractors—then the administration's efforts toward economy not only will be illusory but we will all suffer, for there will be a lessening of service to the American people and a marked reduction in its quality.

Let me once again pledge to you, Mr. President—on behalf of the Federal employees in the classified, postal, and wage board services whom our 31 affiliated unions represent—that the Government Employees' Council wholeheartedly supports your goal of a Federal establishment which will provide the American people a maximum of service at a minimum of cost. This has been the historic position of the Government employee; it will continue to be our policy.

Because we are most anxious to join more fully in the administration's efforts to achieve meaningful savings throughout Government, we look forward to an early opportunity for a small committee to discuss our proposals in greater detail with you or your designated representatives.

Respectfully,

E. C. HALLBECK,
Chairman.

A BACKGROUND STATEMENT BY THE GEC

The Government Employees' Council of the AFL-CIO has no quarrel with the private enterprise system on which the American economy is based. We welcome free enterprise; we concede its right to grow and prosper; we salute it for the enormous contribution it has made to the progress of our country.

We subscribe to the principle that Government should not compete with private enterprise. However, we do not interpret this to mean that the Government must be rendered impotent or that it must cede its duties and responsibilities to private firms. We feel that the Government has certain historic functions to perform, and that free enterprise has totally different functions to perform.

We believe this subject of competition should be a two-way street. If Government should not compete with private enterprise, it follows that private enterprise should not insist on competing with Government. We see no justification for an approach in which the business community says "what's mine is mine, and what's yours is supposed to be contracted out."

It would make as much sense for the Government to contract out to private firms the raising, training, and equipping of our Armed Forces—in the manner of the Hessians of generations past—as it does to say that the Government, to prove it is noncompetitive, must turn over to profit-oriented firms those duties that have been performed successfully by Government employees over the course of years. This is, of course, patently ridiculous.

There is no rationale for contracting with private firms to do the jobs which can be done cheaper, and better, through the use of direct-hire employees on the Federal payroll. If this present procedure is pursued further—particularly at a time when the administration is engaged in what it calls a war on waste—the American people are going to be misled. They will be told that reductions in the Federal payroll are being made in the interests of economy—but will they be told, as well, that to achieve this goal, more money is being expended to purchase the same services (or even services of lesser quality) from private firms?

The trend toward contracting out is the inevitable byproduct of restrictive personnel levels in the Federal service, aggravated by a policy directive issued in 1959, and still in force, which virtually commands agency heads to give preferential treatment to private contractors, as opposed to direct-hire employees, irrespective of the cost.

Bureau of the Budget Bulletin No. 60-2 sets forth the views of a prior administration on this question of competition between the Government and private enterprise. It states, as its credo, the principle that "the Federal Government will not start or carry

on any commercial-industry activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels."

In pursuit of this policy, the bulletin instructs agency officials to overlook even "relatively large and disproportionately higher costs" of commercial sources, and states as a general rule that agencies should have "a presumption in favor * * * of commercial sources"—even, the bulletin says, when these are "more costly commercial sources."

This is a curious policy. It is a damn-the-cost-full-procurement-ahead concept. It may fit administrators' notions of how to get along with free enterprise, but it certainly is at odds with any high-flown promises about prudent management of Government affairs.

Yet, the policy continues to exist, and the Bureau of the Budget, which promised the House Manpower Subcommittee a year ago that it would revise the bulletin, still has done nothing.

When you add to this bulletin the unrealistic ceilings on personnel with which Government agencies are saddled by the Whitten amendment, you create the kind of situation that agency administrators must find hard to resist. On the other hand, you have increasing demands for services from departments and agencies of Government; on the other hand, you have strict directives on the number of people you are allowed. Increased efficiency and greater productivity from all Government workers—classified, postal, and wage board—have performed miracles in terms of getting a quality job done, but this has not been enough in the face of new programs and new directions for Federal agencies.

What is an administrator going to do? He's going to have the work done by a private firm, which charges not only for the people it supplies, but which also charges overhead and profit. Government directives say that agencies should not use contracting-out procedures to circumvent personnel ceilings. But given the problems, these directives are going to be honored more in the breach than in the observance.

The record of the Manpower Subcommittee is replete with evidence to sustain this point. In its report issued earlier this year, Representative DAVID N. HENDERSON, subcommittee chairman, said this: "The Federal Government is paying about \$1.4 billion annually more than would be necessary if this work were being handled by civil service employees on the direct payroll of the Federal Government."

The subcommittee went on to say: "It is not good business for the Federal Government to contract with private interests to furnish to the Government 'people' to perform work that currently is and historically has been successfully handled by Government personnel. This, in the opinion of the subcommittee * * * is unwarranted (and) is false economy."

The report centered exclusively on the contracting-out procedures of the Defense Department. If its findings were to be applied on a Government-wide basis—and, after all, the contracting out is being conducted in virtually every department and agency of the executive branch—then it is easy to see how the figure on waste would reach, or exceed, our \$2 billion estimate.

The subcommittee criticized the fact that "no one in the Government knows how many man-years are being bought from private industry to work in the Department of Defense nor does anyone know exactly how much it is costing." In other words, not only is the practice widespread, no one has apparently taken the time to discover its wasteful nature—relying on bulletin No. 60-2's "presumption" in favor of the private con-

tractor, irrespective of "disproportionately higher costs." The subcommittee ventured the opinion that the cost of contractor employees "may be as much as 100 percent more than a similar staff of civil service personnel doing a similar job."

The subcommittee said it had found "many examples * * * proving that restrictive civil service personnel ceilings are a major reason for using contractor personnel," and said its members were "shocked at the degree of inefficiency and waste of Government funds" involved.

As to bulletin No. 60-2, the subcommittee said this policy "does lean heavily on the side of commercial sources irrespective of costs." It added: "In consideration of the dynamic nature of our economy, plus the changing concepts of our defense effort, it is rather difficult to imagine a policy of this import not having been revised" since its adoption in 1959.

The record shows only one type of contracting out which has resulted in any appreciable savings—but ironically these savings have been at the expense of another administration principle: Its war on poverty. The subcommittee produced evidence showing that, when janitorial services were turned over to private contractors, the latter often hired workers at substandard wages—often below the minimum wage level. We deplore this type of situation which pits the worker on the lowest rung of the economic ladder against the Government employee—to the detriment of both, and of the country, as well.

Representative HENDERSON, expressing concern over this situation, quoted from testimony by Assistant Secretary of Labor Esther Peterson before the House Education and Labor Committee, when she said: "The Federal Government cannot afford to save money at the expense of those who are among the most unskilled, the weakest, and the poorest of our citizens. This result is directly contrary to one of our most frequently expressed ideals. Contributions to our Federal Treasury from the pockets of those living in the depths of poverty are too costly." We heartily endorse this view. We hope that the officials who head the various Federal agencies will pay heed to Mrs. Peterson.

In recent weeks, there have been signs that the administration is taking a hard, new look at this problem. We particularly applaud the pledges by Norman Paul, Assistant Secretary of Defense for Manpower, that thousands of jobs, usurped by military personnel will be returned to regular civil service employees, and that other technical jobs now filled by employees of private contractors likewise will be returned to career civil servants. This is a welcome start. Now it must be implemented and enlarged upon throughout Government.

GEC opposition to contracting out is nothing new. Back in 1961 we had this to say on the subject: "This policy has led to * * * the discharge of thousands of career civil service employees before they have become eligible for retirement, and at an age where industry and other governmental agencies are unwilling to employ their services. The policy has caused the waste of valuable skills and loss of the effective utilization of hundreds of millions of dollars invested in plant facilities and tools. It has caused thousands of families and hundreds of local communities to suffer adverse economic adjustment and hardships. It has also fostered and promoted higher defense costs to the taxpayer and has been responsible for the adequacy and quality of our country's defense posture to be vested in the profit-motivated segment of our economy, instead of under the control of the Congress and the administration, as required by our Constitution."

Our commitment to frugality is nothing new, either. Our 31 affiliated unions and their members have long been pledged to the

war on waste—pledged to it, in fact, before it was really fashionable. Proof of our commitment has been the wholehearted participation of our members in the Federal employees' incentive award program. Over the past 10 years, hundreds of thousands of their ideas have been accepted by the Government, resulting in savings running to the hundreds of millions of dollars.

Vital as these savings have been, they pale by comparison with the \$2 billion a year which can be saved by the revised personnel procedures which we have recommended to the President.

INCREASED RETIREMENT ANNUITIES FOR FEDERAL EMPLOYEES

Mr. CARLSON. Mr. President, H.R. 8469, which provides for retirement annuities increase for our Federal employees, passed the House August 3, 1965.

This bill, with amendments, passed the Senate on September 8, 1965, and on September 9, 1965, the House agreed to the Senate amendments. The bill was then returned to the Senate for signature by the Vice President and forwarded to the White House.

Some of my friends who are vitally interested in this legislation checked and found that it has not yet arrived at the White House. As a member of the Senate Post Office and Civil Service Committee, I earnestly urge that this bill be sent to the White House for final approval.

This is important in order that our Federal retirees will be eligible to receive the increased annuities, on December 1, 1965. If the bill is not signed before October 1, the retirees will lose 1 month's benefits as payments will begin after January 1, 1966—instead of December 1, 1965.

THE BRITISH POUND STERLING

Mr. JAVITS. Mr. President, on August 12 I made a major speech concerning the state of the British economy and its problems and its relationship to the stability of the international monetary system. In that speech I called attention to the seriousness of the British economic situation—not only the immediate position of the pound sterling, but also to Britain's ability to correct the fundamental weaknesses in its economic system which contribute to periodic crises in its balance of payments.

Since that speech Secretary Fowler, during his recent European trip, succeeded in putting together a new financial package, with the support of the industrialized countries of Europe plus Canada and Japan, except France. I fully support this action and agree that it will remove the immediate threat of a crisis for the pound sterling and thereby will contribute to the stability of the international monetary system. Note should be taken at the same time of the very drastic steps which the British Government itself has taken in dealing with the threat of inflation in Britain and thereby strengthening the confidence of the world's financial centers in the ability of the British Government to bring the immediate crisis at hand under control.

My own feeling is, and I have fully expressed this in my August 12 speech,

that the real solution to Britain's recurring balance of payments crises is in the modernization of management and labor policies and practices in Britain's industry, as well as strong external financial support for the modernization of key sectors of the British economy, and the making of new trade arrangements between the United States, Britain, and Canada and other countries willing to abide by the terms of these arrangements.

So, while I strongly support the new credit arrangements now concluded between the United States and its industrialized allies to support the pound, I believe that what is needed is for the United States, in cooperation with its allies, to assist Britain to deal with its long-term problems on the basis of long-term arrangements such as I have suggested.

I am glad to note that the Honorable Robert Roosa who, until last year, was Under Secretary of the Treasury, and the architect of many of the ad hoc measures that have been taken to supplement the international monetary structure created in the immediate postwar period, suggested, in his recent book entitled "Monetary Reform for the World Economy," that Britain be extended a long-term loan by the industrialized countries to help pay off Britain's existing relatively short-term debts to the IMF. My own proposal is for the industrialized countries to provide approximately \$10 billion to Britain in long-term loans through the World Bank to provide it with the necessary funds to modernize segments of its economy, in an orderly and considered atmosphere.

I am pleased to report that the reaction to my suggestions was quite favorable in the British press, and once again I urge the President, the Secretary of the Treasury, and the Secretary of State to give their careful attention to the proposals contained in my August 12 speech. Anyone who carefully analyzes the British economic situation can see that the principal contributing factors in Britain's current balance-of-payments crisis and the need for Britain to deal with this crisis through drastic, deflationary action are due to long-term fundamental factors that must be corrected so that sterling will continue to play its present major role in the international monetary system. The willingness of industrialized countries, both last November and again a few days ago, to come to the aid of the pound indicates a recognition of the key role of the pound in the existing international monetary system. What must be done now is for the industrialized countries to begin immediate consultations with Britain as to how these countries could contribute to a fundamental correction of Britain's basic economic woes.

I ask unanimous consent that copies of articles appearing in the British press concerning my proposals, as well as recent articles from the American press concerning the state of the pound sterling, may be printed in the Record at the conclusion of my remarks.

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

[From the Economist, Aug. 14, 1965]

A KITE FROM NEW YORK

Senator JACOB JAVITS, New York's independently minded Republican, has always had a flair for picking up and backing the good cause—if never an official position to bring to bear. This week, just when sterling seemed to be recovering anyway, the Senator proposed a still closer Atlantic partnership to help the pound: the formation of a free trade area in manufactures and the extending of American technical and financial aid to this country. It was all more dramatic than new. And all very unofficial. But it would be a mistake to dismiss it out of hand for all of that. The basic idea of a free trade area across the Atlantic is a good one—this newspaper advocated exploring this possibility when the European door banged shut. And we have also advocated a virtual merger of the British and American exchange equalization accounts through a major and permanent extension of the swap facility. The Senator's scheme while sensibly suggesting starting modestly—with perhaps just the three giants, the United States, Britain, and Canada in the trade area—is open ended. Presumably, it would eventually embrace at least Britain's EFTA partners. It is a suggestion worth official consideration—particularly now that, hopefully, the heat of the sterling crisis has cooled—if only as a less-than-ideal solution.

[From the Financial Times, Aug. 13, 1965]

SENATOR URGES MASSIVE U.S. SUPPORT FOR UNITED KINGDOM

WASHINGTON, August 12.—Massive U.S. support by the administration to prevent Britain's recurrent financial crises from weakening her role in Western affairs was urged today by Republican Senator Jacob JAVITS, of New York.

"It is obvious from Britain's recurrent balance-of-payments problem that without basic domestic economic reforms—which Britain shows every will to effect—aided by substantial U.S. capital, Britain's role in world affairs will be seriously impaired in the coming years," he warned.

Commenting on the various measures taken by the Labor government, Senator JAVITS maintained that except for the wages policy and the creation of new Ministries, "these measures do not deal with Britain's long-range problems." To deal with these he proposed powerful economic support from the United States in various ways.

The United States should make available to Britain the technical knowledge and financial support Britain may call for to assist in the modernization of industry. In particular, Senator JAVITS suggested, President Johnson should exempt Britain from the interest equalization tax for up to \$100 million annually for the purpose of obtaining long-term U.S. private capital to modernize factories.

MODERNIZATION FUND

There should also be a modernization fund set up by OECD nations to help Britain with her long-range structural problems. Senator JAVITS proposed a \$10 billion fund for this purpose.

He further suggested that the United States should offer to enter a free trade area treaty—which would eventually include members both of the EEC and EFTA—and agree to lower tariffs on an across-the-board basis by 5 percent annually for 20 years. For this purpose Senator JAVITS today introduced a bill which would authorize the President to eliminate U.S. tariffs on the manufactured products of industrialized nations.

Most of Senator JAVITS' proposals have little prospect of gaining official backing at this time, but the tone of his speech is indicative both of general concern here at the implication of Britain's economic troubles, and of the large fund of good will which still exists for Britain in Congress, especially among legislators from the eastern seaboard.

Noticing the tremendously important role still played by sterling, he pointed out that it is greatly to American interests to maintain the dollar and pound international standard. Our economy need not be asked to carry this responsibility alone.

[From the Guardian, Aug. 13, 1965]

CALL FOR MAJOR U.S. AID TO BRITAIN—REPUBLICAN SUGGESTS PARTNERSHIP

(By Richard Scott)

WASHINGTON, August 12.—The United States should rally with all necessary aid to the side of the United Kingdom in the "second Battle of Britain" which is now being fought out on the economic front. This is the essence of an argument developed before the Senate this afternoon by Senator JAVITS.

Britain, the liberal Senator from New York said, is America's closest ally; she is also an essential element in the stability and strength of the free world. And the threat to the stability of the pound indicated that there was a grave danger that "Britain's recurrent financial crises would significantly reduce her leading participation in the conduct of Western affairs." The Senator thought the United States should take the initiative in helping Britain to win its economic battle.

STRONGER RELATIONSHIP

He suggested that America needed a stronger relationship with the United Kingdom, which would lead to "a broader trading arrangement to include all the industrialized countries of the free world." Specifically, Senator JAVITS proposes:

1. The United States should offer to enter into a free trade area treaty, at first with Britain, then with Canada and, on a reciprocal basis, with the other EFTA nations, the Common Market countries, either individually or as a unit, and the other industrialized members of the Organization for Economic Cooperation and Development, which are willing to reciprocate by lowering their tariffs and nontariff barriers on an across-the-board basis, by 5 percent a year, over the next 20 years.

2. The United States should make available the technical knowledge and financial support Britain might call for to assist such changes in industrial outlook and methods as are necessary to permit its full participation "in the trading arrangements I propose."

3. The United States should press forward with its plan for international monetary reform through the IMF, and present a plan of action in time for the annual meeting of the IMF in September.

4. Congress, in cooperation with parliamentary leaders in Britain, should take the initiative in forming an ad hoc interparliamentary working group whose task would be: (a) to chart a course toward the establishment of a consultative Atlantic assembly composed of NATO countries and European neutrals; and (b) to develop a consensus among Parliament and Government in support of this idea.

BRITISH HELP

The Senator then expounded at some length the basis upon which he claimed that Britain had made, and was making, a major contribution to the maintenance of world peace, and the expansion of world prosperity—particularly in underdeveloped areas. He also went into the details of Britain's present economic difficulties.

He concluded: "Let us not underestimate the current economic crisis besetting Britain." This "could set the world on a critical collision course with depression. In 1949 Winston Churchill advised us never 'to lose sight of the fact that Britain is an absolutely vital necessity to the strength and future of the United States.' That statement is as valid today as it was then and, with that incontrovertible fact in mind, we must act promptly and affirmatively now."

Sometimes Senator JAVITS speaks for the small body of northern liberals in the Senate and the country; but mostly he speaks for himself.

RUMORS MISTAKEN

British United Press reports: A comment that the British economy, though possibly ailing, was not as sick as speculators had contended, was made by today's New York Times. The newspaper stated that Britain's record exports in July "should dispel rumors that sterling will be devalued."

[From Punch, Sept. 1, 1965]

O RARE AND UPRIGHT JACOB

My favorite American, not a shadow of doubt about it, is Senator JACOB JAVITS, of New York. Senator JAVITS does not know that we are sort of old buddies, that we once shook hands in the building of the New York Times and passed the time of day. It happened like this: I was elevating with some eminent American journalists when the lift stopped to admit the freshly elected Senator. My colleagues opened up with "Congratulations, Senator," and Mr. JAVITS responded instantly with a big grin and an extending palm.

How was he to know that as an alien, and therefore without benefit of franchise, I had contributed precisely nothing to his victory? How was he to know that to me he was merely a friendly face on American TV? Ought I to have withdrawn with some such remark as "Senator, I am English—you have nothing to thank me for." No, that would have been boorish. So I allowed myself to pose as a Yank, and we shook. Vigorously. I recall.

You see how proud I am of that accidental connection. This man, JAVITS, has turned out to be worthy of my handshake. The other day in Washington, he urged "massive U.S. support for the United Kingdom." "It is obvious," he said, "from Britain's recurrent balance-of-payments problem that without basic domestic reforms—which Britain shows every will to effect—aided by substantial U.S. capital, Britain's role in world affairs will be seriously impaired in the coming years."

Now U.S. support for Britain is not an entirely new idea. The United States was supporting Britain even before it became the United States—right up to the Boston Tea Party—and since then it has waded in with all manner of loans, Bundles for Britain, lend-lease agreements, Marshall aid and the rest. Indeed, there are people in Britain who maintain that all our economic weaknesses stem from these loans and the resultant featherbedding of British industry; Tories, in particular, regard the postwar American loan agreement as a rare old example of Socialist incompetence, and they will accuse Labor of profligacy once again should anything come of Senator JAVITS' proposals.

The truth is, however, that Britain needs foreign aid if it is to recover quickly. At present we are marking time; we have a government pledged to introduce new measures to beat the recurring trade gap; and it can't even get started; at the first sign of radicalism the financiers take fright and sell sterling, and the pound nosedives and the government has second thoughts and drops its radicalism. We need, as the Senator has said, a few years of massive and unqualified support, time to embark on

measures of reform and reconstruction that would insure a healthy, efficient, competitive Britain.

For many years we have lived virtually from hand to mouth, spending next to nothing on the future. And we are all aware of the results. Our education is stuck for want of teachers, accommodation, and equipment; our health services scream for more nurses, doctors, and hospitals; our transport is gummed up; our industries fall down on scientific research, automation, design, and marketing; we lack the housing essential for industrial mobility and a decent policy for immigration. And we can't tackle this immense backlog of reconstruction without jeopardizing the precious pound, for we live so near to the knuckle that without the support of the foreign investor sterling is doomed. And the foreign investors' interest in sterling is restricted, quite naturally, to what it will buy in Britain.

Plans for new schools, hospitals, roads, for an extension of state "welfare" leave him ice cold. These things cannot be bought by the foreigner; to him they are so many extras to be financed by his sterling. So the gnomes of Zurich and elsewhere distrust state planning and insist on *laissez-faire* muddle.

Senator JAVITS is the first influential foreigner to understand our predicament. If he manages to convince his fellow Americans to the point of action he will repeat—no, improve on the "most unordid act in history."

BERNARD HOLLOWOOD.

[From the Times, Aug. 13, 1965]

U.S. SENATOR'S FREE TRADE PLAN—PARTNERSHIP PLEA—SUPPORTING ECONOMY

WASHINGTON, August 12.—Senator JACOB JAVITS, Republican, of New York, said today that the United States should offer a form of economic partnership to Britain. Powerful American support was indispensable if the British people were to win the new battle of Britain.

There could be no doubt that a key element of Western strength and cohesion was Britain's contribution in international finance, economic development, and in the military security of Europe and the Commonwealth nations, he said. It would be a grave blow to the West if the balance-of-payments crisis and the weakness of sterling reduced her leading participation in the conduct of Western affairs. The United States must take the initiative now.

RECIPROCAL BASIS

The Senator, who is a good friend of Britain and has been long concerned with her economic difficulties, discussed the speech with members of the administration before delivery. The general response was favorable, and some useful comments were given; while only Senator JAVITS is responsible for the contents, the speech reflects the sympathetic concern of the administration.

Specifically, he recommended an offer to enter into a free trade area treaty initially with Britain and then Canada, and on a reciprocal basis with the other European Free Trade Association nations, and members of the European Economic Community, either individually or as a unit. The offer should also be made to other industrialized countries of the Organization of Economic Cooperation and Development willing to reciprocate by lowering tariff and nontariff barriers on an across-the-board basis.

The object of the treaty would be substantially free trade, subject to national security exceptions, in manufactured products between industrialized countries. As an essential precondition, full meaning must be given to the "dominant supplier authority," of the Trade Expansion Act, which was rendered useless by Britain's exclusion from the EEC.

For this purpose, Senator JAVITS said, he was introducing a bill authorizing the President to eliminate U.S. tariffs on the manufactured products of industrialized nations. It would enable the United States to offer full economic partnership to Britain, and provide big incentives to the EEC and other European nations, as well as Canada and Japan, to see the advantages of a closely integrated Western economy.

[From the Daily Telegraph, August 13, 1965]

SENATOR WANTS FREE TRADE WITH BRITAIN—“UNITED STATES SHOULD AID ECONOMY”

(By Vincent Ryder, Daily Telegraph staff correspondent)

WASHINGTON, Thursday.—The United States should offer Britain economic partnership, including a free trade agreement, to help it out of its economic troubles, Senator JAVITS, a Republican of New York, said in a speech in the Senate today.

"The United States has an indispensable and fundamental stake in the well-being of Britain and her ability to play a strong role in the free world's struggle for peace and freedom," he said.

A new Battle of Britain was raging that could adversely affect the strength of the West and the fate of the free world.

Senator JAVITS, a prominent member of the Congressional Joint Economic Committee, offered a string of suggestions.

He also introduced a bill that would authorize the President to eliminate tariffs on manufactured goods as a first step towards a free-trade area treaty with Britain.

LONG-TERM PROBLEMS

There is almost no change of legislative action on the bill this year. The Senator's chief aim is to focus American attention on Britain's problems and to stir up a public debate that might produce action.

Senator JAVITS said there were long-term problems to be tackled. British industry must be consolidated into larger units. Trade unions must show greater awareness of the need for increased productivity and automation. Industry needed new capital.

Confidence in British business traditions should be preserved "by setting at rest further rumors about the nationalization of steel and similar ventures which would not help to reorient Britain towards the rapidly growing and increasingly competitive Western European complex."

TAX EXEMPTION

On the American side, Senator JAVITS offered suggestions for helping Britain's economy. President Johnson's administration shows no sign of putting its weight behind them, though it is prepared to support the pound against speculative attacks.

The Senator's proposals included exemption for Britain from the tax on American purchase of foreign securities and using the Government-sponsored organization of managerial experts to advise British firms on production.

He urged setting up a "modernization fund" by the Organization for Economic Cooperation and Development to help countries like Britain. America, he said, should contribute up to one-half of what probably would be \$10,000 million (£3,571 million) expenditure over a 5-year period.

[From the Daily Mail, Aug. 13, 1965]

SENATOR URGES AID FOR BRITAIN

Senator JACOB K. JAVITS, a Republican, today called on America to give Britain massive economic aid in the "new battle of Britain."

He told Congress that the United States should enter into a free trade area treaty with Britain and give her technical knowledge and financial support to help her revitalize her industry.

[From the Sun, Aug. 13, 1965]

UNITED STATES MUST JOIN NEW BATTLE OF
BRITAIN

(By Frederick Farris, Washington, D.C.)

A leading U.S. Republican, Senator JACOB JAVITS, said here today that for her own sake America must help to avert an economic crash in Britain.

He told the Senate that Washington must take the initiative to help the people of Britain to win what he called the new "battle of Britain."

Loss of this battle, he said, "could seriously affect the strength of the West and the fate of the free world."

Senator JAVITS urged the U.S. Government to offer to join with Britain in a "free trade area treaty" that could later include Canada and possibly even continental Europe.

PARTNERS

He announced he was introducing a bill which would authorize President Johnson to cancel U.S. tariffs on manufactured products from industrialized countries.

This, he said, would enable America to offer "full economic partnership" to Britain.

Under the bill, American technical knowledge and financial support could be provided to revolutionize the outlook and methods of industry and labor in Britain.

Senator JAVITS said President Johnson should start a major program "to channel American techniques into all areas of British industry."

The New York Senator also urged the setting up of \$350-million "modernization fund" by industrialized nations, of which America would contribute one-third to one-half.

A LOAN

This fund could make "a sizable loan" to Britain after drawing up a modernization plan.

Senator JAVITS said the long tradition of alliance and friendship between the United States and Britain made it vital that help should be extended in the present crisis.

But apart from that, it was to the U.S. best interests that Britain should remain solvent and healthy.

He added: "Britain can be a valuable ally to the United States in minimizing growing trade discrimination."

[From the Daily Mirror, Aug. 13, 1965]

A CALMER DAY FOR THE POUND

The pound had a calm day yesterday. And there was no selling pressure in world currency markets.

During the day the pound eased by one-eighth of 1 cent to \$2.79 $\frac{1}{16}$.

TECHNICAL

But foreign exchange dealers stressed that this was a technical mark down normal in advance of the weekend.

In America, the pound found a powerful and influential friend yesterday.

Senator JACOB JAVITS, of New York, put forward two revolutionary proposals which he said would offer Britain "economic partnership with the United States."

Senator JAVITS is a Republican, officially in opposition to President Johnson, but it is believed that his suggestions—put forward in a Senate bill—have the President's approval.

The two proposals are:

America should offer to enter a free trade treaty area with Britain and possibly later with other European countries and Canada.

America should make available the technical knowledge and financial support necessary to revitalize British industry.

In an apparent reference to the possibility of devaluation of the pound, Senator JAVITS said:

"Let us not underestimate the current economic crisis besetting Britain and its

repercussions for the United States and the free world."

[From the Daily Express, Aug. 13, 1965]

BACK THE POUND JOHNSON IS URGED

(By Ross Mark, Washington)

A resounding call for America to help Britain fight her battle for the pound was made in Congress today by Republican Senator JACOB JAVITS, of New York.

He suggested a series of dramatic steps that President Johnson should take to help Britain, including full economic, partnership.

Senator JAVITS said: "There can be no doubt that a key element of Western strength and cohesion is the contribution of the United Kingdom in international finance, economic development, and in the military security of Europe and the Commonwealth nations."

"Britain herself needs to make drastic and basic economic decisions to meet this crisis."

"Specifically, we need a new and stronger trade relationship with Britain which would lead toward a broader trading arrangement to include all the industrialized countries of the free world."

"Such an initiative would, at the same time, give strong impetus to the progress of the Atlantic Community toward essential economic integration."

STRONG ROLE

The United States had an indispensable and fundamental stake in the well-being of Britain and in British ability to play a strong role in the free world's struggle for peace and freedom.

Mr. JAVITS continued: "Most important, Britain can be a valuable ally to the United States in minimizing the growing trade discrimination created by the Common Market and European Free Trade Association."

Senator JAVITS concluded:

"Major British financial or economic crises could set the world on a critical collision course with depression."

[From the New York World Telegram, Aug. 12, 1965]

JAVITS OFFERS PLAN TO BOLSTER POUND

WASHINGTON, August 12—Senator JACOB JAVITS (Republican, of New York) today called on Congress and the President to wage a new battle of Britain—a battle for the pound sterling and economic survival.

"A new battle of Britain is raging," he said in a speech prepared for delivery on the Senate floor. "It is an economic struggle on the home ground of our closest ally that could seriously and adversely affect the strength of the West and the fate of the free world."

JAVITS warned of "grave danger that Britain's recurrent financial crises" will reduce her leading role in Western affairs. He said financial crises in Britain could cause a depression in the United States.

JAVITS recommended gradual elimination of tariffs on manufactured goods between the United States and Britain, then with other industrial nations. He introduced legislation to authorize the President to make such reductions.

He suggested that the United States help Britain with technical knowledge and financial support in the form of loans and tax exemptions. The loans—JAVITS suggested a fund of \$10 billion—would be made in cooperation with other industrialized allies.

[From the New York Herald Tribune, Aug. 13, 1965]

JAVITS URGES TRADE TREATY TO SAVE BRITAIN

WASHINGTON.—Senator JACOB JAVITS, Republican, of New York, said yesterday the United States must act to avert an economic

crash in Britain that "could seriously and adversely affect * * * the fate of the free world."

In a speech prepared for Senate delivery, Senator JAVITS said the United States should offer "powerful economic support" in a program that in effect would give Britain an economic partnership with the United States.

He recommended that the United States offer to enter into a free-trade-area treaty with Britain and make available technical knowledge and financial support to help revitalize British industry to permit full participation in the new trading arrangement.

[From the Christian Science Monitor, Aug. 14, 1965]

JAVITS TALKS CHEERS BRITAIN BUT DOES
UNITED STATES AGREE?

(By William H. Stringer)

LONDON.—The basic British reaction to U.S. Senator JACOB JAVITS' proposal for closer economic and political links between the United States and Britain is, as might be expected, to ask what support the New York Senator has in Washington.

"If we thought American officials were interested, we would be interested," was how one economics authority phrased it.

In Government circles the British response is to say that, if such proposals were actually put forward officially from Washington, they would be discussed with real interest.

Senator JAVITS' suggestions, for a kind of economic partnership to "help win the battle of Britain," were carried at some length in such responsible newspapers here as the Times, Guardian, and Daily Telegraph.

PLAN WELL PACKAGED

When an American of even modest authority depicts Britain's costly world role and talks in terms of an Anglo-American free trade area, interchanges between Parliament and Congress, and exchanges of technical know-how—such a speech makes headlines in London.

Senator JAVITS gave that kind of speech—lumping a half dozen ideas into one package.

The liberal New Yorker, who heads the economic committee in the NATO Parliamentary Association, extended his view beyond the United States and Britain to embrace the NATO and OECD countries and to talk up what amounted to a revived Atlantic partnership.

FRUSTRATION RECOGNIZED

"These proposals are not new," a British economist comments. "Whenever there's frustration over the slow progress of tariff negotiations—the Kennedy round—or over rejection of Britain's bid to join the Common Market, then other programs for cutting tariffs and political-economic cooperation are frequently aired."

By and large the British warmly welcome the interest in Britain's problems evidenced in the Javits proposals.

When he said that it would be a grave blow to the West if the balance-of-payments crisis and the sterling weakness reduced Britain's role in global defense, Western strength, economic development, and Commonwealth security, a good many Britons mentally responded with an approving "Hear, hear."

RESERVATIONS FELT

But there were reservations about entering into a wholly free trade area with Canada and the United States, as proposed by Senator JAVITS, which would be extended to EFTA and Common Market countries. And there were adverse comments about the proposal to exchange technical know-how.

The shock of uninhibited "free trade" competition with giant-size American industry would force some British firms to the wall, instead of helping Britain, it was commented. Moreover, American technological know-how already has penetrated Britain deeply

through American-owned companies in Britain.

There is larger general support for the Javits plan for an Anglo-American inter-parliamentary working group which would chart a course toward a consultative assembly of NATO and European neutral countries.

That is, just as long as this was a purely consultative assembly, which did not surrender basic British sovereignty.

HOW MUCH SUPPORT?

But the basic question asked in Britain and in Whitehall is: How much support does this leader of a small band of liberal Senators have?

Senator JAVITS is a good friend of Britain: He is interested in such international cooperation as the pooling of corporate resources to develop backward countries. But he is a minority Republican in a Washington controlled by a Democratic administration.

POUND ADVANCES AS HELP IS GIVEN—GAINS ARE LARGE IN BRISK DAY ON MARKETS HERE

The British pound advanced sharply yesterday in response to the Bank of England's announcement of new arrangements designed to support sterling in case of a crisis.

Sterling for immediate delivery rose 24 points from its low yesterday to its closing level of \$2.7945, a level 17 points above Thursday's final quotation. Sterling for delivery in 90 days rose even more, closing with a gain of 29 points.

The marked advance was touched off by the announcement that the Bank of England had entered into new arrangements with central banks of 10 leading industrial countries and the Bank for International Settlements to support the pound.

While details of the arrangements were not disclosed, foreign exchange dealers here appeared little concerned with exactly how the plan would work.

"The details might be more confusing than edifying," one foreign exchange expert commented yesterday afternoon. "The basic message is: Watch out, boys, if you're short."

Another currency specialist suggested that the very decision to keep details of the new arrangement secret would make them more effective. Speculators could not govern their activities by such clues as changes in official holdings of currencies coupled with the size of currency swap arrangements.

Although neither the Bank of England nor the United States Treasury elaborated on the arrangements, foreign-exchange dealers here suggested the plan probably would entail further agreements for currency swaps, stand-by credits and pledges to buy and hold sterling.

"Basically, I would expect the plan to have much the same ingredients as last year's," one banker said, conceding his conclusion was purely guesswork.

In November 1964, 11 central banks provided a stand-by credit of \$3 billion to support the pound. All countries involved except France also are taking part in the plan announced yesterday.

Outside the foreign exchange market here, the Bank of England announcement produced little impact. United States Government bonds, which might be expected to benefit from decreased pressure on sterling, continued to decline yesterday, ending their seventh consecutive week of lower prices.

Aside from the substantial advance in the price of the pound, the foreign exchange market produced few notable developments yesterday. The Swiss franc slipped to 23.17½ cents yesterday, from 23.17½ cents on Thursday, while the German mark rose to 24.93¼ cents, from 24.92¼.

Dealers here said they could see no correlation between moves in Continental European currencies and the new pound-support-

ing arrangement. Belgian and French francs closed with no change yesterday.

[From the Wall Street Journal, Sept. 13, 1965]

UNITED STATES, NINE OTHERS JOIN A NEW PLAN TO BACK POUND—THEY WILL EXTEND CREDITS TO BRITAIN IF NEEDED; LONDON EXCHANGES REACT FAVORABLY—FRANCE FAILS TO PARTICIPATE

Ten foreign nations, including the United States, but not France, rallied to the aid of Britain in its financial troubles with new arrangements that the Bank of England said are designed to support the pound in case of a future sterling crisis.

Terms of the agreements weren't spelled out, but it was indicated the central banks of the 10 countries will stand ready to extend credits to Britain and to enter the foreign exchange market to buy offerings of sterling that threaten to depress the pound in relation to other currencies.

Besides the United States, countries with whose central banks the Bank of England said arrangements have been made are Austria, Belgium, Canada, West Germany, Holland, Italy, Japan, Sweden and Switzerland, plus the Bank for the International Settlements. The BIS, based in Basle, Switzerland, was set up after World War I to handle German reparations payments; it has continued as a kind of clearinghouse for a variety of international consultations and transactions.

The notable absentee is France, which along with the others had joined in extending an emergency \$3 billion loan of credit to Britain in November.

FAVORABLE REACTION AT EXCHANGE

The Bank of England's announcement of the international arrangements Friday afternoon brought a quick favorable reaction in London's stock and foreign exchange markets, as well as in foreign exchange dealings in international money centers.

Both the Bank of England and British Government officials declined to disclose the exact nature and amount of the new support arrangements.

In its initial announcement Friday afternoon, the bank said, "These new arrangements take various forms and will enable appropriate action to be taken in the exchange markets with the full cooperation of the central banks concerned."

At a subsequent press conference, James Callaghan, Chancellor of the Exchequer, said: "We are not disclosing the form, the amounts involved or the duration of these arrangements. We do not want to disclose what is in our hands."

Noting that the negotiations with the central banks had extended over a long period, Mr. Callaghan added: "The object of the arrangements is to cash in and exploit the better trend of sterling in exchange markets. The importance of the measures is that they should scare off speculators and others who have been banking on pound devaluation."

He said, "This is a movement from strength and not from weakness. That distinguishes it from other operations we have had to embark on during the last 12 months."

Those earlier moves included heavy borrowing by Britain last fall, when speculative selling is believed to have pushed the pound close to devaluation. At that time Britain borrowed \$1 billion from the International Monetary Fund and obtained the additional credits of \$3 billion, of which \$1 billion came from the United States and the rest from the other nations, plus France, that are included in the present support operation.

That backing, together with austerity restrictions adopted over the past 10 months to check a serious outflow of funds, has helped Britain to weather the sterling storm. The new arrangements aim at creating an atmosphere of confidence that will prevent

a new crisis from developing this fall. "They consist of a variety of facilities designed to do a psychological job," a Bank of England spokesman said.

UNITED STATES CONCURS WITH CALLAGHAN

In Washington, U.S. Treasury joined the British authorities in noting that the present British support moves have been developed "in an economic and financial environment very different from that of last November, when the situation required emergency credit assistance to the United Kingdom." The U.S. Treasury voiced the belief that current British measures are improving that nation's balance of payments and "give indications of producing equilibrium, as intended, by the second half of 1966." The Treasury added that confidence in the British position "is growing" and that the new arrangements are designed "to further that trend."

British officials didn't appear concerned about France's failure to join in the support move. Questioned on that point, Mr. Callaghan said: "I don't want to make any comment on France. It is up to every central bank to make its own decision. The French attitude is a matter for them."

He added that loans made by France and other central banks last year were paid off when Britain got additional advances from the International Monetary Fund.

IMF loans amounting to \$2.5 billion are the major single source of funds relied on by Britain currently for support of the pound. In addition it has made drawings of an undisclosed amount in the last 3 months under its \$750 million reciprocal line of credit with the New York Federal Reserve Bank; some estimates put these drawings at more than \$20 million.

LONDON MARKET REACTED BRISKLY

In response to the Bank of England's monetary announcement at 2 p.m. Friday, the London stock market, quietly firm during most of the day, moved up briskly in late trading. British Government bonds led the upward movement, with advances ranging to a dollar or more. Other securities showed a liberal distribution of fractional gains.

Oil and gold shares were exceptions to the trend; oils had fractional losses, and gold shares declined under overseas selling prompted by the firmness of sterling.

Indicative of the trends were these index figures Friday: Financial Times Common share index, 325.3, up 2.1; Reuters industrials, 411.2, up 2.6; Government securities, 72.0, up 0.2; Kaffirs index of gold-mining shares, 68.1, off 0.2.

In London's foreign-exchange market, the spot pound rate in relation to the dollar, which fluctuated around \$2.7919 Friday morning, spurted to \$2.7938 when the news came out. Dealers reported heavy buying of the pound from Paris, Zurich and Amsterdam.

In foreign-exchange transactions in New York, the rate at the close, several hours later than in London, was \$2.7944, up from Thursday's \$2.7930, on sterling for immediate delivery. The discount on pounds for delivery in 90 days narrowed to 1.40 cents from Thursday's 1.53 cents.

New York foreign-exchange officials viewed the strengthening of the forward sterling quotation as a particularly significant sign of increased confidence in the pound.

"The news of the new arrangements is good news for the pound," a top foreign-exchange official of a New York bank said. "It takes the near-term pressure off the pound and should give the British breathing space to get things accomplished. It doesn't change the long-term outlook. The British have much yet to do in modernizing their plant, increasing exports and reducing domestic consumption. But at least they're in better shape now to tackle these things."

[From the New York Times, Sept. 12, 1965]

FRANCE OUT OF THE BOAT

Even though France declined to join the new secret 10-nation agreement to help Britain defend the pound sterling, the alliance represents a significant strengthening in international monetary cooperation. It marks the first time that a monetary defense has been mounted in advance. Until now help has been proffered only after speculative attacks on the pound threatened to undermine the entire international financial network. Now speculators have been put on notice that Britain does not stand alone, which should prevent a fresh attack from getting started.

France's refusal to cooperate appears on the surface to be a real weakness in the new defenses. Obviously, monetary cooperation is not all it could be when a major creditor country ostentatiously abstains from lending a hand. Yet, having France definitely out of the boat is certainly preferable to having her in the boat and rocking it, as she did in coming to sterling's rescue last November. France's attitude may be a barrier to eventual reform of the monetary system, but it detracts little from the strength of the new arrangements.

More than anything else, the French position is a demonstration of that country's general resolve to disrupt the Western alliance. While President de Gaulle's criticisms of the monetary machinery have been shared in part by other Europeans, the rest of Europe has been impressed by Britain's determined moves to restore confidence in the pound. The British have earned help and, in extending it, the other nations are showing a desire to improve the present system rather than allow it to deteriorate. The French may continue to claim that the machinery is faulty, but the new arrangements will correct one of its most glaring defects. It is a strength that may some day be needed by the French.

[From the New York Times, Sept. 15, 1965]

BRITAIN'S TRADE DEFICIT DEEPENS FOR AUGUST—JAY DEFENDS FIGURES DESPITE EXPORT DIP AND IMPORT GAIN

LONDON, Sept. 14—Britain reported today that her trade deficit, based on seasonally adjusted figures, deepened in August to £52 million (\$145.6 million), the highest level in 4 months. It compared with a revised deficit for July of £5 million (\$14 million).

Based on unadjusted trade figures, the deficit stood at £94 million (\$263.2 million) in August against £50 million (\$140 million) in July.

The figures, eagerly awaited as a barometer of the Government's measures to strengthen the economy, were issued today by the Board of Trade. With them the Government provided statistics to show that, looked at more broadly, the situation was encouraging despite the decline in exports and the rise in imports.

Obviously anticipating the figures for August, the Chancellor of the Exchequer, James Callaghan, said on Friday that too much attention should not be paid to any one month's figures.

"We can now afford to take a longer view," he said. This was after the Bank of England had been armed with new support for the pound from the central banks of 10 countries.

Today Douglas Jay, president of the Board of Trade, described the August showing as "pretty good."

He added: "I wouldn't say I am completely satisfied. The import figures were swollen by an exceptional increase in food imports."

The "good" July figures, he said, "couldn't be expected to be continued every month."

The initial reaction of the financial district was one of disappointment. The pound sterling fell slightly against the U.S. dollar and

the main European currencies. The Bank of England stepped in quickly and absorbed the small selling. At the close of trading, the pound regained yesterday's level of \$2.97718.

In the financial district, more concern was shown over the rise in imports than the decline in exports. The figures counteracted some of the officially inspired cheerfulness of the last few days.

Most observers felt that it would be a long time before the 10 percent import surcharge could be removed.

"There is no chance of any alteration," Mr. Jay said, according to Reuters.]

They also bade goodby to hopes that the bank rate could soon come down from its present 6 percent.

Provisional exports in August totaled £391 million and reexports £15 million. Imports were valued at £500 million. This left a "crude" deficit of £94 million. The seasonally adjusted deficit totaled £52 million.

The July figures showed exports of £417 million, reexports of £17 million and imports of £484 million. That left a "crude" deficit of £50 million and an adjusted deficit of £1 million. The July figure was revised today from £1 million to £5 million. The pound sterling is equivalent to \$2.80.

The board of trade said exports in August were above the average for the year so far. "Imports were high in August but an exceptionally large rise in food imports more than accounts for the increase over July," it said.

The board noted that over the last 3 months the trade deficit had averaged £30 million a month, compared with £50 million a month in the same period last year.

The figures also unsettled the London Stock Exchange, which had been buoyant yesterday. Government bonds declined and stocks turned irregular.

[From the New York Times, Sept. 15, 1965]

UNANIMITY IS URGED BY FOWLER IN MOVE FOR FISCAL REFORM

WASHINGTON, September 14.—Secretary of the Treasury Henry H. Fowler said today it would be desirable to achieve unanimity on international monetary reform among the 10 leading financial nations, but he strongly implied that unanimity was not absolutely necessary.

Mr. Fowler elaborated at a news conference on the results of his recent trip to Europe, the main elements of which were reported to President Johnson and made public yesterday. He called the results "very gratifying."

He said the high-level deputies of the ministers of the Group of Ten nations would be given a mandate by the ministers at the time of the annual meeting of the International Monetary Fund late this month.

The United States, Mr. Fowler added, would like to have the deputies make "at least a preliminary report" by next spring.

Asked if the report would have to be unanimous, Mr. Fowler said he hoped that a "consensus" could be reached on a plan for supplying the world with additional monetary reserves as needed. But he added that he would "not like to see the deputies stand silent" if all could not agree.

"I would hope," Mr. Fowler said, "that we could arrive at a point where the participating parties could get sufficient general agreement so that we could go ahead."

Mr. Fowler's careful remarks were construed by some observers as a hint that if France alone should balk at a plan approved by the others, this would not be allowed to halt progress. France has proposed a radical reform of the world monetary system not accepted in full by any of the other nine countries, and totally rejected by most of them.

Last week, 9 of the 10, plus Austria, put together a package of standby support for the

British pound without France. The members of the Group of Ten are the United States, Britain, France, West Germany, Italy, Belgium, the Netherlands, Sweden, Canada, and Japan.

Mr. Fowler said an "optimistic" timetable for agreement on reform to supply additional reserves, or liquidity, to the world would be as follows:

The deputies of the 10 countries would report next spring.

The discussion would then be widened to other members of the International Monetary Fund, including the less developed countries. A possible forum for this discussion, Mr. Fowler said, would be the fund's executive directors, most of whom represent more than one country.

Finally, the governors of the fund—who are the member nations' finance ministers—would consider the results at next year's annual meeting of the I.M.F.

Mr. Fowler stressed that this was the earliest that results could be expected.

He did not predict that such a timetable would actually be followed, but it was clear that he hoped for as rapid results as possible.

Mr. Fowler again insisted today that there was still no American plan for reform, but he added that the Government was now in the process of crystallizing its position.

He said he had found "general agreement" in Europe "that present circumstances call for re-examination of the free world's monetary arrangements, and that we should plan now for the time ahead when new ways of providing for the growth in monetary reserves will become necessary as United States [balance of payments] deficits no longer provide reserves to the rest of the world."

There was also agreement, he said, that "discussions must now be raised from the technical level to the high policy level, and active negotiations initiated at that level."

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, the Senator from Connecticut [Mr. DODD] is entitled to the floor at this time, and I hope that the Chair will recognize him at this time.

Mr. DODD. Mr. President—
The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President I ask unanimous consent to yield to the Senator from Rhode Island [Mr. PELL] without losing my rights to the floor.

The PRESIDING OFFICER. Without objection it is so ordered.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the

humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity;

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent;

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classic; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment.

(e) The term "group" includes any State or other public agency, and any nonprofit

society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "workshop" means a production the primary purpose of which is to encourage the artistic development or enjoyment of amateur, student, or other nonprofessional participants.

(g) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities (hereinafter established).

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) There is established within the Foundation a National Endowment for the Arts.

(b) The Endowment shall be headed by a Chairman, to be known as the Chairman of the National Endowment for the Arts.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

(2) productions, meeting professional standards or standards of authenticity, irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

(4) workshops that will encourage and develop the appreciation and enjoyment of the arts by our citizens;

(5) other relevant projects, including surveys, research, and planning in the arts.

(d) (1) In addition to performing any of the functions, duties, and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, Public Law 88-579, approved September 3, 1964, the individual appointed under such Act as Chairman of the National Council on the Arts shall serve as the Chairman of the National Endowment for the Arts. In lieu of receiving compensation at the rate prescribed by section 6(c) of such Act, such individual serving as Chairman of the National Council on the Arts and Chairman of the National Endowment for the Arts shall receive compensation at the same rate prescribed by law for the Director of the National Science Foundation.

(2) (A) The first sentence of section 6(b) of the National Arts and Cultural Development Act of 1964 is hereby amended to read as follows: "The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment."

(B) The amendment made by clause (A) of this paragraph shall be applicable with respect to the Chairman holding office on the date of enactment of this Act and each Chairman holding office thereafter.

(e) No payment may be made to any group under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations and procedures established by the Chairman.

(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(g) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

(h) (1) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting existing projects and productions which meet the standards enumerated in section 5(c) of this Act, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Chairman finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan, except that in the case of the District of Columbia the Recreation Board shall be the "State agency";

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c); except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed \$25,000 of such funds will be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairman may from time to time require.

(3) The funds appropriated pursuant to section 11(c) for any fiscal year shall be equally allotted among the States.

(4) The amount of each allotment to a State for any fiscal year under this subsec-

tion shall be available to each State, which has a plan approved by the Chairman in effect on the first day of such fiscal year, to pay not more than 50 per centum of the total cost of any project or production described in paragraph (1), and to pay up to 100 per centum of the cost of conducting a study and establishing a State agency under paragraph (2) (B) of this subsection.

(5) All amounts allotted under paragraph (3) for a fiscal year which are not granted to a State during such year shall be available at the end of such year to the National Endowment for the Arts for the purpose of carrying out section 5(c) to the extent that the value of gifts, bequests, and devises received by the Endowment under section 10 (a) (2) exceeds amounts appropriated under the authority of section 11(b).

(i) Whenever the Chairman, after reasonable notice and opportunity for hearing, finds that—

(1) a group is not complying substantially with the provisions of this section;

(2) a State agency is not complying substantially with the terms and conditions of its State plan approved under this section; or

(3) any funds granted to a group or State agency under this section have been diverted from the purposes for which they were allotted or paid,

the Chairman shall immediately notify the Secretary of the Treasury and the group or State agency with respect to which such finding was made that no further grants will be made under this section to such group or agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until such group or agency repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (k) of this section) employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.

(k) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this subsection

the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(1) The Chairman shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

TRANSFER OF THE NATIONAL COUNCIL ON THE ARTS

SEC. 6. (a) The National Council on the Arts, established by the National Arts and Cultural Development Act of 1964, and its functions are transferred from the Executive Office of the President to the National Endowment for the Arts.

(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time.

(c) The function of the Secretary of the Smithsonian Institution with respect to serving as an ex officio member of the National Council on the Arts, now derived from section 5(a) of the National Arts and Cultural Development Act of 1964, is hereby abolished.

(d) (1) The first sentence of section 5(a) of the National Arts and Cultural Development Act of 1964 is amended by striking out "twenty-four" and inserting in lieu thereof "twenty-six".

(2) Clause (2) of the first sentence of section 5(b) of such Act is amended by inserting, immediately after "taking office", the following: "prior to May 31, 1965."

(3) The second sentence of section 7(a) of such Act is amended by striking out "Thirteen" and inserting "Fourteen".

(4) Section 7(d) of such Act is hereby repealed.

(5) Section 10 of such Act is hereby repealed.

(e) Except as inconsistent with the provisions of this Act, the provisions of the National Arts and Cultural Development Act of 1964 shall be applicable with respect to the Chairman and the National Council on the Arts insofar as necessary for, or incidental to, carrying out the objectives of this Act.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 7. (a) There is established within the Foundation a National Endowment for the Humanities.

(b) (1) The Endowment shall be headed by a chairman, who shall be appointed by the President, by and with the advice and consent of the Senate. The Chairman shall receive compensation at the rate prescribed by law for the Director of the National Science Foundation.

(2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairman.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Human-

ities and the National Council on the Humanities (hereinafter established), is authorized to—

(1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;

(2) initiate and support research and programs to strengthen the research potential of the United States in the humanities by making arrangements (including grants, loans, and other forms of assistance) with individuals or groups to support such activities;

(3) award fellowships and grants to institutions or individuals for training and workshops in the humanities. Fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate nonprofit institutions selected by the recipient of such aid, for stated periods of time;

(4) foster the interchange of information in the humanities;

(5) foster, through grants or other arrangements with groups, public understanding and appreciation of the humanities; and

(6) support the publication of scholarly works in the humanities without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).

(d) The Chairman shall correlate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

(e) The total amount of any grant under subsection (c) (3) to any group engaging in workshop activities for which an admission or other charge is made to the general public shall not exceed 30 per centum of the total cost of such activities.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

SEC. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment on the Humanities, who shall be the Chairman of the Council, and twenty-six other members appointed by the President from private life. Such members shall be selected on the basis of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member shall be eligible for reappointment during the two-year period following the expiration of his term.

(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

(e) Members not otherwise employed by the Federal Government shall receive compensation and be allowed travel expenses in the same manner as is provided in section

8 of Public Law 88-579 for the National Council on the Arts.

(1) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove an application until he has received the Council's recommendation unless the Council fails to make a recommendation on the application within a reasonable time.

ESTABLISHMENT OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) coordinate, by advice and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts and the National Endowment for the Humanities, including joint support of activities, as appropriate;

(3) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies; and

(4) plan and coordinate appropriate participation (including productions and projects) in major and historic national events.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as he deems necessary governing the manner in which his functions shall be carried out;

(2) to receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation or one of its Endowments, to the National Endowment for the Arts, or the National Endowment for the Humanities; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and for the purpose of carrying out the functions transferred by section 6(a) of this Act;

(3) in the discretion of the Chairman of an Endowment, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to that Endowment with a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift;

(4) appoint employees, subject to the civil service laws, as necessary to carry out these

functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b-2) for persons in the Government service employed without compensation;

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment within the scope of paragraph (2) of this subsection, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction similar to a condition or restriction covered by paragraph (3) of this subsection, such property shall be deemed to have been donated, bequeathed, or devised, within the scope of such paragraph, to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes

of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.

(b) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year. The report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairman deems appropriate.

(c) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a) For the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act,

there is authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years the sum of \$10,000,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by laws. Sums appropriated under the authority of this subsection shall be equally divided between the Endowments of the Foundation, and shall remain available until expended.

(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that amounts appropriated to the National Endowment for the Arts under this subsection may not exceed \$2,250,000 for any fiscal year, and amounts appropriated to the National Endowment for the Humanities under this subsection may not exceed \$5,000,000 for any fiscal year. Amounts appropriated to an Endowment under this subsection shall remain available until expended.

(c) There is hereby authorized to be appropriated to the National Endowment for the Arts the sum of \$2,750,000 for each fiscal year, beginning with the fiscal year beginning on July 1, 1966, for the purposes of section 5(h). Sums appropriated under this subsection shall remain available until expended.

(d) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

(e) No grant shall be made to a workshop (other than a workshop conducted by a school, college, or university) for a production for which a direct or indirect admission charge is asked if the proceeds, after deducting reasonable costs, are used for purposes other than assisting the grantee to develop high standards of artistic excellence or encourage greater appreciation of the arts and humanities by our citizens.

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND THE ARTS

SEC. 12. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of \$500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used for (1) making payments to State educational agencies under this section for the acquisition of equipment (suitable for use in providing education in the humanities and the arts) and for minor remodeling described in subsection (c) (1) of this section, and (2) making loans authorized in subsection (f) of this section.

(b) Sums appropriated pursuant to subsection (a) shall be allotted in the same manner as provided in subsections (a) and (c) of section 302 of the National Defense Education Act of 1958, as amended (72 Stat. 1538; 20 U.S.C. 442).

(c) Any State which desires to receive payments under this section shall submit to the Commissioner of Education through its State educational agency a State plan which meets the requirements of section 1004(a) of the National Defense Education Act of 1958, as amended (72 Stat. 1603; 20 U.S.C. 584), and—

(1) sets forth a program under which funds paid to the State from its allotment under subsection (b) of this section will be expended solely for projects approved by the State educational agency for (A) acquisition of special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in the humanities and the arts, and (B)

minor remodeling of laboratory or other space used for such materials or equipment;

(2) sets forth principles for determining the priority of such projects in the State for assistance under this section and provides for undertaking such projects, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this section; and

(4) provides for the establishment of standards on a State level for special equipment acquired with assistance furnished under this section.

(d) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (c) of this section and the provisions of subsections (b) and (c) of section 1004 of the National Defense Education Act, as amended (72 Stat. 1603; 20 U.S.C. 584), shall apply to this section in the same manner as applicable to State plans under that Act.

(e) Payments to States from allotments made under subsection (b) shall be made in the same manner as provided in section 304 of the National Defense Education Act of 1958, as amended (72 Stat. 1589; 20 U.S.C. 444).

(f) The Commissioner shall allot and administer loans to nonprofit private schools in the same manner as provided in section 305 of the National Defense Education Act of 1958, as amended (72 Stat. 1590; 20 U.S.C. 445).

TEACHER TRAINING INSTITUTES

SEC. 13. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of \$500,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used to enable the Commissioner of Education to arrange, through grants or contracts, with institutions of higher education for the operation by them within the United States of short term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged in or preparing to engage in the teaching or supervising or training of teachers, of such subjects as will, in the judgment of the Commissioner, after consultation with the Chairman of the National Endowment for the Humanities, strengthen the teaching of the humanities and the arts in elementary and secondary schools.

(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of \$75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of \$15 per week for each such dependent.

PRESIDENTIAL APPOINTMENTS

SEC. 14. The President is requested to make such appointments (including any nomination) as are provided for in this Act within ninety days after the enactment of this Act.

Mr. PELL. Mr. President, I rise to urge that the Senate pass S. 1483 as slightly amended by the House of Representatives. This legislation provides for the establishment of a National Foundation on the Arts and the Humanities, and I must express my delight and joy that the concepts of this important measure have now been approved by both bodies of our Congress.

I think particularly at this time of our President, Vice President HUMPHREY, Senator JAVITS, Senator GRUENING, Senator CLARK, Senator YARBOROUGH, of the many who have valiantly supported the goal of this legislation, and of those in this Chamber who have worked toward this goal far longer than I. Vice President HUMPHREY's outstanding efforts in this area are well remembered by us. Senator JAVITS can well be called the congressional pioneer of this bill. Senators GRUENING, CLARK, and YARBOROUGH have added their great understanding and wisdom to it.

But I must state that for me this legislation has particular meaning. As chairman of the Senate Special Subcommittee on the Arts during the 87th and 88th Congresses, and as chairman of the Senate Special Subcommittee on Arts and Humanities during the 89th Congress, I have had the opportunity to see the seed nurtured and come to fruition.

In the 87th Congress we were able to report a basic bill which was the forerunner of this legislation, but we failed to get floor action on it. In the 88th Congress, we were able to pass in the Senate a bill providing for a National Council on the Arts and a National Arts Foundation. However, in the House, we lost the financial underpinning of the Foundation, so that the President was only able to sign in 1964 legislation providing for a National Council on the Arts.

Now, in this Congress, both bodies have passed a bill that provides for a Council on the Arts and a Council on the Humanities, together with the necessary financial underpinnings of separate endowments.

I must add that without the endorsement of these ideas by the President and their inclusion in the Great Society program, we would have had to wait several more Congresses.

There is great personal satisfaction in seeing this moment come to pass, and at this time I would like to pay particular tribute to Livingston L. Biddle, who has been my special assistant for 2½ years. Without his remarkable combination of knowledge in both the fields of arts and humanities his own personal tactfulness and his tenacity, this bill would not be before us today. I observed these qualities not only in his work on the Senate side, but with our colleagues in the House and with the executive branch of our Government.

At this time, I want to pay a special tribute to Representative FRANK THOMPSON of New Jersey, who has been my opposite number on this legislation as chairman of the House Special Subcommittee on Labor. He has been indefatigable in his efforts to bring about legislation to promote our Nation's cultural progress over the past many years and was in fact working on these problems long before I was a Member of the Congress. My own good friend and colleague from Rhode Island, Representative JOHN E. FOGARTY, has been of the most immense help in spearheading this legislation in the House and providing the leadership and advice so necessary to its approval.

Finally, Representative WILLIAM MOORHEAD deserves every congratulation

for his fine work, particularly on the Humanities side of this legislation, and for the original bill which he introduced.

Mr. President, this legislation is certainly the most meaningful of its kind which we have ever considered. It has evolved through most careful deliberations, through volumes of thoughtful testimony dating back through the years. It is enthusiastically supported by our leading artists, by our leaders of the academic community, by leading businessmen and representatives of labor, by distinguished leaders in the field of science.

As President Johnson has said:

The passage of this legislation can help secure for this Congress a sure and honored place in the story of the advance of our civilization.

Mr. President, it is a pleasure for me to call attention to the fact that this legislation has had such helpful and meaningful bipartisan support from both bodies of the Congress, and I feel privileged to have this long-awaited opportunity of urging its approval.

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

Mr. PELL. I yield.

Mr. JAVITS. Mr. President, this is the realization of 16 years of work. I first introduced a bill of this character in the House of Representatives, where I then served, in 1949. Naturally, the present legislation has gone through much development since that time. It now represents a real consensus of the country. It is necessary to note that it is a historic and pioneering piece of legislation. By this legislation the United States gives encouragement, in the way it lends itself to aiding education at all levels, in the field of cultural development and education. It is a very conservative course as contained in the bill.

This legislation will be what the people make it, through their voluntary organizations in cities and States. There will be a Federal incentive, but by no means Federal control or a Federal plan but, rather, a program in which the Federal Government will participate.

It is an event which the people of the United States may well hail with enormous satisfaction.

I am greatly pleased to have been a pioneer in this field, as the Senator from Rhode Island [Mr. PELL] has said, but may I pay my tribute to the Senator from Rhode Island, who has been so modest, but who has been the catalyst in helping us bring this proposed legislation to its present pass. He deserves enormous credit. As he has so kindly said that I am a pioneer in this field, I am pleased to say this is a very happy time. I feel, after the work he has done on it, that it is a very happy day for him, too. I think it is a fine day for the United States and its cultural future.

Mr. PELL. I thank the Senator from New York.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. PELL. I yield to the Senator from New York.

Mr. KENNEDY of New York. I pay tribute to my colleague the Senator from Rhode Island. Having been on the edge

of this matter in the executive branch, and then since I have been in the legislative branch of the Government, I know this piece of legislation has been much more difficult than it may appear to have been at 8:25 this evening. If it had not been for the dedication and efforts of the Senator from Rhode Island, this bill would not be here before us. There were differing points of view of officials in the executive and legislative branches, as well as people all over the country. It was the Senator from Rhode Island who brought all those divergent points of view together so that we have before us this piece of legislation, which can be a real stimulant, in my opinion, for our culture.

I join my colleague from New York [Mr. JAVITS] in paying tribute to the Senator from Rhode Island. I know what a pioneer my colleague [Mr. JAVITS] has been in this area and his dedication to this cause in the past. I wanted to make sure the RECORD indicated the facts in connection with what both distinguished Senators have done.

Mr. PELL. I thank the Senator from New York.

Mr. THURMOND. Mr. President, I am opposed to the pending bill, S. 1483, because there is no constitutional authority for the Federal Government to enter this field. The breadth and scope of the authority of Congress is contained in article I, section 8 of the Constitution. Nowhere within the grants of power to Congress in this section can there be found authority to sustain this proposal.

This is sufficient reason to oppose this proposal, but if it were not other reasons do exist. I have pointed out on numerous occasions my firmly held belief that Government subsidization of the arts will inevitably lead to the stifling of creativity and initiative. Government money will buy only mediocrity and true, creative talent will not be properly recognized because it will not have official Government approval.

It would be a great mistake for the Nation for Congress to approve this proposal.

Mr. PELL. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment of the House of Representatives was agreed to.

Mr. PELL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NORA ISABELLA SAMUELLI—CONFERENCE REPORT

Mr. DODD. Mr. President, I submit a 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. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 15, 1965, p. 23927, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DODD. Mr. President, I move that the Senate agree to the conference report.

The report was agreed to.

PERMISSION FOR SENATOR LAUSCHE TO ADDRESS SENATE FOR HALF HOUR AFTER CONCLUSION OF MORNING BUSINESS TOMORROW

Mr. SMATHERS. Mr. President, I ask unanimous consent that the distinguished senior Senator from Ohio [Mr. LAUSCHE] be permitted to proceed on a nongermane matter for one-half hour after the conclusion of the morning business tomorrow.

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

COMMENDATION BY SENATOR SMATHERS OF SENATOR DODD'S SPEECH ON THE DOMINICAN REPUBLIC

Mr. SMATHERS. Mr. President, I wonder if the distinguished Senator from Connecticut will yield to me so I may make a comment?

Mr. DODD. I yield.

Mr. SMATHERS. I have been privileged to read the speech of the Senator from Connecticut. I regret that there are not more Senators to hear it tonight. It is an excellent speech. It is an accurate speech. It is a logical speech. It is a speech which needed to be made. I congratulate him for the fact that he is about to make it. It needed to be made in view of the speech made yesterday by the distinguished Senator from Arkansas [Mr. FULBRIGHT], chairman of the Foreign Relations Committee, with respect to his views as to what happened in the Dominican Republic—his views looking back on these incidents as they had occurred.

I believe the conclusions which the Senator from Arkansas expressed, he being chairman of the Foreign Relations Committee, do not coincide with the thinking of many Members of this body, and certainly they do not coincide with the thinking of the American people. On the contrary, I think the speech which the distinguished Senator from Connecticut [Mr. DODD] is about to deliver on this subject represents the viewpoint of a majority of the members of the Foreign Relations Committee and a majority of the membership of the U.S. Congress, and certainly, according to the Gallup and other polls, represent the views of at least 85 to 90 percent of the thinking of the American people.

It seems to me that the speech which the Senator from Connecticut will de-

liver—which is a marvelous and magnificent speech—will not get the circulation, ventilation, and reading that the speech which was made by the Senator from Arkansas did. Unfortunately, the speech of the Senator from Connecticut will not be carried in newspapers overseas, as was the speech of the distinguished chairman of the Foreign Relations Committee. But it seems to me it is important that the speech of the Senator from Connecticut be made and that it be given as wide circulation as possible, because in truth and fact it represents the real thinking of the people of America.

I congratulate him for the work he has put into the speech and the expressions contained in it. I want to associate myself with the speech.

I thank the Senator for yielding.

Mr. DODD. Mr. President, I am thankful and grateful to my friend the Senator from Florida for those remarks. I am embarrassed to detain the officials of the Senate. However, I had told the majority leader that I had no disposition or interest in disrupting the discussion of the highway beautification bill today. I am sorry it is so late. No Senator likes to be making speeches to the Senate all alone. I am comforted by the knowledge that a great many of my colleagues have read the speech which I sent to them, and have been gracious enough to tell me they appreciate it.

A REPLY TO SENATOR FULBRIGHT ON THE DOMINICAN REPUBLIC

Mr. DODD. I know there are some newspapermen who will write up my appearance at this hour and will say that I was alone in the Senate. They will count the number of people in the gallery when I speak, and the number of members of the Dodd family in the gallery.

I am well aware that I am not the only Member of the Senate who sometimes has to speak alone, especially at the end of a long day's session.

I do not complain because my colleagues cannot be here. I know that the demands on them in this session have been great, and that the hour today is very late. My only regret is that I was unable to get the floor earlier because it was necessary to complete the voting on the pending legislation.

Even in the absence of my colleagues, I know that they will read my remarks. Indeed, a number of them have already approached me to tell me that they were in complete accord with my argument and that they hoped to comment on it later.

And so, though I speak alone, I know that I am speaking to my colleagues through the RECORD. Beyond this, I am speaking to the country at large and—I hope in at least some degree—to world opinion.

An important challenge has been made to the policies of the administration by the distinguished chairman of the Foreign Relations Committee. This challenge calls for an effective reply. That is why I speak today.

Yesterday the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] presented to the Senate a

statement of the conclusions he had reached on U.S. policy in the Dominican Republic crisis.

He had reached these conclusions, he said, only after a painstaking review of the salient features of the extremely complex situation.

In essence, the Senator's position was that the administration had made an error of catastrophic proportions in intervening to prevent a rebel takeover in the Dominican Republic.

He said that while there may be legitimate differences about the degree of Communist influence in the rebel movement, it could be taken for granted that there will always be a number of Communists supporting every revolutionary movement in the Americas aimed at freedom and social justice; and that "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."

He continued:

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?

Among other things, the Senator charged that the President's decision was based on inaccurate or false information from our representatives in the Dominican Republic; that it had done serious damage to our image throughout Latin America; and that the administration was less than truthful in its first announcement that the Marines were being sent into Santo Domingo for the purpose of protecting American lives.

He said that if the Dominican intervention may be considered a token of the future, "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."

I want to make it clear at the outset that I share the Senator's conviction that communism cannot be effectively opposed in Latin America by siding with the landowners and the oligarchs and with dictatorial tyrants.

In a speech which I made only a few weeks ago before the American Legion convention, I called for a hemispheric attack on the problems of hunger and illiteracy and disease, and of land reform and social reform in general.

And, I made the point that unless there were revolutionary reforms in Latin America, the mere elimination of Castro would resolve nothing, because the anger and desperation of masses of people throughout the Americas would soon give rise to another half dozen Castros.

So, on this one point—a point of fundamental importance—we agree.

I also agree with the Senator, and this, too, is a point of fundamental importance, that the best hope for the future in many Latin American countries lies with the parties of the so-called democratic left, with parties like the Christian Democratic Party in Chile, APRA in Peru, and Accion Democratica in Venezuela.

What is more, I know that this conviction is shared by the responsible officials of the Department of State and that it has, in fact, been a cornerstone of our policy in recent years.

But, having said this, I fear that I must take issue with the senior Senator from Arkansas on virtually every other aspect of his statement.

Indeed, I find it difficult to escape the impression that this sweeping condemnation of administration policy is organically related to the documentation previously published by the Foreign Relations Committee under the caption "Background Information Relating to the Dominican Republic," with which I dealt in my Senate speech of August 23, 1965.

I said then that the documentation and the supporting chronology had been heavily slanted against the administration by the simple process of editorial selection.

I pointed out that the hundred or more quotations which appeared in the chronology were culled without exception from the New York Times and Washington Post and New York Herald Tribune, and several other sources critical of administration policy; and that the chronology had completely ignored the hundreds of newspaper articles by veteran correspondents and by columnists of national reputation which, in general, tended to vindicate the administration's position.

I also pointed out that the documentation contained in the publication completely ignored the OAS resolution and the minutes of the fourth plenary session at which the special committee on the Dominican crisis submitted its report; and that it also ignored statements issued by the AFL-CIO, by the major Dominican labor federation, CONATROL, and by the Inter-American Regional Organization of Workers.

I had hoped that by bringing to the attention of my distinguished colleague a number of pertinent extracts from the documents to which I had referred, I could persuade him to read these documents with an open mind.

It now seems evident to me that I overestimated my powers of persuasion, for there is nothing in the Senator's remarks which suggest to me that he has since taken the trouble to read the documents or the articles from which I quoted, and the text of which I inserted into the RECORD at the conclusion of my remarks.

DOMINICAN INTERVENTION AND LATIN AMERICAN OPINION

The Senator's speech strongly implied that Latin American opinion was united against us.

He said that he was not "reassured by the assertions that a number of Latin American governments have secretly expressed sympathy for our ac-

tion." He said further that we had particularly compromised American standing with the educated and progressive Latin Americans who make up the generation of the Alliance for Progress.

In my previous remarks, I referred the Senator, among other things, to the statement issued by CONATROL, the major Dominican labor federation, which was outspoken on the subject of Communist control of the rebel movement, and which accepted the necessity for American intervention.

The men who make up CONATROL are not oligarchs or reactionaries; they are workers and progressives, many of them Socialists and semi-Socialists.

One can, of course, disagree with CONATROL's analysis with events in Santo Domingo.

But in the light of statements issued by the leaders of CONATROL, I do not see how anyone could reasonably argue that Latin American progressives were uniformly on the side of the rebels and opposed to American intervention.

I also referred to the statement issued by ORIT, the Inter-American Regional Organization of Workers, which embraces most of the democratic trade unions of the hemisphere.

The leaders of ORIT, too, are men who have come up from the ranks of the working class. They are generally anticapitalist and strongly progressive in their political tendencies, and certainly they are anything but reactionary.

And again I want to make the point that, while no one is under any obligation to accept ORIT's assessment of the Dominican crisis and American intervention, their statement by itself constitutes proof that some of the most important sectors of progressive opinion in Latin America agreed that American intervention was essential to prevent a Communist takeover.

There were other important proofs that, even at the height of our intervention, leading Latin American progressives understood and approved of our actions.

For example, the liberal daily, *El Mundo*, published in Caracas, Venezuela, wrote on May 4:

Communism, with its claws hovering over Dominican territory, tried to take over one more front in America and establish there a branch of the island governed by Fidel Castro * * * we free men of America ought to be on the side of freedom. And the United States besides being a free country, and being the traditional friends of Venezuelans and of all American nations, is defending our right to live in our own way without the intrusion of foreign doctrines which harm and corrupt the thinking of our peoples. Our peoples, traditionally Catholic, never have been on the side of communism.

In Bogotá, Colombia, the moderately liberal newspaper *El Tiempo* wrote on May 5:

So long as the Latin American Republics do not have an international force that can intervene in cases like that of the Dominican Republic, we must accept, much as it hurts our national pride, the inevitability of American intervention.

In Lima, Peru, *La Prensa*, which, although conservative, is generally regarded as a moderate newspaper, said in

an editorial about American intervention:

That the myth of absolute "nonintervention" suits only the Reds is demonstrated by the position taken by the Creole Communists. Their protests against unilateral North American intervention have not been so obstreperous as it has been against the possibility of collective intervention.

And, if my colleagues are interested, I could produce many other similar quotations from Latin American newspapers, some liberal, some conservative.

Surveying the situation in Latin America in early May, Newsweek magazine pointed out that there had been a remarkable absence of rioting and other demonstrations, which, it said, "emphasizes the general feeling that, while intervention is bad, a second Cuba would be far worse."

But most important of all were the opinions expressed by the five Latin American Ambassadors who made up the OAS special committee assigned to investigate the situation in the Dominican Republic.

Ambassador Carrizosa, the special delegate of Colombia, told the OAS meeting:

With regard to the sector led by Col. Francisco Caamano, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamano, whom I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend which is prevalent in Cuba.

What were we to do when blood was running in the streets * * * what happens when a state in this condition is so close to Cuba? Are we to sit silently on balconies and watch the end of the tragedy as if we were watching some sort of bull fight?

According to Ambassador Iimar Penna Marinho of Brazil, "The whole committee (the OAS special committee) agreed that the Caamano movement could be rapidly converted to a Communist insurrection that was susceptible of gaining the support of the Marxist-Lenin powers."

"As to conditions in Santo Domingo in May, it was a no-man's land," said the Brazilian Ambassador. "There had been a complete collapse of public authority. The Dominican Republic had disappeared as a legal and political entity—arms had been given to a disoriented nation of fanatics and adolescents who were in a frenzied state, egged on by subversive broadcasts * * * anarchy reigned * * * any organized group that made a landing in the Dominican Republic could have dominated the situation."

Summarizing the views of the committee, Ambassador Todice of Paraguay made this statement:

The Government of Paraguay, as I stated clearly when approval was given to the establishment of the collective inter-American force, believed from the beginning that continental security was at stake. The replies by the Ambassadors composing the committee reporting today on certain questions re-

garding these delicate aspects of the Dominican situation have been categorical. My government was right. Continental security is threatened. The danger existed, and still exists, that chaos and anarchy will permit international communism to transform the Dominican Republic into another Cuba. With his customary clarity, courage and energy, the Ambassador of Colombia, Mr. Alfredo Vazquez Carrizosa, has categorically mentioned the highly political nature of the problem we are facing. In reply to a question of the Ambassador of Uruguay, he has rightly said that the peace of the hemisphere is threatened and, that there is a possibility that another Cuba, another Communist government in the hemisphere, will arise out of the chaos and anarchy in the Dominican Republic.

Again, I am prepared to concede that no one is under obligation to accept the assessment of the five Latin American ambassadors who made an one-the-spot investigation of the situation in Santo Domingo during the first days of May.

But whether one accepts or rejects this assessment, I do not see how any objective study of the Latin American reaction to our intervention in the Dominican Republic could fail to take into account the statements made by these five distinguished Latin American diplomats.

The facts which I have adduced demonstrate beyond the possibility of challenge that very substantial sectors of Latin American public opinion, including trade union leaders, editors and members of the diplomatic corps, were not opposed to U.S. intervention in the Dominican Republic but, on the contrary, accepted it as an unavoidable necessity.

I find it most regrettable that the Senator from Arkansas ignored this mass of evidence. Indeed, I fail to understand how he could have ignored it. Somehow, it seems to me that he has shut out from his mind, all facts which failed to harmonize with the preconceived thesis that the rebels were right and the administration was wrong.

THE QUESTION OF COMMUNIST CONTROL

The senior Senator from Arkansas at one point in his statement agreed that there can be honest differences of opinion about the degree of Communist control. But then he proceeded to argue that the administration had grossly exaggerated the degree of Communist influence or control in the rebel movement, and that it had permitted itself to be panicked into the decision to intervene.

The Senator from Arkansas said:

In their panic 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. The issue is not whether there was Communist influence in the Dominican revolution but its degree, which is something about 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.

I take exception to this statement on two grounds.

First of all, the Senator seems to demand a degree of mathematical proof

which is a virtual impossibility in the complex realm of politics.

It would, for example, have been impossible to prove, by the rigorous standards he suggests, that Fidel Castro was a Communist or that his movement was Communist-dominated even a year after Castro had seized power. But there was a very substantial body of evidence pointing to Communist control of the Castro movement and to the probability that Castro was himself a Communist. This body of evidence, regrettably, was ignored by the responsible desk officer in the Department of State, who advised his superiors that "there was no conclusive proof that Castro was a Communist or that his movement was Communist dominated."

This excessively legalistic approach resulted in the installation of a Communist regime in Cuba, whose massive subversive activities now pose a serious danger to the security of all the Americas.

I note parenthetically at this point that the Senator from Arkansas apparently feels a deep sense of sympathy for the foreign service officer in question who, he said, "had the misfortune to be assigned to the Cuban desk at the time of Castro's rise to power," and "has had his career ruined by congressional committees."

Having presided over the hearings in question, I find it difficult to conceive of a more inaccurate construction of what actually took place.

That William Wieland's reputation for political judgment has been compromised, there can be no doubt. But it was compromised not by the Senate Subcommittee on Internal Security but by his own record of unsound political advice to his superiors, and by a record of testimony before the committee which, I believe, any objective reader would have to characterize as less than candid.

That William Wieland's career has been ruined is completely untrue. As my colleagues are aware he has been promoted to a substantially higher grade since the hearings were instituted; his security clearance has been reinstated by the State Department; and he has recently been assigned to a responsible post in Australia.

I take exception to the Senator's analysis of the degree of Communist influence in the Dominican rebel movement, in the second place, for the simple reason that he has chosen to completely ignore the facts.

I agree with the Senator that there is a world of difference between Communist support and Communist control; and I also agree that we have to be careful in making judgments.

But there have been situations, and there will be situations in the future in which it is mandatory that judgment be made. In doing so, there are certain criteria which can, I am convinced, be applied with a reasonable degree of accuracy.

Criterion No. 1 in determining whether a movement or uprising is simply supported by Communists or controlled by them, is the number of identifiable Com-

munists in key positions. The administration has published details about 77 identifiable Communists, many of them with training in Castro Cuba, who occupied command positions in the rebel movement.

Criterion No. 2 is the general political composition of the revolt. In the case of the Dominican rebellion, the administration has pointed out, that apart from the Bosch party whose leaders abandoned the revolt and sought refuge after the first few days, the political support for the rebellion came from the three Communist parties which I have previously named, which, between them, had a membership of several thousand.

Criterion No. 3 is a situation like the Dominican uprising is the pattern of the revolt itself. Spontaneous revolutions, guided by indignant nationalists, are invariably characterized by a certain amount of bungling and amateurism. But the Dominican revolt was characterized, instead, by the highest degree of precision and professionalism.

Those in charge had clearly targeted their first objectives and their second objectives and their third objectives. They had planned their strategy and their tactics carefully. There was no bungling. It was, if anything, a textbook operation in the seizure of political power which could only have been conducted by trained professional revolutionaries.

Criterion No. 4 is in the nature of the propaganda put out by those in charge of the revolt. And I believe that anyone who takes the trouble to analyze the propaganda output of the Dominican rebel movement in the early days of the revolt and afterwards would have to agree that the radio and TV broadcasts and the printed literature all bore the heavy and unmistakable imprint of trained Communist propagandists.

Criterion No. 5 is the attitude of the rebels to anti-Communist progressives. And here I think that the true nature of the Dominican revolt was betrayed by the fact that one of the first acts of the rebels was to raid and ransack the headquarters of CONATROL, the non-Communist labor federation.

Criterion No. 6 is the collective judgment of the American Embassy officials on the spot. And here I want to underscore the fact that it was not simply Ambassador Tapley Bennett, as the Senator from Arkansas has implied, who urged American intervention. On the contrary, the recommendation to President Johnson represented the unanimous judgment of the entire country team in the American Embassy in Santo Domingo. Beyond this, I have heard that, from desk level to the level of Secretary of State, the recommendation of the country team was backed by the unanimous concurrence of the responsible Department officers.

Rarely in the history of the Department has a decision of this moment enjoyed so broad a spectrum of backing.

But all of this evidence was ignored by the chairman of the Foreign Relations Committee in his pronouncement on the administration's handling of the Dominican crisis.

There was another point of evidence he ignored, and this was the testimony of John Bartlow Martin, who went to the Dominican Republic shortly after the fighting erupted, on special assignment by the President.

Mr. Martin served as Ambassador to the Dominican Republic under the Presidency of Juan Bosch. He was an admirer and good friend of Bosch's, and a lifelong friend of the so-called democratic left in Latin America politics. Before becoming Ambassador, Mr. Martin enjoyed nationwide recognition as one of our ablest political analysts, and as a liberal of impeccable credentials.

I have been told on reliable authority that when Mr. Martin was first asked to go to the Dominican Republic, he was convinced that we were doing the wrong thing. But 48 hours after he arrived there he had changed his mind because he realized that it was, in fact, true that the Communists were in complete control or that they at least exercised an exceedingly dangerous degree of control.

Mr. Martin's account of the Dominican crisis, which was printed by Life magazine, was, incidentally, another one of the many articles substantially supporting the administration's position which were ignored or overlooked by the Foreign Relations Committee documentation on the Dominican crisis.

I have been informed by a Pulitzer Prize winning journalist that, when the question was put to John Bartlow Martin: "Would you, if you were a journalist writing over your own name, be prepared to say that the Communists are in complete control of the revolt?" Martin replied: "Yes, I would."

But for some reason the Senator from Arkansas has chosen to completely ignore the findings of this former Ambassador, who knew the Dominican situation intimately, who was a friend of Bosch's, who was initially disposed to sympathize with the revolt, whose liberalism would not be challenged by anyone, and who brought to his assignment a long experience in the field of political analysis and journalism.

Let me at this point recapitulate a few of the many details which convinced the administration that the Communists had seized control of the revolt and that any serious delay in intervening was bound to result in another Cuba in the Caribbean. And let me add a few more recent details which serve to establish how correct this judgment was:

First. It was known that many Communists had secretly returned to Santo Domingo from exile in late 1964 and early 1965 after training in subversion in Cuba and other Communist countries.

Second. There was solid information about the Dominican Popular Movement (the MPD), which consisted of some 500 hard-core members, which follows the Chinese Communist line, and which was active on the rebel side.

Third. There was also solid information about the Dominican Popular Socialist Party—PSPD—another underground organization of 700 to 1,000 members, which follows the Moscow line and which also was active in promoting the revolt. This party, I want to point out to Sena-

tors, recently changed its name to Dominican Communist Party—PCD.

Fourth. Finally, there was solid information about another Communist movement, the 14th of June Popular Movement, many of whose members and leaders are Castro-trained Communists and which was in the forefront of the rebel movement.

Fifth. It has been established from many sources that members of the three Communist parties took the lead in passing out arms to civilians, including 1,500 hard-core Communists. Moving with precision, they were quick to organize street demonstrations, seize newspaper plants, take control of rebel propaganda, organize paramilitary units, establish commando units and command posts, and to place themselves in positions of political control.

Sixth. It is a matter of record that clearly pro-Communist speeches were made over Santo Domingo TV on April 25.

Seventh. There is also proof that important Communist leaders were attending political meetings at the national palace with Molina Urena, the rebel provisional president, during the early days of the conflict.

Eighth. It is also a matter of record that among the rebel leaders were such experienced revolutionaries as Antonio Isa Conde who was trained in Cuba in 1963; Daniel Ozuna Hernandez, a leader in the 1963 invasion from Cuba; and Jose Cuello Hernandez, who trained in Cuba in 1964.

And, I want to assure my colleagues that the U.S. Government knew much more, which for a variety of reasons, cannot be documented publicly.

Since the early days of the fighting, there have been increasing indications of Communist activity and Communist control in the rebel sectors.

Ninth. The rebel newspaper Patria, by its tone and content, has betrayed an unmistakable Communist orientation.

Since June, Patria has been calling for the establishment of a "united anti-feudal, anti-imperialist front" of all "democratic" elements to continue the battle against the "Yankees and their Creole lackeys."

Another recurrent theme is that all parties, including the Communist ones, should be permitted to participate in elections.

Two editorials have consistently analyzed the revolution in terms of Marxist dialectics declaring that the "Socialist countries," headed by the U.S.S.R., are the natural friends of progressive movements.

Tenth. The three Communist Parties to which I have referred, the MPD, the PCD, and the 14th of June Popular Movement, established military commands, each controlling specified areas within the rebel zone.

Eleventh. Juan Ducoudray, a leader of the Dominican Communist Party, who worked for Radio Havana, in 1962, and who has traveled widely in Communist countries, on August 17 declared that his group would actively oppose an OAS-type negotiated settlement. Instead, he

said, his group would continue on the course of armed intervention.

Twelfth. The 14th of June movement issued an open declaration in favor of violent action and against any provisional government. This movement, in the past 2 months, has also been very active in enlisting new members, in conducting Communist indoctrination courses, and in giving guerrilla war training to hundreds of young people.

Thirteenth. The MPD has also engaged in guerrilla warfare training over the past 2 months. This group has also called publicly for terrorism throughout the country to oppose any provisional government.

Fourteenth. The August 16 edition of the Dominican Communist Party's official organ, carried a remarkably frank statement saying that the party attempted to capitalize on a popular uprising at the outset of the April 24 revolt. The party, analyzing its reasons for failure in April, called on all its members to prepare "for victory in the next popular insurrection."

Even Bernard Collier of the Herald Tribune, who strongly challenged the original charge that the rebels were under Communist direction, said in a recent article in the Tribune that there was alarming evidence of Communist control in the rebel sector.

All of this the Senator from Arkansas has apparently dismissed as inconsequential. Even at the very serious risk of permitting the establishment of another Castro regime in the Americas, he insists on mathematical proof of Communist control before a decision is made to intervene against an actual or threatening Communist takeover.

ON REVOLUTIONS AND COUNTERREVOLUTIONS

That the chairman of the Foreign Relations Committee has difficulty in understanding my viewpoint, and that I have equal difficulty in understanding his, is, I believe, apparent to the press from the several exchanges we have had on the floor.

Perhaps I have misread the Senator's remarks—and if I have, I hope he will correct me—but it seems to me that he suffers from an indiscriminating infatuation with revolutions of all kinds, national, democratic, or Communist.

Time magazine has quoted the Senator as saying in his first Senate speech that "the Russian experiment in socialism is scarcely more radical under modern conditions than the Declaration of Independence was in the days of George III."

This quotation may be inaccurate, or the Senator may since have revised his opinion. But there was a passage in his statement on the floor yesterday which suggests to me the persistence of a strange confusion concerning the real nature of communism and the Russian revolution. I want to quote this statement, so that I may fairly comment on it.

It is not surprising—

Said the Senator—

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 and Asia and Africa.

I cannot accept this indiscriminate lumping together the American Revolution, the French Revolution, and the Russian Revolution.

The American Revolution was the purest, the noblest, and the most democratic in recorded history. It was a revolution based on the fundamental concepts of human equality and the dignity of the individual. It was accompanied by a minimum of terror. It gave birth to no dictatorship, but on the contrary, launched our Nation on an experiment in expanding democracy which has set an example for the entire world.

The French Revolution was a more mixed affair. Originally inspired by ideals of "liberty, equality, fraternity," and committed to the liberation of France from feudal oppression, the revolution soon degenerated into a regime of the guillotine and total terror.

The French Revolution vindicated itself historically only after it had purged itself of the extremists who had usurped its leadership. And the process of democratic rebirth which followed the terror gave birth to one of history's most dramatic flowerings of law and learning and art.

But the so-called Communist revolution has nothing in common with the great revolutions of history.

From a historical standpoint, indeed, the Communist revolution can only be looked upon as a counterrevolution as monstrous and retrogressive as Hitlerism.

Instead of expanding the frontiers of freedom and bringing about a greater degree of social justice, the Communist revolution has resulted in the organized impoverishment of the people, in the reduction of agricultural output through the spread of an incentive desert, in the total destruction of justice, and in the most monstrous state of terror since Genghis Khan.

Instead of the cultural and spiritual renaissance that has followed in the wake of true revolutions, Communist totalitarianism has everywhere resulted in the stultification of the intellect and the imprisonment of the spirit.

Perhaps the chief reason why the chairman of the Foreign Relations Committee and I find it so difficult to understand each other is the fact that while he regards the Communists as revolutionaries, I regard them as counter-revolutionaries.

Perhaps it is because of this that he has never made a single statement expressing concern about the establishment of a Communist regime in Cuba, or about the hemispheric campaign of terror and subversion now being conducted by a Communist consortium, in which the followers of Castro in every country enjoy

the backing of both the Soviet Communists and the Chinese Communists.

Perhaps it is because of this that, in the first major speech, on Latin America he has made in some time, he has addressed himself not to the danger of Castro communism in the Americas, but to the danger posed by American intervention against a threatening Communist takeover in the Dominican Republic.

The Senator's attitude is, I know, shared by a number of people who consider themselves members of the liberal community. They are not pro-Communists. But they are so bemused by the Communist pretension to social revolution, that they permit their tolerance of communism to blind them to the very real danger it poses to the survival of freedom.

THE BALANCE SHEET OF INTERVENTION

With the establishment of a provisional government, it is my conviction that our policy and tactics in the Dominican Republic will be seen in a somewhat more favorable light by erstwhile critics, both in this country and elsewhere.

Now surely it must be clear that the United States did not intervene for either conquest or exploitation in the Dominican Republic.

Presumably, it is also clear that whatever errors we may have made, we did not seek the imposition of a rightwing dictatorship as an answer to the Communist threat.

Nor can it be said that we regard all revolutionaries as Communists, or that we seek to preserve the status quo at all costs. Much of the criticism of our decision to send in troops on April 28 was based on these assumptions and charges. I recognize that much of this criticism was sincere. But our actions have spoken louder than can any words.

We were accused of bringing bloodshed and taking the lives of Dominicans. But our entrance into the Dominican Republic terminated the senseless killing, and gave the OAS time to assume responsibility. Dominican leaders were brought to the negotiating table to settle their differences, and the emergency needs of the Dominican people were met.

We were accused of favoring a military dictatorship. But we have labored in the OAS patiently to open the way to free elections, so that the Dominican people can after a period of pacification, choose their government.

We were accused of trying to impose on the Dominican people a solution of our choosing. But the Dominican people have clearly demonstrated their support for the compromise offered by the OAS.

We were accused of trying to keep the Dominican people from restoring the liberal constitution of 1963. But the institutional act promulgated by the provisional government contains many of the liberal provisions of the 1963 constitution.

We were accused of seeing Communists where Communists did not exist. But even some of our accusers now express concern as the Communists proudly display their guerrilla training schools and arms for all to see, and

boast that they have opposed a solution these long months and that they intend to fight another day.

No one tried to confound the critics. The policy of the United States was clearly stated from the first days that the United States entered the Dominican Republic. We have faithfully followed that policy and the mandates of the OAS.

The critics confused themselves. Among other things, they failed to read and understand the statement of the late beloved John F. Kennedy when he said in November 1963, just 4 days before his death:

We in this hemisphere must also use every resource at our command to prevent the establishment of another Cuba in this hemisphere. For if there is one principle which has run through the long history of this hemisphere it is our common determination to prevent the rule of foreign systems or nations in the Americas.

I am convinced, as I have indicated, that the majority of those who were critical of our policies, both in this country and in Latin America, today have a clearer understanding of our objectives. Indeed, I have heard from a number of sources familiar with the situation in Latin America that the issue of American intervention in the Dominican Republic, despite the efforts of the Communists to keep it alive, has pretty well died off.

President Johnson's speech of August 17 made a tremendous impact in the Latin American countries. And more recently, Assistant Secretary Vaughan received a tumultuous welcome from the people of Bolivia.

I therefore consider it all the more regrettable that the chairman of the Foreign Relations Committee, with the great prestige that attaches to his position, has seen fit to reopen the entire issue of American intervention in the Dominican Republic in this tendentious manner.

Although the reports are not yet in, I am certain that his speech will be picked up and played heavily by every Communist and crypto-Communist and fellow traveler and anti-American leftist who wields a pen in the Latin American press.

I am certain that there will be a particularly heavy emphasis on his charge that we are opposed, or appear to be opposed, to progress and social revolution in Latin America; that we "prefer to associate with the well-bred, well-dressed businessman"; that we favor the oligarchs and military reactionaries over the democratic left.

And they will ignore, just as the Senator from Arkansas has ignored, the many massive evidences that we have been using all of our influences for many years now to encourage and support the trend toward social reform and more democracy in all the Americas.

They will ignore the fact that in 1957 we gave our support to the progressive, leftist, but non-Communist government of Paz Estenssoro in Bolivia, and that, despite the nationalization of American enterprises, we have since 1957 invested more foreign aid in Bolivia on a per

capita basis than we have in any other country.

They will ignore our entire record of support for Figueres in Costa Rica, for Betancourt in Venezuela, for Munoz Marin in Puerto Rico.

They will ignore the fact that it was our country which took the initiative in proposing a severance of diplomatic relations with the Trujillo dictatorship in the Dominican Republic, and that it was this action, combined with our cutting off of the Dominican sugar quota, which brought about Trujillo's downfall.

The anti-American scribes will also ignore the fact that we gave our sympathy and tolerance and support to Castro in the mistaken belief that we were supporting a nationalist revolution.

And, they will ignore all these things because the chairman of the Senate Foreign Relations Committee has declared that we are alined, not with the forces of social progress in the Americas, but with the capitalists and reactionaries.

And this declaration will be interpreted as proof positive of our attitude by the entire pro-Castro and anti-American clique which occupies so many positions of importance in the Latin American press.

Some commentators have recently deplored what they described as the decline of the Senate Foreign Relations Committee, equating this so-called decline with the increasing evidence of division within the committee.

I take sharp issue with this evaluation. In my own view, the state of health of the Foreign Relations Committee is directly proportional to the degree of vigorous debate among its members, and the committee becomes sick in the absence of such debate.

The chairman and I, for example, have sharp differences of opinion on certain aspects of our foreign policy, and we are both disposed to state our opinions forcefully. But this is the way things ought to be.

The Foreign Relations Committee can never fulfill its function if its members conduct themselves in the manner of a gentlemen's club or mutual admiration society, where everyone pats everyone else on the back and no one disagrees with anyone.

The Foreign Relations Committee can only discharge its function responsibly if there is a frank and open and forceful discussion of the issues among its members. I hope that the statement which I have made today will be construed in this light.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the following documents:

First. The article by John Bartlow Martin in Life magazine, to which I referred in my remarks.

Second. The minutes of the Fourth Plenary Session of the OAS, at which the special committee on the Dominican crisis submitted its report.

Third. An analysis of "Communist Efforts To Take Over the Revolt in the Dominican Republic," and an alphabetical biographical listing of 77 known Communists participating prominently in the Dominican rebellion.

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

[From Life magazine, May 28, 1965]

INSIDE THE DRAMA AND CHAOS OF THE DOMINICAN UPHEAVAL—STRUGGLE TO BRING TOGETHER TWO SIDES TORN BY KILLING

(By John Bartlow Martin)

SANTO DOMINGO.—About midnight on Thursday, April 29, I was home with my family in Connecticut when Bill D. Moyers, special assistant to President Johnson, telephoned and said that the President wanted me to come to Washington to consult on the crisis in the Dominican Republic. He sent a White House plane to Hartford and, by 7 a.m., I was in Washington. I conferred with Secretaries Rusk and McNamara and other high officials. The President asked me to go to Santo Domingo to do everything possible to assist William Tapley Bennett, Jr., our Ambassador there, to open up contact with the rebels and keep the President closely informed of the situation, and to help the Organization of American States and our people stop the bloodshed and restore peace. What follows is an account of this mission.

When the Dominican Dictator Trujillo was assassinated on May 30, 1961, President Kennedy sent me here on a fact-finding mission and, in March of 1962, he appointed me Ambassador. That December, with the help of the Organization of American States, the Dominicans held their first free elections in 38 years. They elected Juan Bosch President by a landslide. He had tremendous goodwill as a leader of the democratic non-Communist left throughout the Caribbean.

Hopes were high that he could build a democratic society in the Dominican Republic on the ruins of tyranny. As the Ambassador, I did everything in my power to help him give the ordinary Dominican people freedom and a better life. But Bosch had few experienced people to help him, and his ineffective government disappointed his party and the people. His country's lack of democratic traditions and his own difficult temperament crippled him. The Dominican military overthrew him when he had been in office only 7 months, on September 25, 1963.

The pretext was that Bosch was a Castro Communist, or was handing the Republic over to the Castro Communists. I never believed this. I considered, and still consider, Bosch's overthrow a serious blow to Dominican democracy, U.S. policy, and the aspirations of the ordinary people throughout Latin America.

In February of 1964, I returned to private life. Fourteen months later, on April 24 last, the Dominican Republic exploded, and 4 days later the U.S. marines landed. Six days later I landed at San Isidro, the Dominican Air Force base, the only airport open.

I came with grave misgivings. First reports had indicated that the revolution had begun as an attempt by Bosch's party, the PRD, supported by young military officers, to restore Bosch to power—to make a counter-coup against the Government of Donald Reid, which had replaced Bosch's. Quickly law and order had vanished, indiscriminate slaughter had begun, and President Johnson had, quite correctly, sent the marines to protect American lives and property. But now people were saying that the revolt was Communist led. Was it really? I feared we were in danger of getting on the wrong side, against the people.

The first priority was a cease-fire. To arrange one, Monsignor Emanuele Clarizio, the nuncio apostolico, representative of the Vatican, was in the commander's office at San Isidro meeting with Col. Pedro Bartolomé Benoit, head of a three-man military junta representing the San Isidro generals; a young rebel emissary; a U.S. general, and Ambassador Bennett. Colonel Benoit was speaking,

his voice filled with passion. Everyone wanted a cease-fire, but how could he accept one when the rebels, he charged, had killed hundreds of Dominican officers and men—a dozen captives shot down in cold blood—and beheaded an officer and paraded his head through the rebel area on a pole?

Other officers spoke, their voices rising. Their homes had been sacked, their friends murdered. The rebel emissary cried out that his people had suffered, too, had been butchered, were hungry, and the generals at San Isidro could dictate no peace.

Somebody suggested a cease-fire for a few hours to collect, with garbage trucks, the bodies that littered the streets. Cease-fire? In this mess? Soldiers with submachine-guns were running in and out, the generals arose to talk in little groups, the meeting was breaking up; and suddenly an officer raced in—the rebels were attacking in strength. Generals and colonels began hurrying out.

I went up to Elias Wessin y Wessin, foremost of the San Isidro generals, and drew him aside. A stocky man of 40 and a fanatic hater of communism, Wessin had always been the real power, for he had the tanks. "President Johnson is deeply concerned about the senseless killing of the Dominican people," I told him. "He has sent me here to try to help stop it. I ask you, General, to be the first to sign a cease-fire." Wessin hesitated. Then he went with me to the papal nuncio and signed.

The nuncio went to broadcast the news to the Dominican people over Radio San Isidro. Ambassador Bennett and I got into a helicopter to go to the U.S. Embassy. With us was Harry Shlaudeman, a brilliant State Department career man whom I had brought with me. Shlaudeman had been my political officer here. We flew along the shore of the Caribbean, sullen smoke rising from burning buildings at the harbor, and, as our helicopter angled down behind the Hotel Embajador, we saw U.S. marines manning machinegun emplacements around the helicopter pad.

We arrived at the chancellery. It was shuttered and heavily guarded. The little lobby was littered with paper cups, pop bottles, emergency telephone lines. People hurried to and fro in a blur. Shlaudeman and I talked to the Ambassador, found C-rations to eat and desk corners to work on, then started out separately to see people we knew.

Since it was impossible to go into the rebel area at night, I went to see several Dominicans in the International Zone. One was Antonio Imbert, one of the two men still alive who assassinated Trujillo. Imbert is a brave man, shrewd, blunt, with sources everywhere. As he told me how the trouble started, I received an urgent message: Juan Bosch was calling me from Puerto Rico. I hurried to the chancellery. Over a fading telephone Bosch said he knew, there in Puerto Rico, that U.S. marines in Santo Domingo were attacking rebel positions so that Wessin's troops could advance. It was a conspiracy. I told him that, so far as I knew, this wasn't true (it wasn't). I would inquire, and I hoped to see his rebel commander, Lt. Col. Francisco Caamaño Deñó, tomorrow.

I hurried back to Imbert's house. It was near 1 a.m., Saturday, May 1. The gate was closed. No guards were visible but I knew they always hid behind the hedge and wall. I told my driver to stop and turned on the inside dome light and made a "psst" sound. A guard appeared. I told him who I was. Dubiously, he went back to the sentry post. At that moment a string of shots went off behind my ear. I dived for the floor, began calling out to the guards not to shoot, that it was an accident. I waited, expecting Imbert's guards to open up their machineguns. They did not. My own marine guard said,

"I was trying to put the safety on and my finger slipped."

Imbert and I talked more, sitting in his dining room with a kerosene lamp. Once, heavy automatic fire began and he, who had assassinated Trujillo, told me to get on the floor. We crawled to another room.

Back at the chancellery, Shlaudeman said Colonel Caamaño would sign the cease-fire and wanted to see me early the next day. It must have been about 3 a.m. when Ambassador Bennett, Shlaudeman, and I went to the embassy residence. It was filled with employees unable to go home, sleeping everywhere. The Ambassador and I slept on the floor.

In the morning we began an elaborate charade, arranging to see Colonel Caamaño. We called him, he called us, we called the papal nuncio, the nuncio called us, and so on. It was difficult. Along with the cease-fire, the International Zone had been established to safeguard foreign embassies and the lives of neutral noncombatants. The perimeter of the zone was guarded by U.S. troops.

Caamaño refused to leave the rebel stronghold in the southern part of the city. I would have to go to him—cross the line and leave the zone. He would try to get word to his snipers, but he could not fully guarantee my safety. Shlaudeman and I met Caamaño's emissary at the papal nunciatura and we started out in the nuncio's car, its hood covered with the flag of the Vatican, the nuncio himself driving, wearing his long white robe and his red cap * * *.

MINUTES OF THE FOURTH PLENARY SESSION (CLOSED)

(Document 46 (Provisional) May 7-8, 1965)

Chairman: His Excellency Ambassador Guillermo Sevilla Sacasa, special delegate from Nicaragua.

Secretary general of the meeting: Dr. William Sanders.

Present: Their Excellencies Alfredo Vázquez Carrizosa (Colombia), Roque J. Yó dice (Paraguay), Alejandro Magnet (Chile), Ramón de Clairmont Dueñas (El Salvador), Rodrigo Jácome M. (Ecuador), Juan Bautista de Lavalle (Peru), Ricardo A. Midence (Honduras), Enrique Tejera Paris (Venezuela), José Antonio Bonilla Atiles (Dominican Republic), Humberto Calamari G. (Panama), Raúl Díez de Medina (Bolivia), Ricardo M. Colombo (Argentina), Carlos García Bauer (Guatemala), Rafael de la Colina (Mexico), Gonzalo J. Facio (Costa Rica), Emilio N. Oribe (Uruguay), Ellsworth Bunker (United States), Fern D. Baguidy (Haiti), Ilmar Penna Marinho (Brazil).

Also present at the meeting was Mr. Santiago Ortiz, assistant secretary general of the meeting of consultation.

Recording secretary: José F. Martínez.

REPORT OF THE COMMITTEE

THE PRESIDENT. Your Excellencies, I have the honor of opening the 4th plenary session of the 10th meeting of consultation of ministers of foreign affairs, which has been called for the principal purpose of receiving a confidential report from His Excellency, Ambassador Ricardo M. Colombo, Representative of Argentina and Chairman of the Special Committee that went to the Dominican Republic, which has prepared a confidential report. Ambassador Colombo addressed the following note to me today:

"Your Excellency, I have the honor of transmitting to you the first report of the Special Committee of the 10th meeting of consultation of ministers of foreign affairs of the member states of the Organization. I respectfully request you to direct that this report be distributed to the Special Delegates to this Meeting of Consultation. Accept, Sir, the assurances of my highest consideration. Ricardo M. Colombo, Ambassa-

dor of Argentine, Chairman of the Special Committee."

First of all, I wish to express to His Excellency Ambassador Ricardo M. Colombo and to his distinguished colleagues on the Committee, Their Excellencies Ambassador Ilmar Penna Marinho, of Brazil, Ambassador Alfredo Vázquez Carrizosa, of Colombia, Ambassador Carlos García Bauer, of Guatemala, and Ambassador Frank Morrice, of Panama, the deep appreciation of the meeting, and especially of all of their colleagues, for the magnificent and efficient work they have done in carrying out the delicate mission entrusted to them by the Meeting. We have followed their work with a great deal of attention and interest, and feel proud of having appointed them; and we are sure that the Americas, our people and our governments, applaud that work, and this Meeting expresses its appreciation and praise for it. In accordance with the Regulations, plenary sessions are public. When I spoke this morning with our colleague Chairman of the Committee, it seemed to me appropriate that this meeting be closed, precisely because the report to be presented by Ambassador Colombo, in behalf of the Commission of which he is Chairman, is, precisely, of a confidential nature. This decision by the Chair, that this meeting be closed, I am sure will not be objected to by the Representatives. I am happy that everyone agrees that this meeting should be closed. This will be recorded in the minutes. I recognize the Ambassador of Argentina, His Excellency Ricardo Colombo, Chairman of the Special Committee, so that he may be good enough to present the report referred to in the note I had the honor of receiving this morning. The Ambassador has the floor.

MR. COLOMBO (the Special Delegate of Argentina). Thank you very much, Mr. President. I should like to make clear, before beginning to read the report, that it begins by referring to the very time of our arrival, or rather, to our departure from Washington, for which reason we do not record here the fact, which we do wish to point out, that at the time of our arrival, and in compliance with a resolution of the Council of the OAS, the Secretary-General of the Organization of American States, Dr. Mora, was already there carrying out his duties, regarding which he will give his own report.

[Reads the first report of the Special Committee.]

MR. COLOMBO. May the meeting consider the report to have been presented in behalf of the Committee duly appointed. Thank you very much, Mr. President; thank you very much, gentlemen.

THE PRESIDENT. I take note of what Ambassador Colombo has just said, and, clearly, we have been most pleased with the report. Your Excellencies will have noticed its fine quality.

MR. GARCÍA BAUER (the Special Delegate of Guatemala). If the President will allow me, I should like to recommend to all the Delegates that they take the following note with respect to the documents that contains the report of the committee that has just been read, and has also just been distributed, pardon me. On page 9 there are certain errors that were made in transferring the text to the stencil. In the last line on that page, where it says "guardia de policia militar," the word "mixta" should be added, so that it will say "una guardia de policia militar mixta." On page 12, in the next to the last line from the bottom, where it says "y de que esta mantendria," it should say "y de que mantendria

¹ The first report of the Special Committee with the corrections indicated below by the Special Delegate of Guatemala and accepted by the other members of the Committee, has been published as Document 47 of the meeting.

los contactos." On page 13, at the end of the second paragraph, it is necessary to add "En la última parte de la entrevista estuvo presente el General Wessin y Wessin a solicitud de la Comisión" at the end of the paragraph. And on page 26, second paragraph, where it says "la resolución del 30 de abril" it should be "resolución del 1.º de mayo." [These corrections were taken into account before the English text of the document was issued.]

The PRESIDENT. The Chairman asks the distinguished members of the Committee whether they accept and consider incorporated in the text of their valuable report the observations made by His Excellency the Ambassador of Guatemala. The Chairman of the Committee.

The CHAIRMAN OF THE COMMITTEE. I fully accept them, Mr. President.

The PRESIDENT. Undoubtedly we shall receive a second edition of this report containing precisely the amendments already accepted by the Chairman of the Committee.

Mr. GARCÍA BAUER. Mr. President, they are not things to accept, but rather the question is that in the report of the Committee these points were omitted.

The PRESIDENT. That is just what I was referring to, that the Chairman of the Committee has precisely accepted the incorporation of the omitted matter, the clarifying of the points. He has accepted, as Chairman of the Committee, in behalf of all its members, that the observations should be taken into account in the new edition that is to be made of the report. In other words, they are corrections of form.

Mr. GARCÍA BAUER. No, Mr. President, those are not corrections of form, they are omissions made in copying the report of the Committee.

The PRESIDENT. Precisely, the Chair was mistaken, they are omissions of form, precisely. Gentlemen of the Special Committee, the report, which has just been read by your distinguished Chairman, Ambassador Ricardo M. Colombo, of Argentina, reveals a job done that the Chair would describe as extraordinary, very worthy of the sense of responsibility and the personal capabilities of the distinguished Ambassadors who make up this historic Committee in the inter-American system. Being extraordinary, it is a job worthy of our appreciation, of the appreciation of this Meeting of Consultation and of those of us who are honored to call ourselves colleagues of the Ambassadors who make up the Special Committee. In saying this, I am honored to confirm to you what I said to His Excellency Ambassador Ricardo Colombo in the message that I had the honor to address to him today, which reads:

"The Honorable Ricardo M. Colombo, Chairman of the Committee of the Tenth Meeting of Consultation of Ministers of Foreign Affairs: I am pleased to express to you and to your colleagues on the Committee of the Organization of American States established by the 10th Meeting of Consultation of Ministers of Foreign Affairs the appreciation of the Meeting for the prompt and interesting information furnished in your two messages received on May 3 and 4. The Meeting has taken note of the messages and hopes that the important tasks being undertaken with such dedication and efficiency may soon be completed with full success. Accept, Sir, the renewed assurances of my highest consideration. Sevilla-Sacasa, President of the 10th meeting."

I have the satisfaction of informing you regarding a communication the Chair has received from His Excellency Emmanuel Clarizio, Papal Nunzio, dean of the diplomatic corps accredited to the Government of the Dominican Republic. It reads:

"Guillermo Sevilla-Sacasa, President of the Tenth meeting of Consultation of Ministers of Foreign Affairs"—this communication is dated May 5—"I thank you with deep emo-

tion for message Your Excellency sent me on behalf of Tenth Meeting of Consultation of Ministers of Foreign Affairs. I have sincere hopes that providential assistance by Organization of American States quickly begun in Santo Domingo by Secretary General Mora and happily assumed by Special Committee of worthy members headed by Ambassador Colombo will soon achieve for the beloved Dominican nation the humanitarian ideals of peace and well-being that inspire that high and noble institution." It is signed by Emmanuel Clarizio, Papal Nunzio of His Holiness.

I said at the beginning that naturally this meeting is of a closed nature, which indicates that, at the proper time, a public plenary session should be held, in order publicly to take cognizance once again of the text of the report and the opinions expressed regarding it. It seems logical for the first step to be to obtain the second edition, as I call it, of this report, in which the omitted matter so correctly mentioned by our colleague from Guatemala will appear: in order that the General Committee of the Meeting of Consultation may take cognizance of the report and then submit its decision on it to the plenary. This is what the Chair has to report on the matter for the present, but naturally, we would like in this closed meeting, in the private atmosphere in which we are now, to hear some expression by some distinguished Representative on the text of the report that was read by the distinguished Chairman of the General Committee. The representative of Mexico, Ambassador de la Colina, has asked for the floor, and I recognize him.

Mr. DE LA COLINA (the Special Delegate of Mexico). First of all I wish to express, or rather, join in the comments that you, Mr. Chairman, have made in appreciation and deep recognition of the distinguished members of the Committee we took the liberty to appoint, in recognition of not only this wonderful report they have presented us, but also the efforts they doubtlessly have made under most difficult conditions and with great efficiency and dignity. Now I would like to know, Mr. Chairman, whether it would be possible to ask some questions, especially since we are meeting in executive session, for clearly our governments surely are going to want to know the very learned opinion of our distinguished representatives regarding some aspects touched on only incidentally in this most interesting report, with the reservation, naturally, that perhaps in a later session, also secret, we could elaborate on some other aspects that, for the moment, escape us. Would that be possible, Mr. President?

The PRESIDENT. I believe the question is very important. The President attaches great importance to the question put by the Ambassador of the Republic of Mexico regarding our taking advantage of this executive session to ask the distinguished Committee some questions.

Mr. COLOMBO. I ask for the floor, Mr. President.

The PRESIDENT. You have the floor, Mr. Ambassador.

Mr. COLOMBO. The Committee is ready to answer, insofar as it can, any questions the representatives of the sister republics of the Americas wish to ask its members.

The PRESIDENT. Very well. Is the Ambassador of Mexico satisfied? You have the floor.

Mr. DE LA COLINA. Thank you, Mr. Chairman. For the time being I would like to know whether it is possible, after having listened closely to everything our distinguished colleague, the Representative of Argentina, has told us. I have the perhaps mistaken impression from the technique as well as from the quick reading I was giving this document we just corrected, that there seems to have been a certain consensus be-

tween the opposing sides as to the possible elimination of the generals. Perhaps I am mistaken, but it seems to follow from that reading and from this idea that on both sides the colonels were more or less disposed to create, let us say, a high command, other than the one that has remained thus far. I wonder whether it would be possible for you gentlemen to elaborate on this, or whether you simply have no idea on the matter.

The PRESIDENT. Would the Chairman of the Committee like to respond to the concern of the Representative of Mexico?

Mr. COLOMBO. With great pleasure. As the report states, Mr. President, the request to exclude the seven military men, whose names I have read in the Committee's report, was a complaint by the junta led by Colonel Caamaño and transmitted by the Committee to the military junta led by Colonel Benoit. The Act of Santo Domingo, furthermore, is clearly written, and the stamped signatures of the parties ratifying it are affixed. I believe I have responded to the concern of the Ambassador of Mexico.

Mr. DE LA COLINA. Another point now, if I may.

The PRESIDENT. With pleasure.

Mr. DE LA COLINA. I would like to know, if this is also possible, whether the distinguished representatives could give us their impressions regarding the degree of Communist infiltration in the rebel or constitutional forces, or whatever you want to call them. For example, there was the reference to this Frenchman * * * who came from Indochina, and who trains frog men * * * etc.; perhaps there is some thought that this person might have close ties, for example, with other Communists; or do they have the impression at least that, in the high command of that group, the rebel group, there is now definite and significant Communist leadership. Thank you, Mr. President.

Mr. COLOMBO. As for myself, I, as a member of the Committee, not as Chairman, have no objection to answering the question by the Ambassador of Mexico, but as a matter of procedure for answers, I wish to provide an opportunity for the Chairman to speak in general terms in order not to deny the distinguished members of the Committee their legitimate right to answer as members of the Committee, which we all are; that is, I would not want to be monopolizing the answers because, without prejudice to a given answer, we can give another of the members of the Committee an opportunity to give the reply that, in his judgment, should be given. Thus, in order to respect fair treatment and not find myself in the middle of the violent and inelegant position of monopolizing the answers—and I ask the members of the Committee whether some of them want to answer, then I ask you to give the floor first to Ambassador Vázquez Carrizosa, of Colombia.

The PRESIDENT. The Ambassador of Colombia, members of the Special Committee, will answer the question by the Ambassador of Mexico.

Mr. CARRIZOSA (the Special Delegate of Colombia). Mr. President, the Representative of Mexico asks what the opinion is.

I will state mine, because I am not going to answer on behalf of the Committee, as to the degree of Communist infiltration on both sides. Of course, the question must refer to the command or sector led by Colonel Francisco Caamaño, because I do not think it refers to any Communist leanings by General Wessin y Wessin, Colonel Saladin or any of his colleagues. With regard to the sector led by Colonel Francisco Caamaño, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamaño, whom I do not know to be personally a Communist, there are indeed numerous persons on his side

that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend is prevalent in Cuba.

MR. DE LA COLINA. Thank you, Mr. Ambassador.

THE PRESIDENT. Does any member of the Committee wish to add to the answer requested by the Representative of Mexico? Is the Representative of Mexico now satisfied with the information given to him? The Ambassador of Guatemala.

MR. COLOMBO. If the President will allow me, I do not know what system the President may have to gage the kind of questions.

THE PRESIDENT. Well, your Excellency said that he wanted his colleagues to participate in the answers in their, let us say, personal status, in order to distribute the task of answering, and, naturally, the President took note of the fact that your Excellency had invited his colleague from Colombia to answer the question put by the Ambassador of Mexico. I, by way of courtesy, am asking your Excellency whether any other colleagues would like to express their opinions on the same question the Ambassador of Mexico asked. I request your Excellency to tell me whether any other of his colleagues would like to ask any questions.

MR. COLOMBO. I am going to add very little, of course, to what the Ambassador of Colombia, with his accustomed brilliance, has just said, by saying that this report, affirmed by a large number of representatives of the Diplomatic Corps, is public and well known to any one who cares to make inquiry. But despite the respect that I owe to the opinion of the Diplomatic Corps, in order to establish this in precise terms—for I was concerned as much as was the Ambassador with being able to verify this question—I wanted to go to the source; and we spoke with the different men who were in this rebel grouping and, a notable thing, from the head of the revolution, Colonel Caamaño, to some one known as Minister of the Presidency, they recognized that they were their great problem, they explained to a certain extent briefly the process of the history of the Dominican Republic, they confessed to us how gradually a number of elements were being incorporated with them whom they called Communists, and that their problem was to avoid infiltration for the purpose of springing a surprise and seizing control. They said this clearly, and even at one point—I in the sometime difficult task of dividing this formal nomination of the chairmanship in which there is no merit greater than that of any one else, because perhaps in the other four members there is much talent for doing what the Chairman did—I spoke with Colonel Caamaño and asked him in a friendly way whether he honestly believed that such infiltration existed. He confirmed this to me, but he gave me the impression that he had the courage to face it. He said to me: "They are not going to grab the movement, and my concern is that in their losing the possibility of control, they have stayed behind the snipers, today there are those that do not wish a solution for the Dominican Republic," and already he put the political label on a good part of the snipers on both sides. It should be said, Mr. Ambassador, that you will understand the extent of responsibility of the answers and the depth of the questions, and I would like to satisfy your own concern; but I have fulfilled with loyalty by reporting the con-

versation to you objectively, telling you that I believe that those who have the answer to this question is to be found among the actors, the protagonists of this hour who are living in the Dominican Republic. This is what I wanted to say now, Mr. Chairman.

THE PRESIDENT. Very well, Mr. Ambassador.

MR. DE LA COLINA. Mr. Ambassador of Colombia, I greatly value this reply; I wanted both, but naturally with reference to the reply whereby you explain one more aspect. Many thanks, Mr. Ambassador.

THE PRESIDENT. Would the Ambassador of Guatemala like to say something on the question put by the Ambassador of Mexico?

MR. GARCÍA BAUER (the Special Delegate of Guatemala). Mr. Chairman, for the moment, no; certainly this point was discussed in the Committee; the Committee also had a series of things, and since there is not yet any criterion of the Committee, I do not for the moment wish to present any viewpoint.

THE PRESIDENT. The Ambassador of Brazil.

MR. PENNA MARINHO (the Special Delegate of Brazil). Mr. President, I should like to corroborate the statements made by my colleagues from Colombia and Argentina, and add one more aspect that I believe could help to clarify the approach that could be given to the problem. I should like to add, gentlemen, that with the complete collapse of public authority—since neither the forces of the Government Junta of Benoit, Santana, and Saladin nor those of Colonel Caamaño were in control of the situation—the Dominican state practically disappeared as a juridical-political entity, and the country became a sort of no man's land. The arsenal had been given to the people and an entire disoriented population of adolescents and fanatics was taking up modern automatic arms, in a state of excitation that was further exacerbated by constant radio broadcasts of a clearly subversive character. Neither do I believe that I am, nor does any of the members of this Committee believe that he is, in a position to state with assurance that the movement of Colonel Caamaño, inspired by the truly popular figure of former President Bosch, is a clearly Communist movement. But one fact is certain: in view of the real anarchy in which the country has been engulfed for several days, especially the capital city, where bands of snipers have been sacking and killing and obeying no one, any organized group that landed on the island could dominate the situation. For that reason, and our understanding coincides with that of a majority of the depositions of the chiefs of diplomatic missions accredited there, all of the members of the Committee agree in admitting that the Caamaño movement, fortunately truly democratic in its origins, since none of us sincerely believes that Caamaño is a Communist, could be rapidly converted into a Communist insurrection; above all it is seen to be heading toward becoming a government of that kind, susceptible of obtaining the support and the assistance of the great Marxist-Leninist powers. Therefore, Mr. President, we do not believe that Colonel Caamaño and his closest advisers are Communists. Meanwhile, as the entire Caamaño movement rests upon a truly popular basis, by certain areas escaping from the control of that democratic group of leaders it would be quite possible for that movement to be diverted from its real origins and to follow the oblique plan of popular-based movements, which can be easily controlled by clever agents and experts in the art of transforming democratic popular movements into Marxist-Leninist revolutions. Thank you, Mr. President.

THE PRESIDENT. The Representative of Ecuador, Ambassador Jácome, has requested the floor.

MR. JÁCOME (the Special Delegate of Ecuador). I wish to adhere with all sincerity and

warmth of the words of the Representative of Mexico, praising the selflessness and the arduous work as well as the spirit of sacrifice with which the Committee performed its functions, and for having succeeded, by the time of its departure, in leaving a somewhat more favorable situation than the one it found upon arrival. Now that we are asking for the opinions of the distinguished colleagues on the Committee, I would like to know if they have any impression as to a formula, or if there is any desire on the part of the two factions to bring about peace by transforming the cease-fire, the truce, into a peace that will permit the political organization of the Dominican Republic and the natural process that should be followed in order to have a constitutionally stable system? It has been gratifying to hear this opinion, at least on one side, that the so-called constitutional government of Colonel Caamaño is certain that it can at a given moment control and capture the infiltrators that are determined to block peace, and, in order to take advantage of that situation, to continue the chaos that has prevailed in Santo Domingo up to now. But if that command hopes to keep and is confident that it can keep control it is natural that whatever the command thinks with regard to the possibility of a formula for stable peace through an understanding with the others—the present enemies—would be very useful and constructive to know because we would then, with a little tenacity, through friendly, fraternal mediation, have a favorable prospect of arriving, within a reasonably short time, at an understanding between the two combatants. This would be the best guarantee that the Americas, as well as the Dominican Republic, could have that those infiltrators and those elements that wish the chaos to continue, would be eliminated and hence definitely neutralized.

I would like to know what opinion the Committee formed, after it succeeded in talking with the parties in conflict, what impression does it have of the opinion or of the formulas or of the hopes they have regarding a final agreement that may return the situation to normal?

THE PRESIDENT. Would the Committee like to answer the question raised by the Representative of Ecuador? One of the colleagues on the Committee; the Chairman, Ambassador García Bauer, Ambassador Vázquez Carrizosa, Ambassador Penna Marinho, the Chairman of the Committee, Ambassador Colombo, in his capacity as Representative of Argentina?

MR. COLOMBO. Perhaps this is the question that I shall answer with the greatest Americanist feeling, Mr. Chairman. I cannot deny, Mr. Ambassador, gentlemen, that I also, like the Ambassador of Mexico, have confessed to him that I shared and still share the concern expressed in his question and that, perhaps, it was the question that caused me the greatest concern. The most urgent problem when we left was not to find ideological banners distinguishing the parties, but to put an end to the conflict that was already becoming bloody and that could become a blood bath in the Americas. We talked with the two parties and believe me, Mr. Chairman, I at first had the feeling that law was dead; it was chaos in the Dominican Republic. We all shared it—all members of the Committee, the military advisers, the General Secretariat, our civilian advisers—and when we arrived we found chaos, such as we had never seen or even imagined. I felt that law did not exist, and we all thought there was little hope that they wanted to find a solution that would be feasible, despite the moral authority that we represented. We were only a very few, as men, as individuals, but we bore the weight of the historic tradition of the system whose 75th anniversary we celebrated, and this inspired all the members of the Committee. From the first man

of the rebel band with whom we spoke, Colonel Caamaño, to the first man with whom we spoke from the Command of the Military Junta, Colonel Benoit, we found that they were both weary of the conflict that darkened the Americas. We found in both of them a desire to achieve peace that was equal to ours.

It would be untrue, Mr. President, if I were to say that I found the wish to continue the fight at this stage of the tragedy in the Dominican Republic. There was a longing for peace and we were caught in the enthusiasm to achieve it. But we were completely surprised, Mr. Ambassador, by something more important than this objective which is essentially what we all desire; the two parties said that the solution lay in the inter-American system. Nobody assumed the right to impose peace because—and let there be no misunderstanding—the side that wishes to triumph in Santo Domingo is stabbing the sister Republic. Both factions understood the intensity of the tragedy that was unfolding in Santo Domingo; both placed their faith in the inter-American system.

During the course of conversations, when all members of the Committee asked them if they would be faithful to remaining within the system, they answered yes; with all their faith. But it was more than that, Mr. Ambassador: it was what Colonel Caamaño said, voluntarily. A newsman asked him, "If your cause was denounced in the United Nations, what would you do?" and he confessed to us that he answered that he would in no way accept that channel because he was within the system and the answer had to be found within the system. For that reason he was happy to see the Committee sent by the OAS. He placed his faith in the Organization of American States to find the solution. And when we spoke with Colonel Benoit he gave us the same affirmation; his faith is in the system.

I believe that in the midst of the agony of the Dominican Republic, this system that among ourselves we have talked so much of strengthening was more alive than ever and in an hour of testing, in the midst of a struggle more fierce than any I remember within the system, I could see that both sides felt this to be the only possible solution that could maintain peace in the Americas. Both took into account the possibility that it was being compromised; they knew that the peace of the hemisphere might be endangered if the conflict wasn't soon stopped. This, Mr. Ambassador, is what I can tell you, with great satisfaction, and I look to the system for the solution just as all of us are going to look, and you will see that the system will find that solution.

The PRESIDENT. The Representative of Guatemala will contribute to the answer that the Representative of Ecuador has requested.

Mr. GARCÍA BAUER. Mr. President, I wish to add a few words to what the Ambassador of Argentina has said, in reply to the question asked by the Ambassador of Ecuador. I, as a member of the Committee and as Ambassador of Guatemala, confirm the statements made by the Ambassador of Argentina, as to the faith that the inter-American system can help in solving the problem that, so unfortunately, is faced in the Dominican Republic today. Obviously, that country is weary of struggle and would like to arrive at some solution. I, at least, found that there certainly is a basic desire to reach an understanding between the parties and overcome present difficulties. We were surprised, for example, when we began conversations with the Rebel Commander, that a colonel was present who was a liaison officer between the Military Junta of San Isidro and the Papal Nuncio. And the manner in which he was treated, by Colonel Caamaño as well as the other members of the Rebel Command, surprised us because he was in a

group completely opposed to the one he represented. We did not see the hatred that might have been expected in such circumstances. We can bear witness, therefore, to that deference, to the treatment that was shown. Also the Rebel Commander offered to the Committee itself to deliver about 500 prisoners so that it might take charge of them; that is, acts such as these indicate how they wish to end this situation that is dividing the people of the Dominican Republic; from these acts, and from others that we have seen, I have reached the conclusion that at bottom there is a desire, a keen desire to reach an understanding. The question is to find the formula for making this understanding a reality.

The PRESIDENT. Other representatives have asked to speak. I ask the members of the Committee if any of them wishes to join in the reply to the question raised by the Representative of Ecuador. The Representative of Ecuador.

Mr. JÁCOMO. Yes, thank you, Mr. Chairman. I am infinitely grateful for this reply which is truly promising because it has confirmed the suspicion that every human being has who knows the tragedy of a civil war; that those persons who have stained their country with blood and caused so many deaths, who have seen so much suffering and caused so much suffering, would now have reached the moment of longing for peace and perhaps each of them feeling remorse for the sufferings and the misfortunes they have caused. This is an eminently human reaction that we all know. But I am equally satisfied to hear that both parties rest their faith in the inter-American system, but I have now seen a report, a report concerning the statements made by Colonel Caamaño to the effect that he will not accept the Inter-American Force established by the last resolution of this Meeting of Consultation. We have already seen that it also seems that Colonel Caamaño and his partisans have not accepted the present state of affairs, the presence of foreign troops in Santo Domingo. Hence, would not perhaps Colonel Caamaño, and in the end all Dominicans, whatever their ideologies and whatever the barricade on which they have stood, prefer a mission of peace to a mission of guns? We might think of a permanent peace mission of the Organization of American States, which would receive the same impressions but which would be seeking a concrete formula to bring those parties together who wish to reach an understanding and give them the opportunity of not feeling pressured by arms or not having the inward suspicion that those arms are playing the game of their adversaries. I should like and I venture to put this question to the members of the committee, and I beg your pardon, as tired and fatigued as you all must be, for still abusing your time with these questions. Thank you very much.

Mr. COLOMBO. I said something, a little circumstantially, in replying to the question posed by the Ambassador of Mexico, regarding this concern that troubles the Ambassador of Ecuador. Here is the most important instance for telling the whole truth, not part of it. And I am going to tell how I saw it. The effort—I said—is mutual and so is the desire to attain peace, Mr. Ambassador, but it is not that I suspect but that I am certain that the two sides in the struggle are not controlling their movement, because the cease-fire was accepted by the fighting groups; but an uncontrollable ingredient conspired against the carrying out of the act of Santo Domingo, an element that history shows does not find a solution by peaceful means and that grows larger whenever attempts at reaching peace are made, because what will happen, to a great extent, is what happened to us, in parleying for peace, with an absolute cease-fire by the commands so as to talk with the

peace mission, but we had to parley for 2½ hours under incessant machinegun and rifle fire. Who did that? Colonel Caamaño? I think not, categorically, no.

It is the sniper ingredient, because in a town where arms are handed out to civilians, there can be only two forms of control: either when the civilians lay down their arms and surrender them willingly, or when this is achieved by a force superior to the civilian force. Let all of you ponder the difficult task of imagining a peace attempt, in which we again have the signatures of the two parties, we have the security zone, and the incident is being provoked as a factor breaking out into a tremendous catastrophe. I honestly confess that until now I could not explain how something much worse did not occur. The provocation of the snipers is constant. There are among them, no doubt, the two classes of snipers that there are in such events: those who grab a gun and continue using it with a resentment that no reasoning will lead them to lay it down, and those who continue using it with the resentment of one who cannot control the revolt. That is, these are factors that cannot be controlled by a mission no matter what flag of peace it carries.

The Government of Santo Domingo will not achieve peace until it can be imposed in a climate where conditions in a peaceful Santo Domingo exist for the recovery of institutional normality in the country. Sincerely, Mr. Ambassador, in the choice that you have given me I sacrifice my wish—which is equal to yours—to a realistic concept that one can only appreciate, unfortunately, by having been there. We wished, and we five Ambassadors who were on the mission mentioned it many times to one another, that all of you could have been there, that not one had been missing, Mr. President. That you could have been at the scene of events to see what we were seeing. In the tremendous confusion, in which it is difficult to find the thread that would open the knot we were trying to untie, where there is political and military confusion, economic disaster, confused people, general anguish, no one can find the ingredient for guidance. I believe, Mr. Ambassador, that it is urgent to seek peace in the Dominican Republic and to tarry as little as possible in discussion, because every hour of discussion is an hour you give to someone who, with good or evil intentions, could still pull the trigger that would prevent the Act of Santo Domingo from being fulfilled. This is my personal impression.

The PRESIDENT. The Representative of Ecuador has nothing more that he wants to say? I recognize the Representative of Uruguay, Ambassador Emilio Oribe.

Mr. ORIBE (the Special Delegate of Uruguay). Mr. President, first of all, I want to adopt the words of the distinguished Ambassadors who have spoken before me in congratulating the Committee on its work and expressing the admiration of my delegation for the way in which they have performed this first part of their task. And so, our warmest congratulations to all of them. Since it is late, Mr. President, I would like to confine myself to some very specific questions. The first of the questions is as follows: for this Meeting of Consultation to be competent to take measures to bring peace and to carry forward the work begun, it is necessary, above all, in the opinion of my Delegation, to ascertain whether the situation in the Dominican Republic is a situation that can endanger the peace and security of the hemisphere. This is the requirement of Article 19 of the Charter for carrying out collective action in matters that normally are within the domestic jurisdiction of the states. As is known, Article 19 states: "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," which are those that refer to nonintervention. Hence my Delegation believes that a pronouncement must be made by this Meeting of Consultation to the effect that the events in the Dominican Republic constitute a situation that endangers the peace and security of the hemisphere. Departing from that basis, I should like to ask the Committee if it is of the opinion that this is the case, that is to say, that the situation in the Dominican Republic constitutes a threat to the peace and security of the hemisphere? That is the first question.

The second question is as follows, Mr. President: the first part of the task with which the Committee was entrusted has been carried out, and we all congratulate them. We have received a very complete report, which will be studied by the delegations and the foreign ministries. There remains, then the second part of the Committee's task, under the letter b, which reads as follows: "to carry out an investigation of all aspects of the situation in the Dominican Republic that led to the convocation of this Meeting." Naturally, my Delegation understands very well that this cannot be done in one afternoon or one day. However, I should like to ask simply if the Committee believes that there is sufficient evidence to issue a report on this point within a reasonable period of time? Thank you very much, Mr. Chairman.

The PRESIDENT. One of the distinguished members of the Committee would like to refer to the first question put by the Representative of Uruguay. Ambassador Vázquez Carrizosa, Representative of Colombia.

Mr. VÁSQUEZ CARRIZOSA (the Special Delegate of Colombia). Thank you, Mr. Chairman. The first questions is this: Is the situation such that it can endanger peace and security? My reply is yes. Yes, there is a situation that endangers the peace and security. The reasons are very clear. A disturbance or even a guerrilla action in a member state where the elements of order and constituted authorities exist is not the same as in a state where the absence of the state is noted, evaluated, and recorded. What is to be done, Mr. Delegate, in the absence of the state? What does the system do when the state does not exist? What happens when blood is running in the streets? What happens, Mr. Delegate, when an American country—and I am going to speak quite frankly so that you may think about this with all the perspicacity we know you to have—is, under these conditions, in the neighborhood of Cuba? Do we sit on the balcony to watch the end of the tragedy?

Do we all sit down as if we were at a bullfight waiting for the crew to come? What are we to do, Mr. Delegate? We are in a struggle against international communism; and we are in a world, Mr. Delegate, in which America is not even separated from the other continents even by the ocean. We form part of the world, and we form part of the conditions existing in the world. The Dominican Republic, like any other country in the Americas, is a part of the system, and it is the system that will suffer from the lack of a head of state in any of its members. The matter and the problem cannot be expressed in juridical terms, in hermeneutics, needed to fit an act into a lawyer's criterion. The problem is one of deep political meaning, of profound significance, of hemisphere importance much more serious than any of the other American revolutions could be.

There have been many revolutions in America. There have been revolutions in my country; there have been some, I believe, in yours, and I do not believe that a revolution in itself justifies the intervention of the inter-American system. That has not been my theory; that has not been the theory of my country. However, the acephalous condition of the state constitutes a problem that has occurred on very few occasions.

What are we to do, Mr. Delegate, when, as the report states, the president of a junta says: "I cannot maintain order with respect to the diplomatic missions"? And what are we to do, Mr. Delegate, when that Chief presents a note in which he requests the assistance of another country and confesses with the sincerity that we have heard: "Gentlemen of the Special Committee, have the diplomatic representatives asked me for protection and I did not have the elements with which to protect them?" That is the answer to his first question. Now we have the second question: What is happening to the investigation? It is very clear, Mr. Delegate. The complex political events, the multitudinous situations are very difficult to investigate. All of us who have had contact with problems of criminology know about mob psychology; everything that is studied in the classroom, which is very simple, an investigation of a local event, an individual event, let us say.

However, when there are mobs, when they are in the midst of great movements an investigation can be conducted, investigations must be carried out. But they are obviously difficult investigations. I would spare no effort to support any machinery, agency, or committee that would carry forward that investigation. It would be very desirable. But, of course, such investigations of complex events are not very easy, because many things have happened. Actually, two or three revolutions have taken place. There was the first revolt of colonels. Then there was a revolt of a party; and after that, a revolution of a whole series of guerrilla groups, so that each one may have a different impression of the same event.

I think that, rather than an investigation of the past, what is of interest to the Meeting of Consultation and what is of interest to America is not the investigation of the past, but the investigation of the future. It is the investigation of the future that interests us. The problem is not to stop to fix responsibility, to ascertain who began to shoot first, who entered the National Palace first, who opened the windows, who got out the machinegun, who saw, who heard; all that would be an interminable process that would fill many pages and many records of proceedings. The important thing is not to look backward, but to look ahead.

The PRESIDENT. The Representative of Uruguay.

Mr. ORIBE. I thank Ambassador Vázquez Carrizosa for his remarks. He has told me just what I wanted to know.

The PRESIDENT. The Ambassador of Brazil.

Mr. PENNA MARINHO (the Special Representative of Brazil). Yes, Mr. President. And I also want to say to the Delegates that my reply is also yes. There are two governments, but each one is weaker than the other, completely incapable and powerless to control the situation that prevails in the country. Peace was made on uncertain terms. The Act of Santo Domingo is not a definitive peace; it is a difficult truce, a temporary armistice that may dissolve at any moment. Therefore, the Committee suggests, among the measures that in its judgment might be adopted immediately by the Tenth Meeting of Consultation, the appointment of a technical military group in the city of Santo Domingo to supervise the cease-fire, as well as other measures agreed to by the parties to the Act of Santo Domingo. We must keep watch over that peace and create conditions to prevent the struggle from breaking out again—because it could start again, Mr. President, at any moment. Thank you.

The PRESIDENT. Does any other member of the Committee wish to speak on this question? The Chairman of the Committee, Ambassador Colombo.

Mr. COLOMBO. The truth is, Mr. Chairman, that after the words of my distinguished colleagues, the Ambassadors of Brazil and Co-

lombia, there is very little that I might be able to add; but the responsibility involved and the importance of the question, so ably phrased by the Ambassador of Uruguay, compel all of us to make clear our position on this question. When, among the powers and duties, the duty of investigating was decided upon, I cannot conceal the fact that I felt the same as I always feel whenever an investigating committee is named. Generally it investigates nothing; few, indeed, are the investigating or factfinding committees which, in the parliamentary life of all of our countries, show any fruitful jurisprudence in their results. But this Investigating Committee did have the possibility of good results. And that was because it was aimed at two fundamental objectives that were governing events in the Dominican Republic.

I understood, first, that the investigation was to determine the scope of the danger resulting from the events, which are a matter of concern to the Ambassador of Uruguay. If this was a situation that did not threaten the peace, we would verify that immediately. If the situation was under the control of groups intent on stirring up tension in the Americas, in a struggle in the history of America, which is full of struggle between brothers, in this incorrigible vocation that is periodically written into the history of our countries, that delays the advance of law and democracy, then we would verify it immediately; and we have verified it.

This could be the beginning of a struggle confined to the two well-defined groups. But the presence of those uncontrollable factors, which I urge the Ambassadors to analyze in detail, in the evaluation of facts in order to reach conclusions, they are going to be impressed, as we ourselves were impressed, without seeing them; they have become more dangerous than the groups themselves put together. To my mind, they have become the element that will determine the fate of what is going to be done. If those groups did not exist, and if those responsible for the struggling movements had not confessed that they cannot control them, in view of the existence of a security zone, freely agreed upon by both parties, with a U.S. military force that is engaged basically in the process of keeping custody over the diplomatic zone, I would also believe, Mr. President, that perhaps we might be able to delimit the process and trust that the peace would not be so obviously jeopardized as it is in this process; because in all revolutions, even a small local one, there is the possibility that there may be the spark of a process that will affect the peace of the Americas.

But the dimensions of this situation, with elements of disturbance on both sides, who are constantly lashing out against the protection offered by the security zone, and in which, Mr. President—and this struck my attention—there is still control to prevent confrontation in a struggle that could technically be called a military struggle; or in other words, there is no military confrontation between the defenders of the zone and the contending groups of the civil struggle. And that struggle is capable of being unloosed, because of the constant harassment by those who are seeking a way to unloose it. Hence, Mr. Ambassador, this matter urgently demands that all of us succeed in finding the way to resolve this situation; that we find the way to dispel the undeniable danger that threatens the peace in this hemisphere, which is the purpose of our organization. Because all of these things are important; economic development, social tranquility, justice, the progress of the countries; but all of them are built on peace; without peace there is no possibility for the triumph of the inter-American system. There cannot be the slightest doubt, Mr. President, that the peace of the hemisphere is in grave peril.

But with respect to the second part of the investigation, which is also a matter of

anxiety, we have contributed something in the time we had to make our investigation; more than the investigation is the word of the leaders themselves. This act is a confession, and a partisan confession without proof, Mr. Ambassador. It is not a matter of our characterizing the ideology, nobody goes about trying to do that when, actually, it has already been characterized by the leaders of the governments themselves. If necessary, that should be left to the last. I have said at previous sessions: my delegation is willing to make and is going to make an exhaustive investigation of the facts, in order to determine the blame according to the action. We shall do nothing to cover up a sharing of responsibility. But in the matter of priorities, investigation has been well placed by the Ambassador of Uruguay. The first thing to be investigated was the projection of the episode, the possibility of its affecting the peace of the hemisphere, the need for urgent action in case it is proved. We five members of the committee shared that opinion when we were there, and we reaffirm it now. The peace of the hemisphere is in such danger, Mr. President, that if the system does not respond to the call of both parties to the struggle, I believe that the peace of the Americas would be in danger, that peace will be broken. This urgency is shown by the way we have tried to answer the concerns of the Ambassador of Uruguay.

THE PRESIDENT. I ask His Excellency the Ambassador of Guatemala if he would like to speak on this point.

MR. GARCÍA BAUER. Mr. President, I would like to add my voice and my opinion to those of my distinguished colleagues on the Committee. I shall also reply, rather emphatically, as was done by the Ambassador of Colombia, that the peace and security are in danger. As was already said, we in the Committee often asked ourselves and commented on the advisability of having all of the members of this meeting visit the Dominican Republic in order to see, on the scene itself of the events, the situation prevailing in that country: in a state of war, when we arrived, without water, without lights, without telephones, without public services. The lobby of the very hotel where we stayed was a scene of war—children and women sleeping in the lobby itself. The Diplomatic Corps, which met with us, also told us of the serious situation which they had gone through and were going through; anarchy ruled; the attacks that the diplomatic missions themselves had suffered; the wounded, including the diplomatic missions that had given asylum to wounded persons; and this was something that went on hour after hour.

Undoubtedly, peace and security are seriously affected when there is no authority that is respected, for although there are those who proclaim that they represent authority in each sector, it may be seen later that they do not possess it to such a degree that peace prevails; and although they sign documents, such as the cease-fire that was arranged before we arrived, or the Act of Santo Domingo, which we signed; nevertheless, it can be seen that they have no absolute control over the situation when the spectacle of wounded and dead persons is seen. We asked how many had died, how many had been wounded; and I believe that I can say, as an opinion gathered from persons of whom it can be said, insofar as this is possible, that they are better informed on the matter, that at least 1,500 persons have died in Santo Domingo. And how are the forces distributed? How is the country? Fighting has taken place so far only in the city of Santo Domingo itself, but who can assure us that it will not spread throughout the country?

The rebel command states that they have maintained peace there, because they have not wished to arouse feelings in the rest of

the country, and the military junta in San Isidro states that they control the rest of the country. What is the real situation? The Committee did not have time to travel through all of the Dominican Republic; but it is evident that chaos exists, that the situation is deteriorating; it changes from one hour to the next; that is clear. The day after we had an interview under the fire of snipers, as has been said here—with the constitutionalist military command, the next day, I repeat, the chief of that command was proclaimed President of the Republic, Constitutional President; and the military junta of San Isidro, which we had talked with and which signed the act of Santo Domingo, does not now exist, according to reports arriving today through the news agencies. The teletype has just brought for example, a cable reading: "Domingo Imbert, president of the new five-member junta, quickly convened a press conference and called for a peace-making effort to rebuild the country and restore national unity without discrimination on account of political affiliation." He described Colonel Caamaño as a good personal friend.

The other members of the new junta are: Julio Postigo, 61 years old, a lawyer whom some people consider a militant in the Revolutionary Party of Juan Bosch; Carlos Crisella Polomey, 51 years old, governor of one of the provinces under the deposed regime of Donald Reid Cabral; Alejandro Seber Copo, 41 years old, an engineer; and Colonel Benoit, a member of the previous military junta of three. Imbert did not explain how or why the earlier junta resigned, or how the new one was formed. Although Caamaño could not be found to give us a statement, the leader of the Revolutionary Party, José Francisco Peña Gómez, stated over the rebel radio that the new group represented an underhanded maneuver against the interests of the Dominican people. In the Dominican Republic we constantly heard rumors, stories that got to us, to the effect that they were inciting to arms over the radio, even during the cease-fire.

The circumstances prevailing in Santo Domingo are most difficult, tremendously difficult; it would be a good thing if the representatives were to go and see how things are developing there and how, in the report we have submitted, we cannot give an exact picture of the prevailing situation, which has disturbed us deeply. The situation undoubtedly endangers peace and security, and not of the Dominican Republic alone. The representative of Uruguay also referred to the missions of investigation; and indeed, among the duties entrusted to the Committee was the duty of making an investigation of all aspects of the situation existing in the Dominican Republic that led to the calling of the Meeting. But the kind of investigation that was asked is not one that can be made in a few hours. The Committee had to give priority to what demanded priority, and the first thing was to try to restore peace and conditions of safety, to restore things as much as possible to normal, under prevailing conditions, in order that it could carry out an investigation such as we believed the Meeting of Consultation had requested.

We are in agreement that this investigation should be carried as far as it is desired; but in the short space of time we were there, and with all the tasks we had; and although we sought opinions and points of view on various sides; although we asked all members of the diplomatic corps to give us their views in writing; that is, their views on the situation as they saw it; although we asked the disputing groups also to explain to the Committee and to the Meeting what they considered the truth about the Dominican Republic, and also asked the Governors of the Provinces whom we interviewed to do the

same, and did likewise with everyone with whom we had an opportunity to talk and question; although we sought all of the evidence that might serve as a basis for this investigation and to enable the Committee to offer its conclusions to this Meeting of Consultation; despite all this, the time was very short and we cannot give conclusions in the report we have just submitted, not even if we were to be able to change them a little later.

Points of view have been given and information collected, sometimes in personal conversations, as mentioned by the Ambassador of Argentina with respect to his conversation with Colonel Caamaño, or in conversations with the members of the Committee had with various persons on the scene; but we should also listen to all parties concerned, to all who want to say something; and such an investigation takes some time. This is the reply we must give to the Ambassador of Uruguay. With respect to this second point, we have done all that we could within the short time available, in an attempt to make the cease-fire effective for the protection of refugees and those who had taken asylum, and so that food distribution could be undertaken, to bring in food, medicines, etc., that can be distributed with the necessary safety. We did a vast amount of work in a very short time, but in regard to investigation, we can say that we have scarcely begun. And despite the little that was seen, the Committee has been able to contribute something in reply to the questions that have been asked here.

THE PRESIDENT. I understand that the representative of Uruguay is very well satisfied with the thorough manner in which the interesting questions put to the members of the Committee have been answered.

MR. ORBIE. Of course, Mr. President, I would like to express my appreciation once again, and I believe that what has now been said here is fundamental; because the conviction of the members of the Committee will surely allow us, through consultation, to take appropriate measures without getting into the problem of intervention.

THE PRESIDENT. I recognize the special delegate of Paraguay, Ambassador Yódice.

MR. YÓDICE. Thank you, Mr. President. First, I wish to join in the words of appreciation that have been spoken here to the ambassadors who composed our special committee that traveled to Santo Domingo and completed the great task of which we are so proud. I am very happy that from the first time the floor was requested until now we have had a series of statements from the distinguished ambassadors on the Committee, and their statements make my congratulations even warmer. As the Chairman of the Committee, the illustrious Ambassador of Argentina, Dr. Ricardo Colombo, has said, this is the moment of truth and the delegation of Paraguay is quite pleased with the action of the members of the Committee.

The delegation of Paraguay, Mr. President, is proud of this Committee because it has, in the first place, effectively carried out the peacemaking aspect of its mission as fully as is possible; it is proud of this Committee because it has justified the confidence of the Paraguayan delegation placed in it, inasmuch as the distinguished ambassadors who composed it, whose ability and inter-American spirit all of us know, as was said when the Committee's membership was approved, would determine whether or not international communism had a part in the bloody events in the Dominican Republic. If the distinguished representative of Mexico had not raised the question he did on the matter, I would have done so. I might, however, have put it differently, since I would not have confined myself to inquiring as to the possibility of Communist intervention in a specific group, but would have extended

the inquiry to all aspects of the serious conflict that the Dominican people are undergoing today.

The Government of Paraguay, as I stated clearly when approval was given to the establishment of the collective inter-American force, believed from the beginning that continental security was at stake. The replies by the Ambassadors composing the Committee reporting today on certain questions regarding these delicate aspects of the Dominican situation have been categorical. My government was right. Continental security is threatened. The danger existed, and still exists, that chaos and anarchy will permit international communism to transform the Dominican Republic into another Cuba. With his customary clarity, courage, and energy, the Ambassador of Colombia, Mr. Alfredo Vázquez Carrizosa, has categorically mentioned the highly political nature of the problem we are facing. In reply to a question of the Ambassador of Uruguay, he has rightly said that the peace of America is threatened, that the security of the hemisphere is threatened, and that there is a possibility that another Cuba, another Communist government in the hemisphere will arise out of the chaos and anarchy in the Dominican Republic.

We are proud of the action of our Committee, because, as the Ambassador of Uruguay said, it is helping to clarify the problem we are facing. Paraguay had no doubts when it voted on the resolution for the establishment of the inter-American force. As I said: "The Government of Paraguay approves the sending of U.S. forces to the Dominican Republic, considering that this does not imply armed intervention prejudicial to the right of self-determination of the Dominican people, but, on the contrary, that it is a measure of hemispheric defense against the intervention of Castro-Communist forces. The Government of Paraguay is aware that U.S. armed intervention has been necessary in view of the urgency of preventing extracontinental and Cuban forces and funds from annulling the Dominican people's right of self-determination, since it was evident that it would be difficult for the inter-American system to act rapidly and energetically. The Government of Paraguay reaffirms its support of the proposed establishment of a hemispheric force and will participate in it if a substantial majority of the governments of the member states do likewise."

Mr. President, if there is anything to regret it is that, for the time being, this valuable, clear explanation of the seriousness of the Dominican problem furnished to us by our committee is known only to the delegates of this Meeting of Consultation.

Obviously we are going to come to a moment when the enlightened judgment of the President and of the Delegates, in my opinion, will decide that these vital conclusions reached by our Committee should be known by all of the Americas, by all of the people of the hemisphere. Because for my Delegation, Mr. President, these conclusions which appear in the written report and in the replies to the questions posed here, should not be known only by the Delegates; they should be known by all the people. I emphasize this point because I am proud that my Delegation, from the very beginning, has been concerned and has established a position with regard to the seriousness of the conflict, in view of the intervention of international communism in the Dominican events.

Once more, I congratulate the members of our Committee; I am confident that the conclusions they now bring to us from their trip to Santo Domingo and that they will continue to bring will greatly help this Meeting of Consultation. The inter-American system must find the permanent solution referred to by the distinguished Ambassador

of Ecuador in order to bring about a return of constitutionality in the sister Dominican Republic, a return of the reign of representative democracy and of human rights, and of all those inalienable principles of sovereign peoples that motivate the resolutions of this Meeting of Consultation in dealing with the Dominican problem. I believe, Mr. President, that with the clarity of the conclusions of the Committee we shall be walking on firmer ground. The basic conclusion that I want drawn from this statement I am now making is that we should act on the basis of these important conclusions furnished to us by the Committee; not only the conclusions appearing in the report that has been distributed, but also those verbally expressed tonight by the members of the Committee. I repeat my congratulations to the ambassadors and my confidence that these highly important conclusions will shortly be brought to the attention of all the Americas. Many thanks, Mr. President.

Mr. TEJERA PARÍS (the Special Delegate of Venezuela). Mr. President, I wish to make a motion.

The PRESIDENT. What is the motion of the Ambassador of Venezuela?

Mr. TEJERA PARÍS. Mr. President, 2 days ago when it was desired to undertake a thorough analysis of the problem, I asked this distinguished meeting to await the return of the Committee, so that we might question it and hear what proved to be an excellent and highly important report. On behalf of my government, I wish to express appreciation for the work that has been done and the sacrifices that have been made. I now wish to call attention to the following point: perhaps this session should devote itself exclusively to questions and answers, so that by speeding things up we can obtain the information as precisely as possible, leaving basic statements and studies of possible solutions until tomorrow's plenary; otherwise, we shall have to repeat many of the things already said here. This is my motion, Mr. President.

The PRESIDENT. Mr. Ambassador, the Chair entirely agrees with you. It would really be interesting to devote ourselves to questioning the honorable Committee and its distinguished members, and the answers that they give us will be very edifying.

Time goes on, and we must take advantage of the privacy of this meeting precisely to present this type of questions and, in this same confidential setting, to obtain the answers of the distinguished Committee members. Naturally, the occasion will come for us to make detailed statements on behalf of our governments on the text of the important report presented by our colleagues on the Committee. I offer the floor to the Representative of Chile.

Mr. MAGNET (the Special Delegate of Chile). Thank you, Mr. President. The opinion that the President has just expressed so wisely is in complete accord with what I am about to say now. Although, for reasons clearly explained at the time, the Delegation of Chile abstained from voting for the establishment of the Committee that has now returned to our midst, I can do no less than corroborate, briefly but sincerely, the expressions of praise that the Committee has earned. Moreover, the position taken by my country does not inhibit me, for everyone's benefit, from asking some questions that are of interest to my country, and, as I understand, to the others as well. In the Act of Santo Domingo, referred to by the President in his statement, mention is made of a security zone in that city, whose limits would be indicated in a plan appended to this document. Mr. President, I believe that this security zone is a highly important factor in the cease-fire that has been obtained and that a clear delineation of this zone and knowledge of it, not just by the parties involved but by everyone, will be very helpful in forming an idea of

what might happen if, as may be feared, this security zone were violated. If acceptable to the Committee, I would request, Mr. President, that this plan not only be incorporated into the Act, but also circulated by the secretariat as soon as possible.

The PRESIDENT. I ask; I imagine that the Chairman of the Committee wishes to reply to Ambassador Magnet's question.

Mr. COLOMBO. The Committee, through me, reports that the map is now being distributed, and I apologize to the Ambassador of Chile because it was not attached to the report when this was distributed. The explanation may lie in the undeserved expression of appreciation for the Committee's work, on the part of the Ambassador. Material difficulties prevented distribution, but I now present the map to the Chair so that, as the Ambassador of Chile has wisely requested, it may be distributed as soon as possible, since it is necessary for the proper information of the Ambassadors.

The PRESIDENT. The Chair shall proceed accordingly, Mr. Chairman, Ambassador Colombo.

Mr. MAGNET. I wish to explain that my words did not imply the slightest criticism or reproach of the Committee.

Mr. COLOMBO. I wish to make quite clear that I have not even remotely suspected such an attitude from one whom I know to be a gentleman and distinguished ambassador who honors the inter-American system.

The PRESIDENT. Your second question, Mr. Ambassador.

Mr. MAGNET. It is more than a question, Mr. President, to try to achieve some kind of friendship. I think it is quite clear both from the text and the context of the report we have just had the pleasure of hearing, especially the Act of Santo Domingo—with which we were already acquainted and which is contained in the report signed on May 5—that there is not, nor was there on that date a constituted government in the Dominican Republic able to represent the country, but two parties or conflicting factions. The Committee, with the knowledge it gained through its on-the-spot activity, and with its spirit of impartiality, deemed it necessary to hear the two parties or factions in order to reach some useful result. I would like to ask the Chairman of the Committee, through you, Mr. President, if the evidence that has been gathered corresponds to the truth.

The PRESIDENT. Shall I refer the question to the Chairman or to the distinguished members of the Committee?

Mr. COLOMBO. I think that, in substance, we have already answered the Ambassador's question. That is, all of us Committee members have confirmed the impression of chaos that we found in the Dominican Republic, the complete lack of authority, the existence of two groups that appeared to be standard-bearers in the conflict and with whom we felt impelled to establish immediate contact. I do not know if this will satisfy the Ambassador, and I wish he would let me know if he has any doubts that I can clear up.

The PRESIDENT. What does the Ambassador to Chile have to say?

Mr. MAGNET. It seems to me that what the Ambassador has said confirms what I—

Mr. COLOMBO. I think it is the same thing, Mr. Ambassador.

The PRESIDENT. Is there any other question? Mr. Ambassador.

Mr. MAGNET. If it is not an imposition on you or on the meeting, Mr. President, I wonder if it would be too much to ask the Committee to tell us how many asylees or refugees still remain in the embassies in Santo Domingo, if it has been able to obtain this information.

Mr. COLOMBO. The truth is that at this time, Mr. Ambassador, it is impossible to answer your question because, fortunately, the evacuation of asylees has already started.

I have information regarding the asylees at my embassy: there were 14 who have already been able to leave. That is, this changes according to the help received, food and other, because the asylees take advantage of arriving planes in order to arrange their transportation; therefore, at this moment it would be practically impossible—because of the time that has elapsed since our arrival—to say how many asylees have been able to leave the country. Fourteen have left my embassy.

The PRESIDENT. Is the Ambassador satisfied?

Mr. MAGNET. I hope I am not being too insistent, Mr. President, but perhaps with the testimony of the other members of the Committee we might obtain an approximate figure, at least.

The SPECIAL DELEGATE OF BRAZIL. Mr. Ambassador of Chile, I wish to inform you that in the Embassy of Brazil there were 38 asylees, of which only 6 wished to leave the Dominican Republic. The other 32 told us that they would prefer to await the return of normal conditions in their country. Therefore, only six asylees in our embassy left the Dominican Republic.

The PRESIDENT. Does Ambassador Vázquez Carrizosa wish to contribute anything?

Mr. VÁZQUEZ CARRIZOSA (the Special Delegate of Colombia). There were about 30 asylees in the Embassy of Colombia in Santo Domingo, some of whom did not wish to leave Dominican territory. Many of them, especially women and children, left on May 5 on the plane that brought in food, medicine and medical equipment.

The PRESIDENT. The Ambassador of Guatemala.

Mr. GARCÍA BAUER. There were 28 asylees at the Embassy of Guatemala, of whom 9 left. There are now 19 asylees at present who will be evacuated as soon as possible on the plane arriving from Guatemala with food and medicines. The Secretariat has already been informed of this.

Mr. MAGNET. Mr. President, I wish to leave on record my gratification and to pay public tribute to the patriotism of the Dominicans, since so many of them have chosen not to abandon their country, in spite of the prevailing chaos.

The PRESIDENT. We give the floor to the Representative of El Salvador, Ambassador Clairmont Dueñas.

Mr. CLAIRMONT DUEÑAS (the Special Delegate of El Salvador). Thank you Mr. President. I am going to ask a question, but I wish at this time to express my government's appreciation for the excellent work of the Committee in the face of the tragic events in the Dominican Republic. Our thanks, gentlemen. The question is as follows, and I wish to refer to the distribution of weapons to the civilian population. I wish to ask the members of the Committee whether they then had sufficient time to investigate how this distribution was made, what was the source, if it is known, whether distribution was made indiscriminately or to persons of any special tendencies, and who were the originators of this distribution. Thank you very much.

The PRESIDENT. I refer the question to the members of the Committee. The Ambassador of Brazil, if you please.

Mr. PENNA MARINHO. Mr. President, I wish to reply to the question posed by the Ambassador of El Salvador, and I do this on precarious bases, because the information we received was precarious, and, above all, contradictory. There was, however, a common consensus in these replies, that the arsenal of weapons had been opened, access to it was given to the population, and that the civilian population, a part of which was controlled by Colonel Caamaño, was armed with automatic weapons considered by several authorities we interviewed as the best and most modern existing in the Dominican Republic. And we were able to ascertain,

when we opened negotiations with the group led by the Commander of the Revolutionary Government, Colonel Caamaño, we were able to see various persons, teenagers, women, all armed with machineguns, forming small groups in the streets of the neighborhoods of Santo Domingo that were under the control of the rebels. And so there was a distribution made of all the weapons that were stored in the arsenal of the Dominican Republic to the civilian population that supported Colonel Caamaño's group. This is the information we were able to gather by means of the contacts we had with the various authorities of the Dominican Republic.

The PRESIDENT. Ambassador Vázquez Carrizosa, Special Delegate of Colombia.

Mr. VÁZQUEZ CARRIZOSA. I cannot, of course, give an opinion on the way in which the weapons were distributed, but the truth is that in the sector of the city where Colonel Caamaño's command was located, the presence of weapons, of machineguns, was visible and clear; of all citizens in the streets and of all who were around us, each citizen carried a machinegun, so that weapons were as numerous as the persons who were around us. Thank you.

The PRESIDENT. Does the Ambassador of Guatemala wish to give any opinion in this respect?

Mr. GARCÍA BAUER. Yes, of course it could be seen in the city, as far as we could see, that automatic and other weapons were in the hands of many young civilians, and even of women. Now, according to information I received early Sunday morning, April 25, many young civilians were armed with automatic weapons from the 16 de Agosto Camp.

The PRESIDENT. The Representative of El Salvador, Mr. Clairmont Dueñas.

Mr. CLAIRMONT DUEÑAS. Thank you, fellow delegates. I have a second question, if the President will permit me. I wish to ask the members of the Committee if they have seen, foreseen, or gathered, according to how we use the term, the possibility that the sector controlled by Colonel Caamaño is receiving weapons supplied by another country, not the Dominican Republic—from another country, let us say, Cuba—or is it using the weapons that they have there at this time.

The PRESIDENT. The Representative of Colombia, Ambassador Vázquez Carrizosa.

Mr. VÁZQUEZ CARRIZOSA. There is such a profusion of machineguns in the sector of the city that we visited that in reality the importation of this item is unnecessary.

The PRESIDENT. The representatives who may wish to add something to the reply. The Representative of Venezuela, Ambassador Tejera Paris, has the floor.

Mr. TEJERA PARIS. Mr. President, I should like to ask the Committee two questions, the first precisely about arms. Did the Committee learn of the existence, or was it able to verify that there is some system of distribution or some inventory whereby, in the forthcoming peacemaking activities, it could check what part of the arms has been returned? My experience in such matters has been that it is possible to have a very large part of the arms given to civilians returned, and then, by a supplementary house-to-house search they can be controlled. In general, the military are very good bureaucrats; they generally make inventories, and so the question I ask is not absurd.

The PRESIDENT. I refer the question to Ambassador Colombo, Chairman of the Committee.

Mr. COLOMBO. Mr. President, the question asked by the distinguished Ambassador of Venezuela I have also asked the various bands or groups in Santo Domingo. All of them were very sorry that they could not provide me with accurate pieces of evidence, which would have been very valuable. When we were about to leave, in connection with the activities reported on in our dispatch,

our report, the only part on which we obtained a reply that would help allay the Ambassador's fears was given by the United States, when the Ambassador of the United States in Santo Domingo told me that many of those who are arriving in the security zone bring arms with them and turn them in. I tried to go further into this question to ascertain the number of arms. The reply was not definite. I was told merely that this was a report that he had received from General Palmer, who had told the Ambassador of the United States that they had a certain amount of arms that were being turned in by people who were arriving in the zone for diverse reasons, many of whom were coming in search of food or medical care and who were voluntarily turning in their weapons. This is the only thing I can say, but I believe that I have contributed something to allay your fears, Mr. Ambassador; nothing more.

Mr. TEJERA PARIS. Thank you very much, Mr. President. The other question would be this: I was very favorably impressed and feel optimistic at the fact that the Committee noted among both the Constitutionals and the rebels a fervent desire to have the OAS intervene to seek a solution; and that even, according to what I think I heard the Chairman of the Committee say, Colonel Caamaño himself said that he rejected the Security Council solution and preferred an OAS solution, because it belongs to the system. Now I should like to ask you this: Did the Committee explore the possibility, or did it hear of any methodology of any special system, for example, the presence of a high commission of eminent persons or a high commission of good offices that could assist in returning the country to constitutional normalcy now? Does the Committee believe that there would be some possibility that such a solution would be acceptable to all the bands in conflict? I understand that now there is another change in the country.

The PRESIDENT. I refer the question to the Committee members. Mr. Vázquez Carrizosa, please.

Mr. VÁZQUEZ CARRIZOSA. It is still premature to go into that. Of course, we can find evidence of contact, points of common reference, but within an atmosphere of tension and anxiety such as surrounded us, it is difficult right now to think of formulas for a government that might unite the two parts. I do not exclude it as a possibility for the future, but apart from a similar reference to the Organization of American States, I think it is impossible for the Committee (although my colleagues may believe otherwise) to answer that question more precisely. No system came into view. The thing is it was not our job to investigate political conditions of a new government. Our mission, which was precisely set forth by the resolution of May 1, was to obtain a cease-fire, guarantees for the departure of refugees, and safe conditions for the embassies, and also to organize humanitarian aid. Moreover, the terms of the resolution of May 1 did not authorize us to enter into discussions of matters that are the concern of the Dominican people, and personally, my theory is that our mission was essentially to bring about peace—not to prejudge the will of the Dominicans regarding their own future; at least, that is my reasoning.

The PRESIDENT. The floor goes to the Representative of Guatemala, member of the Committee, to reply to certain aspects of the question raised by Mr. Tejera Paris.

Mr. GARCÍA BAUER. There is no better way to answer the question raised by the Ambassador of Venezuela than to refer him to the terms of reference of the May 1 resolution of this meeting. The work mentioned by the Representative of Venezuela is not found in the terms of reference, and consequently, the Committee was prohibited from entering into that area. Undoubtedly, and this we have

already said, there is a desire for understanding; there is an evident wish for peace, since a number of relationships are involved; there are people, friends of one side and of the other. The dean of the Diplomatic Corps told us of how, through him, splendid acts of humanitarianism had been performed. People asked him about their friends rumored to be wounded or dead, and he was able to give them explanation and set their minds at rest. In other words, that atmosphere has existed, and if the Ambassador of Venezuela, for example, remembers the cable that I read earlier, it mentioned one of the members of this new junta who described Caamaño as a personal friend, and also mentioned a lawyer, whom some think to be a militant partisan of the revolutionary party of Juan Bosch. In other words, it shows that there is a desire for understanding, that that desire is evident, and, of course, that there is faith in the inter-American system. How is that desire to be channeled? How can the OAS help to solve that problem that essentially must be solved by the Dominicans themselves? That is something that must be considered at the opportune time by the system, by the organs of the system. I yield the floor to Ambassador Tejera Paris.

The PRESIDENT. The Special Delegate of Venezuela has the floor.

Mr. TEJERA PARIS. I first want to explain that my question was not intended as criticism of the Committee, nor did I think that it could have wished to go beyond its terms of reference. I was only referring—perhaps I did not explain myself clearly—to the idea proposed informally by the Delegation of Costa Rica—I don't know if all of you know about this—for setting up a delegated committee, a committee that, by delegation of this conference, would go to the Dominican Republic for the purpose of carrying out the second part of the task of reestablishing peace—that is, the administration of the mechanics of reestablishing peace and a return to institutional normality, not the formation of a government and other such matters. Then I asked myself if such an idea had already occurred to other countries in some form or other, since such ideas are normal. That was my question. Now, I have a third one.

The PRESIDENT. The Chairman of the Committee, Ambassador Colombo, will be so kind as to answer these questions.

Mr. COLOMBO. I want to say a couple of words regarding this concern of the distinguished Ambassador of Venezuela. I share the opinion just expressed by Ambassador Garcia Bauer that our immediate job was to obtain a prompt peace. Also, we were obsessed with the fact—as undoubtedly everyone else was, without exception—that the solution to the Dominican Republic's political problem should be in complete keeping with the principle of self-determination of peoples, and that in the last analysis it was the Dominicans who must determine the direction of their institutional life. For us, it has been enough to know that they respect the jurisdiction and authority of the system and that the system assures the solution. But, Mr. President, with all respect to the Ambassador of Venezuela, neither do I think that this is the time to start discussing these matters, since precisely for the reasons given by the Ambassador earlier, we should concentrate on the report and on the questions and answers from the Ambassadors and the Committee members respectively.

The PRESIDENT. The Special Delegate of Venezuela has the floor.

Mr. TEJERA PARIS. I just want some personal information, as all of us do. And another thing. From my own country's experience, especially during the dictatorship of Pérez Jiménez, Communist infiltration is generally chaotic everywhere and tries to produce chaos in the various factions. Ex-

perience shows us that it is much easier and more common for Communists to ally themselves with elements of the extreme right than with liberal ones. And so I ask whether the Committee noted or inquired as to the presence of agents and provocateurs on the side of Benoit, Wessin y Wessin, and company, or whether they investigated the presence of Communists from the other side, because some of their actions seem—give the impression of being—provocations rather than judicious acts.

The PRESIDENT. Would the Chairman of the Committee like to say something in this regard?

Mr. COLOMBO. Thank you, yes. That also is a very pertinent question, and I think that we answered it to a certain extent when we acknowledged the existence of snipers on both sides. That is, there are snipers everywhere; they are a general disturbing element throughout the country, although we cannot attribute to them the particular ideology mentioned by the Ambassador. But it is apparent that anyone who plays the part of a sniper and has escaped the normal command of either of two groups is following his own ideology. That is all, Mr. President.

The PRESIDENT. Would Ambassador Penna Marinho like to comment on the question presented by Ambassador Tejera Paris? Ambassador Vásquez Carrizosa? Ambassador Bauer? Would you like to, Mr. Ambassador?

Mr. VÁSQUEZ CARRIZOSA. Well, I just have this thought: if there are snipers in both parties, why can't they be snipers of the Wessin Communists, or snipers of the Caamaño rightists, or simply nationalists?

The PRESIDENT. Is there any comment on these last statements, Mr. Chairman?

Mr. COLOMBO. I should not like to continue this dialog because that would lead us into a maze of conjectures, Mr. Ambassador, but I believe, and I will say, that there is a fundamental difference: Colonel Caamaño's commands recognized the existence of Communist elements that were seeking to infiltrate and to gain control of his movement—an affirmation that I did not hear, nor do I believe that any of the members heard it, from Colonel Benoit.

Mr. TEJERA PARIS. Maybe they are not so politically sensitive.

The PRESIDENT. Well, reportedly so, according to some opinions.

Mr. TEJERA PARIS. I thought as much, but I just wanted to make sure. Thank you very much, Mr. Ambassador.

The PRESIDENT. Our thanks to you, Mr. Ambassador. We shall now hear from the Ambassador of the United States, Mr. Bunker.

Mr. BUNKER. I would like to express on behalf of my delegation, and indeed on behalf of my Government, appreciation and praise to all of the members of the Committee of the Meeting, individually and collectively, who, under the brilliant leadership of my friend and colleague, Ambassador Colombo, have accomplished so much in so brief a period, and under, as they have described to us, the most difficult and trying circumstances. We have heard the report of the committee this evening, and I am confident that this meeting will agree with me, that the act of Santo Domingo marks an outstanding achievement in what has been our priority objective under the terms of the resolution, an agreement on an effective cease-fire in the Dominican Republic. As Ambassador Colombo has reported, the Secretary of State has communicated to the committee that the United States supports its work in Santo Domingo, and pledges to cooperate fully in the observance of the provisions of the act of Santo Domingo.

Mr. COLOMBO. Mr. President, something has gone wrong with the interpreting equipment, because I heard the English spoken by the Ambassador much more loudly than the Spanish interpreter to whom I was listening.

The PRESIDENT. Is the Ambassador's speaker turned too high?

Mr. BUNKER. Shall I proceed? Well, it seems to me, Mr. Chairman, that the questions which have been put by my distinguished colleague to the Committee, and the answers of the members, have shed further light and have made a very great contribution toward a greater understanding of the situation existing in the Dominican Republic; a contribution so valuable that I think it should become public knowledge, Mr. Chairman. I believe that it was agreed at our previous meeting that the proceedings of the private meetings and the records would become public. I trust that that will be so in this case, because I think the record is extremely valuable to provide a much wider public knowledge of the actual conditions in the Dominican Republic.

The Committee has succeeded in taking this first step of major importance. It seems to me that this meeting can now move to a second major stage of the task, for I think we can all agree that much remains to be done before conditions return to normal in that tragic and torn country. It is quite obvious, from what the Committee has said, that there is today no effective national government in the Dominican Republic. There are contending forces, each in control or perhaps quasi-control in separate areas, but no political grouping or faction can lay a well-founded claim to being the government of the country. I say quasi-control because we had word from our Embassy in Santo Domingo today that the palace inside the rebel zone, in which 400 people, I believe, have taken refuge, had been attacked three times during the day. This may be indeed a violation to the cease-fire.

But it remains, Mr. Chairman, for the Dominican people, with the help of the OAS to which I understand they are looking, from the words of the Committee, to organize a government and to provide for future constitutional arrangements of their own choosing. It seems to me that it is of the greatest importance that the OAS should endeavor to assist patriotic and outstanding citizens of the Dominican Republic, and I am sure they can be found, to establish a provisional government of national unity, which could eventually lead to a permanent representative regime through democratic processes.

Mr. Chairman, we must now seek to find paths of peace and to build on the base which has been established by this Act of Santo Domingo. I want again to express the appreciation of my government for the splendid work of this Committee because they have established, through what they have done here, really the first and essential base for any further progress. Thank you, Mr. Chairman.

The PRESIDENT. I recognize the Representative of Uruguay, Ambassador Oribe.

Mr. ORIBE. Mr. President, I would like to second what the Ambassador of the United States has said with regard to making the minutes of this session public. I do this with the understanding, naturally, that they will be published as is usual; that is, that they will be complete, verbatim minutes. Thank you, Mr. President.

The PRESIDENT. It is so agreed. Ambassador Facio, Special Delegate of Costa Rica.

Mr. FACIO. First, I would like to join in the congratulations given the distinguished members of the Special Committee for their splendid work. Second, the question I am going to ask is to clarify a concern I have with respect to the possibility of securing an effective peace in the Dominican Republic. I wish to ask the members of the Committee if they interviewed Colonel Caamaño or any members of his group after that band was established as what they allege to be the Constitutional Government of the Dominican Republic?

Mr. COLOMBO. The value of the Act of Santo Domingo is precisely that it was signed after the establishment of Colonel Caamaño's group as the titular Constitutional Government, nothing more.

Mr. FACIO. Then, you had the opportunity to discuss with them their claim to be the only constitutional government of the Dominican Republic, because whether or not this claim can be maintained in either relative or absolute terms depends on there being peace through mediation between the two groups.

The PRESIDENT. The Chair again recognizes the Ambassador of Argentina.

Mr. COLOMBO. Mr. President, replying to the important question asked by the Ambassador of Costa Rica, I am pleased to tell him that the Committee delivered the Act previously to Colonel Caamaño for consideration, in order that he would have the opportunity of going into the intricacies of its legal implications, because what we wished to achieve was the first step that would lead all of us to achieve peace in the Dominican Republic, and if you read the beginning of the Act of Santo Domingo, it sets forth what Colonel Caamaño and Colonel Guerra thought of the Act and the opinion of the parties. I recall simply that it reads: "The Parties signing below who declare that they represent, in the capacities mentioned," that is, in the act of signing they declared their capacity and as we had no authority to pass judgment on the titles, which would have implied a dangerous incursion into a territory that was forbidden to us, we limited ourselves to record the capacity of each one of the groups and with all loyalty to say so frankly and without any legal doubt at the beginning of that Act which would, undoubtedly, be the road to begin working seriously to bring definitive peace to Santo Domingo.

The PRESIDENT. Ambassador Facio wishes to ask another question.

Mr. FACIO. Many thanks. No, I am satisfied and, of course, the question did not imply any criticism whatsoever or any desire that they depart from that norm.

The PRESIDENT. Ambassador Vázquez Carrizosa, the Special Delegate of Colombia.

Mr. VÁZQUEZ CARRIZOSA. The Ambassador of Costa Rica asks whether the constitutional government invokes the qualification of government for the whole country and whether it authorizes the presence of another government.

Mr. FACIO. No. Naturally it is evident that each one of the parties which proclaims that it is the government aspires to this, but did you, specifically from this contract, reach the conclusion that Colonel Caamaño was in an irreducible position; not to yield. And I ask this question because after the signing of the Act of Santo Domingo, Caamaño has insisted that he does not accept the participation of an inter-American force and that the solution is that he is the President, and that he be recognized as Constitutional President, and that he represents legality.

Mr. COLOMBO. First of all, Mr. Ambassador, I would like to know whether this statement by Colonel Caamaño has been officially communicated.

Mr. FACIO. No, it is a publication.

Mr. COLOMBO. That is why I was very surprised that Colonel Caamaño transmitted that note.

Mr. FACIO. No, no, Doctor, it is a statement made in a newspaper.

Mr. COLOMBO. If we follow the newspapers in this process, Mr. Ambassador.

The PRESIDENT. The Representative of Colombia.

Mr. VÁZQUEZ CARRIZOSA. What the newspapers say is one thing and what really happened is another, but it should be noted that many news items that are published should be investigated or it should be known to what extent they correspond to what was said or to what is done. I can only say the

following: the demarcation of the zone and the existence of a corridor communicating the San Isidro zone with the center of the city were discussed personally with Colonel Caamaño. There was even a doubt regarding the conditions of the guard in the corridor. An incident had occurred the day before—many incidents occur—regarding some patrol that had entered farther than the two blocks that on one side and the other were authorized by the regulations in order to safeguard this public road; and Doctor Héctor Aristides maintained that it was intolerable that United States patrols should go beyond the limits. The military adviser who accompanied us—he was the military adviser of the Ambassador of Guatemala—who had had the occasion to read the regulations and the truth regarding the incident, explained in perfectly fair terms the truth of the fact, rectifying Doctor Aristides' understanding, but as Doctor Aristides insisted, Colonel Caamaño intervened, with some vigor, to say "no, this is something between the military and we understand one another. I believe that what the military adviser says is true; I believe that it is acceptable; I have no objection." I am stating this fact in case it clears up your doubts.

The PRESIDENT. The Special Delegate of Guatemala, Mr. García Bauer.

Mr. GARCÍA BAUER. I only wished to mention, with regard to something that has been discussed before, especially by the Ambassador of Costa Rica and also with respect to a question that was asked before, that in Document 17 Add. 3, in which the fourth radio-telephone message of the Secretary General of the OAS, Dr. José A. Mora, reports—you all have the document before you—that the Military Junta has already traveled to Santo Domingo and is installed in the National Congress, it states, Center of the Heroes, then—

The PRESIDENT. Of the Military Junta that traveled to Santo Domingo? The fifth or the—

Mr. GARCÍA BAUER. Yes, the Military Junta that was in San Isidro. It doesn't say here whether it was the five-man Junta or the three-man Junta, because I don't know if it was done before the five-man one was established, and then, in today's May 7 document, it says: "as to what is happening here, the situation continues to be very delicate, since the cease-fire agreement is being enforced with great difficulty. It is particularly affected by radio broadcasts that confuse and excite the population. Every effort is being made to stop the Santo Domingo station from issuing messages that excite the people. If this is achieved it would prevent a state of violence. The same is true with respect to the San Isidro Radio. Yesterday I went to the two broadcasting stations and transmitted a message intended to calm feelings and calling upon the Dominican people to comply with the agreements in the Act of Santo Domingo. Nevertheless, Radio Santo Domingo and Radio San Isidro continue sending messages that aid in inflaming spirits and maintaining the situation of violence." And this same document mentions the asylees who have left and gives up-to-the-minute information regarding them. This is important in relation to the questions that we were asked previously.

The PRESIDENT. Thank you very much. Is Ambassador Facio satisfied?

Mr. FACIO. Thank you very much.

The PRESIDENT. The Representative of Honduras, Ambassador Midence.

Mr. MIDENCE. My delegation wishes to join in the congratulations extended to the Committee for its magnificent work under such difficult circumstances. My Delegation feels sure that the report that has been presented today will be of immense value to this Tenth Meeting of Consultation of Ministers of Foreign Affairs. Thank you very much.

The PRESIDENT. Ambassador Bonilla Atilés, Special Delegate of the Dominican Republic.

Mr. BONILLA ATILES. Mr. President, Delegates: I think that of all the delegates present here none can feel the pain that I have at what I have heard tonight. Words were too few to express my appreciation to the members of the Committee. I have just had a long-distance telephone conversation, from Santo Domingo, with Mr. Antonio Imbert, and he told me that in a search for possible solutions the Military Junta had turned its power over to a civilian-military junta composed of: Antonio Imbert, president; Julio Ortigo, Alejandro Seller, Carlos Grisolia Paloné, and Colonel Pedro Benoit. This junta will try to cooperate with the mission from the Organization of American States to find solutions, which are still premature to discuss. He also informed me that the Junta has discussed with Dr. Mora the problem of the radio broadcasts, and it has been proved that Radio San Isidro has not made any inflammatory broadcasts. As to the last attack on the National Palace, of which Ambassador Bunker spoke, he confirmed to me that there are civilian refugees there.

I am not mentioning this as accusation but as fact. What interests me most at the moment, since it involves my own responsibility and that of the government, whichever it may be, and that of the Dominican people, is that out of this meeting shall come the necessary and imperative declaration that what is happening in Santo Domingo threatens the peace of the hemisphere. After knowing the facts, this is the only justification this body has for having taken the steps that it has. I do not propose that this problem be dealt with or discussed tonight because it seems to me that we are all sufficiently tired, morally and physically, so as to be unable to face this problem immediately; but I do urge the Tenth Meeting of Consultation as soon as possible to make emphatically this decision, so that the fire will not be extinguished, not only in the Western Hemisphere but in all political quarters of the world. I have nothing more to say.

Mr. PENNA MARINHO. Mr. President, before ending this session and to a certain extent supplementing the report of the special Committee, which has just been submitted by its chairman, Ambassador Ricardo Colombo, allow me to mention one point that ought to be brought to the attention of this Meeting of Consultation. I wish to refer to the magnificent activities of Monsignor Emmanuel Clarizio, the Papal Nuncio in Santo Domingo. He is an exceptional figure, a veritable Don Camilo on a grand scale, with free entrée into all political areas of Santo Domingo. With astonishing ease, he leaves the headquarters of Colonel Caamaño to go to the Government Junta and from there to the American Embassy. He is a respected friend of Caamaño, as he is of Benoit and of Ambassador Bennett. They all like him and they all have the same high regard for him. It is due to his thorough understanding of things, to his moving spirit of human solidarity, and to his profound love for the Dominican people, that the drama in that country did not assume more terrible proportions. I know that the Meeting of Consultation has already paid just tribute to Monsignor Emmanuel Clarizio, but it never will be too much to point out, for the eternal gratitude of America, the admirable labor of this extraordinary prelate in behalf of peace and tranquillity in the troubled Dominican Republic. The Delegation of Brazil, expressing sentiments that I know are those of all of the Special Committee of the Tenth Meeting of Consultation, manifests its deep appreciation and above all its admiration for the continuous and tireless collaboration rendered by Monsignor Emmanuel Clarizio, Papal Nuncio in Santo Domingo, to the Special Committee

of the Tenth Meeting of Consultation during its stay in the Dominican Republic. Thank you very much.

The PRESIDENT. Ambassador Ricardo Colombo has the floor.

Mr. COLOMBO. Mr. President, with deep feeling the Delegation of Argentina wishes to add to the words of the Ambassador of Brazil concerning the outstanding work of the Dean of the Diplomatic Corps, that messenger of peace in the Dominican Republic. The only tribute—because everything has already been said—that I can pay under the circumstances, is to repeat here, Mr. Chairman, before the entire meeting, his final words of good-bye to us: Take—he said to me—my blessing to the Meeting of Foreign Ministers that they may achieve the high objectives of peace; the peace that, at all costs, must be preserved in this Republic where I hold this apostleship. Nothing more, Mr. President.

The PRESIDENT. Ambassador Vázquez Carrizosa, Special Delegate of Colombia, has the floor.

Mr. VÁZQUEZ CARRIZOSA. Mr. President, it is only right to say a few words, as my colleagues from Brazil and Argentina have already done, to emphasize the merits of the Dean of the Diplomatic Corps, the Papal Nuncio, in the face of such a difficult situation. There is more; none of our action would have been possible without the advice, without the help of that eminent diplomatic representative. And still more, for the future—for it would be very difficult to think about the future of the Dominican Republic without speaking of him who so perfectly represents the ideal of Pope John XXIII concerning the coexistence of men of good will. But I have asked for the floor to speak on a point which may not be appropriate at this time but would be at another. Our report ends with several recommendations, which I do not propose to discuss at this session, but I do want to point them out to the Chair so that at the time and in the way provided for in the regulations or when it is considered opportune, they may be submitted to the Tenth Meeting of Consultation for discussion, because they do not deal with political questions, such as those we have discussed intensely, but specific points on the future organization of activities in the Dominican Republic. They are specific points of the greatest urgency, such as supervision of the cease-fire, the appointment of a group qualified to organize the relief measures for the Dominican people and evaluate their needs, the study and planning of an Inter-American Force and the coordination of all its services. Detailed, careful, and immediate consideration of these points seems to me absolutely necessary. Thank you very much.

The PRESIDENT. The Special Delegate of Guatemala, member of the Committee, has the floor.

Mr. GARCÍA BAUER. At this time I only wish to refer to the tribute that my colleagues, the members of the Committee, have already paid to the Papal Nuncio and Dean of the Diplomatic Corps in Santo Domingo, Monsignor Emmanuel Clarizo, for the great work that he has performed since this grave conflict began in the Dominican Republic. The Papal Nuncio was exceptionally kind to the Committee, offering it every facility within his power, and it was through his great services that the Committee was able to accomplish what it did. He was present, tirelessly, at our interviews with Colonel Caamaño's command and with the Military Junta and, because of the confidence both parties have in him, the Act of Santo Domingo was signed. He always used persuasion to the effect that the purposes for which the Organization of American States was in Dominican territory should be borne in mind. As the Ambassador of Brazil has said, the Papal Nuncio was respected in every area, regardless of which authority was in power. He is a person who

has the confidence of the different parties and through his good offices, because of the great collaboration he rendered, the Committee was able to accomplish its task. Hence the Committee was moved and felt that its own wishes were fulfilled when, at the Papal Nunciature in Santo Domingo, we delivered to the Dean of the Diplomatic Corps the message from the President of the 10th meeting, Mr. Sevilla Sacasa, notifying him of the action of this meeting some days ago concerning Monsignor Clarizo's work.

The PRESIDENT. Ambassador Colombo, Special Delegate of Argentina has the floor.

Mr. COLOMBO. I only wish to add one remark that seems to be strictly justifiable. In order to be able to act with the urgency that the case requires, the five-member Committee had to move up its return so that the 10th meeting could be as thoroughly informed as possible with all available data, but we were deeply concerned that before our departure the fundamental problem of the faith in the system as stated by the two sides in the struggle would not have been resolved, and the Committee was the link, at the scene of action, during the emergency, remaining in order to be able to carry out the powers accepted by both parties. It was for this reason that the Delegate of Panama, in an act that honors him, and which I cannot ignore, remained at the center of action, representing our mission. In this way, according to the conversations we held with the parties, it would be as though the Committee were present and together with military advisers and the civilian personnel he could undertake to solve whatever it might be possible to solve, to the extent that we are able—to solve the difficulties arising from the events that have taken place and that are taking place in the Dominican Republic. I want this generous act of the Delegate of Panama, from a country that has so many reasons for counting on the tradition of brotherliness in solving basic problems, to be recognized at this session. Panama is with us on the Committee, represented by its distinguished Delegate. Ambassador Calamari also wanted to be here, physically, with the Committee but was not able to do so. I want to stress this act of the Delegate of Panama because it is eminently fair to do so—to take note of one who has firmly carried the banner of the inter-American system into the midst of the fight. Nothing more.

The PRESIDENT. We are sure that our colleague, Ambassador Calamari, must be gratified by the eulogy given by his compatriot and our dear colleague, Ambassador Frank Morrice. [Sic]

Ambassador Díez de Medina, Special Delegate of Bolivia, has asked for the floor; and then Ambassador Tejera París, Special Delegate of Venezuela.

Mr. Díez de Medina. Mr. Chairman, I have not asked for the floor to pose any question: I have no questions to ask. I have only words of praise—of warm praise and congratulations—for the distinguished members of the Special Committee of the Tenth Meeting of Consultation, for the intelligent and devoted manner in which they carried out the delicate mission entrusted to the Committee. I only wish, Mr. President, to add my wish that the minutes of this plenary session should also include words of congratulation and appreciation for the task being so successfully performed in the Dominican Republic by Dr. José Antonio Mora, Secretary General of the Organization of American States. Thank you very much.

The PRESIDENT. Very well, we shall do so. Ambassador Colombo, the Special Delegate of Argentina has the floor.

Mr. COLOMBO. The Ambassador of Bolivia is quite right in proposing formal recognition of the fact that the Committee was able to fulfill its mission because of the brilliant efforts that were begun by Dr. José A. Mora before our arrival in the Dominican Republic.

Appreciation should also be expressed to the Secretariat, which, although few in number, gave much in efforts and efficiently contributed to the success of our actions. Therefore, I second the Ambassador of Bolivia's proposal but would like to point out that we had intended to submit this matter during the session.

The PRESIDENT. The Ambassador of Bolivia and the Committee have interpreted the feelings and thoughts of the Chair and of all our colleagues very well. Ambassador Tejera París, Special Delegate of Venezuela has the floor.

Mr. TEJERA PARÍS. The Delegate of Bolivia anticipated what I was thinking and what is certainly the thought of all of us here. My intention was, I now confirm it, to ask the Chair to ask this Tenth Meeting of Consultation to give to the Committee, to the Secretary General, and to the members of the General Secretariat a vote of applause for the work they have done. The test that the Committee has passed has been hard both there and here, and I believe that since this is a problem that affects the whole security of the hemisphere, these colleagues deserve not only our thanks but the thanks of our governments and of their peoples, and, at this moment, enthusiastic applause which I am sure the President will be the first to begin. [Applause.]

The PRESIDENT. All of us join in the praise and tribute the Special Committee has given to the prelate Emmanuel Clarizo, Papal Nuncio in the Dominican Republic and Dean of the Diplomatic Corps in Santo Domingo. We share in this with real appreciation, with affection, as our common duty. His services for the peace of the Americas, his vows and his blessings we applaud with emotion; with emotion, I say, which corresponds to the emotion that he experienced when he received our expression of deep gratitude for his magnificent labor for the peace of the Americas and for that people that we all love so well: the Dominican Republic. This closed plenary session has been highly important. We have heard the interesting report of the Special Committee. We have posed broad questions; we have obtained splendid and very clear replies, from which we can appreciate even more the extraordinary task accomplished by the Committee. Our repeated applause and eulogy for it and its members, all of whom we are honored to call our colleagues and friends. Unless you think otherwise a plenary session of the Tenth Meeting of Consultation should be indicated to consider the report in the aspects noted by the Committee, so that the meeting may act on that report. We have asked questions and have obtained answers; now comes the job of considering the report and analyzing the action to be taken by the Tenth Meeting of Consultation on the recommendations proposed by the Special Committee and the conclusions that it reached.

I ask you only whether tomorrow's plenary session should be open—I understand that it should be. It should be open so that the public will know everything that we have said, both with respect to the work of the Committee and to the contents of its interesting report. I would call another closed meeting, if the Committee so wishes, but the meeting I am going to convoke for a little later today, should be public and its purpose will be to consider the report of the Special Committee, discuss it and propose decisions concerning the recommendations it makes. The delegates have already seen and have in your briefcases for later reading the fourth radio-telephone message from our Secretary General, Dr. Mora.² It is not necessary to have the Secretary read it, since I am sure all of you have read it. With respect to the

² The complete text of the fourth message of the Secretary General is published as Document 17 add. 3.

minutes of this plenary session, I ask you to take note that you have 24 hours in which to give the Secretariat your corrections of style. I ask you to take note of that time period so that the Secretariat can speed up the final edition of the minutes of the plenary session.

Mr. COLOMBO. Mr. President, I should like you to repeat the last part as to the time and place, according to the Chair's plan, as was suggested. Please do me the great favor of repeating it.

The PRESIDENT. Yes, sir. We are going to adjourn the session and meet again in a few hours, let's say, perhaps this afternoon. It will be a plenary session of the Tenth Meeting, public, for the purpose of considering the report of the Special Committee. To consider it, analyze it, discuss it, and decide on the recommendations and conclusions reached by the Committee. It is assumed that this session should be public. The next plenary session will not be closed like this one; it will be public, so that public opinion of the hemisphere will be informed, but not just of what is in the report of the Special Committee, because I am hereby suggesting that the report should be made public, unless for some reason the members of the Committee indicate to the Chair that it should not be made public but that we ought to wait until tomorrow's session.

Mr. COLOMBO. Absolutely, Mr. President.

The PRESIDENT. Therefore, gentlemen, as of now the report of the Special Committee is public. Consequently, it can be turned over to the press and sent to anyone wishing it. Naturally, if at tomorrow's meeting we reach conclusions on the suggestions made by the Committee, we shall feel highly gratified. In any case I think that the time has come for the Meeting of Consultation to make concrete statements on the chaotic situation that seems to grow worse every hour. Therefore, within 5 or 6 hours, possible for 4 or 5 o'clock this afternoon, I am going to convene the fifth plenary session of the Tenth Meeting of Consultation to meet in this same place and take up the report of the Committee. The Representative of Venezuela.

Mr. TEJERA PARÍS. Mr. President, only to ask if you would be good enough to include in the order of business two specific points that I believe are relevant to the announcement you have just made: first would be consideration of whether or not the present situation in the Dominican Republic affects the security of the hemisphere; second, establishment and implementation of measures to help the Dominican people return to full constitutional democracy.

The PRESIDENT. Very well; it seems to me there is no objection to discussing these two points in the public session we shall hold shortly—the one suggested by the distinguished Representative of Uruguay and supported by the Representative of Venezuela, and the other just mentioned by the distinguished Ambassador Tejera París. I recognize the Representative of the Dominican Republic.

Mr. BONILLA ATILES. Mr. President, I shall wait until tomorrow to formally present a draft resolution on my proposal that the Organ of Consultation declare the situation in the Dominican Republic to be a threat to the peace of the hemisphere.

The PRESIDENT. Very well. The Representative of Paraguay has requested the floor.

Mr. YÓDICE. I only wish to ask two questions, Mr. President. I understand, or rather, I actually heard you mention a decision on the request of the Delegate of the United States that the minutes of today's session be made public. This request was seconded by the distinguished Representative of Uruguay. From this I assume, that is, I hope, because the suggestion is also mine, that it will be agreed to make public the minutes of this session.

The PRESIDENT. The Chair has so resolved. Mr. YÓDICE. I beg your pardon. Thank you.

The PRESIDENT. That's quite all right.

Mr. YÓDICE. Now, I have another question to ask of the distinguished Representative of Costa Rica, arising from an earlier statement by the Ambassador of Venezuela, because it refers to the matter of considering measures to bring democratic normality to the Dominican Republic, and during this 10th meeting of consultation, I don't recall having heard any informal proposal by the distinguished Ambassador Facio regarding the establishment, as the distinguished Ambassador of Guatemala said, of a committee of statesmen, or something similar. Therefore, I would like to ask if Ambassador Facio did or did not make such an informal proposal, because I would not want to fail to inform my foreign ministry of something that had been proposed here. Thank you.

The PRESIDENT. Thank you. The Delegate of Costa Rica.

Mr. FACIO. Mr. Representative of Paraguay, I have not yet made any proposal of this sort. Perhaps it can be clarified in this way: there has been some discussion of a proposal, but not one of mine, to put some of the recommendations of the Committee into effect. I shall be very happy to give you a copy at the end of this session. But the proposal was not made by Costa Rica; it has been discussed among several delegations but is nothing specific.

Mr. YÓDICE. I understand. Thank you. I wanted to know if it was proposed here.

The PRESIDENT. Ambassador Tejera París.

Mr. TEJERA PARÍS. I would like to ask the Committee on Credentials if it would be possible to have a meeting early tomorrow to reexamine all our credentials, because it appears there are certain doubts that should be clarified in the light of the information transmitted in the cable that the Ambassador of the Dominican Republic reported on a short time ago.

The PRESIDENT. Ambassador Jácome, the Representative of Ecuador.

Mr. JÁCOME. As Chairman of the Committee on Credentials I can report that I have called a meeting of the Committee for tomorrow at 3:30 p.m. Any representative who has any doubt as to himself or to his colleagues may present his complaints to the Committee.

The PRESIDENT. Gentlemen, we have taken note of the announcement just made by our colleague, the Chairman of the Committee on Credentials, and it is now the time to adjourn the session and to announce that the 5th plenary session of the 10th meeting of consultation will be held here this afternoon at 4 p.m. The session is adjourned.

COMMUNIST EFFORTS TO TAKE OVER THE REVOLT IN THE DOMINICAN REPUBLIC

A. INTRODUCTION

Since the start of the revolt in the Dominican Republic on April 24, 1965, the U.S. Government has received extensive information regarding the course of the revolt and the elements participating in it. This information discloses an organized effort by the Communist movement in the Dominican Republic to capture the revolt and seize power in that country.

The account which follows summarizes the information on Communist activities between April 24 and May 5. Preliminary to the day-to-day account of events beginning April 24, there is given a brief description of the organization of the Communist movement in the Dominican Republic.

B. COMMUNIST ORGANIZATION IN THE DOMINICAN REPUBLIC

The Communist Party as such has not had legal existence in the Dominican Republic since it was outlawed in November 1961. Subsequently, the Communist movement

has been advanced by three political parties—the PSPD (Partido Socialista Popular Dominicano—Dominican Popular Socialist Party), the MPD (Movimiento Popular Dominicano—Dominican Popular Movement), and the APCJ (Agrupacion Politica Catorce de Junio—14th of June Political Group). While these parties emphasize different tactics and, in part, reflect some of the divisions in the Communist bloc, they have acted in harmony in the past and in the current rebellion.

The PSPD follows the Moscow line. During the Presidency of Juan Bosch (February to September, 1963), the party concentrated its efforts among student and labor groups. In October 1963, it was declared illegal by the Triumvirate which deposed Bosch, but it survived by avoiding any overt activity until the present rebellion.

The MPD is an underground group oriented toward the Peiping brand of communism. Small but aggressive, it has been involved with numerous acts of violence in recent years. Its major appeal has been to peasants and workers.

The APCJ is by far the largest party. It began as a non-Communist group opposing former dictator Trujillo, and a number of non-Communists remain affiliated with it. However, Communists had taken over its leadership by early 1963. The party was declared illegal in December 1963 after it had undertaken Castro-type guerrilla operations against the triumvirate government.

In late November 1963, guerrilla activities were initiated in six different areas of the Dominican Republic by the MPD and the APCJ. The guerrillas received financial and moral support from Cuba (see annex 1), and at least 25 of them had received guerrilla training in Cuba during the summer of 1963. The head of the APCJ, Manuel Tavarez Justo, who visited Cuba in October 1963, was killed leading a band of insurgents on December 21, 1963. One boatload of arms, destined for the rebels, was intercepted by Dominican authorities. The guerrilla movement was suppressed and the guerrillas taken captive. In May 1964, many of them were deported to Portugal and France. A number of these subsequently traveled to Cuba, and Communist China. By April 1965, 45 of the exiled APCJ and MPD leaders had returned to the Dominican Republic, some of them clandestinely, to rejoin their organizations.

C. DAY-BY-DAY ACTIVITIES (APRIL 24—MAY 5)

The revolt of April 24 arose out of an unstable political situation in the Dominican Republic. The "Triumvirate" government headed by Donald Reid Cabral was an unpopular one. It had inherited difficult economic problems and had been able to make only very limited progress in improving conditions. Senior military officials were dissatisfied with the Reid government, opposing its efforts to reform the armed forces. Junior military officers were dissatisfied with the rate of progress in cleaning up graft and corruption, and in retiring senior officers to make way for promotions based on merit. The PRD (Partido Revolucionario Dominicano—Dominican Revolutionary Party) was seeking to restore to power former President Juan Bosch who had been deposed in September 1963. From these elements there arose a loose association which set off the April 24 revolution.

On April 24 elements of the Dominican Army, led by disaffected middle-grade and junior officers, declared themselves in revolt against the government of Reid Cabral. They seized control of the 27th of February Military Camp, a key military installation which was also the site of army headquarters, making prisoners of the army chief of staff and his deputy.

A group of civilians seized two radio stations in Santa Domingo and announced that Reid Cabral had been overthrown. The

radio stations were retaken later in the day by Reid forces, but just before they were forced off the air, the rebels called on the civilian population to join the anti-Reid movement and to go in the streets to support the rebellion.

Communist leaders issued orders to PSPD, APCJ, and MPD members to begin to incite the civilian crowds gathering in the streets, and to stage rallies and demonstrations. Leaders of these three Communist Parties began organizing their forces, and assigning members to various functions throughout the city.

Among those Communists active in the first hours of the revolt were: Narciso Isa Conde, PSPD Central Committee member, already armed with a submachine gun; Diomedes Mercedes Batista (PSPD member who traveled to Cuba in 1963), who, with other PSPD members, was relaying instructions to party members to stand by for further orders; and Amin Abel Hasbun, APCJ member, also engaged in organizing for Communist participation in the revolt, operating from a house on Elvira de Mendoza Street.

On April 25, the situation in Santo Domingo became increasingly confused. Senior officers of the Dominican Air Force and Army (and later of the Navy, as well) informed Reid Cabral that they would not support him, and he therefore resigned and went into hiding.

PSPD members carrying weapons gathered at Parque Independencia early in the morning, and harangued civilian crowds in support of the revolt. Among these were again Diomedes Mercedes Batista and Narciso Isa Conde. Also active was Asdrubal Dominguez Guerrero, a PSPD propagandist and student leader who received training in the U.S.S.R. in 1962. Throughout the morning, mobile loudspeaker units, including a white Volkswagen stationwagon operated by Diomedes Mercedes Batista, patrolled the city urging the population to join the revolt.

In what later proved to be a key element in the course of the revolt, rifles and machineguns seized by rebellious army elements were handed out to the civilian crowds during the day. One of the rebel officers, Capt. Mario Pena Tavares, arranged for the distribution to civilians of several thousand weapons, including machineguns and hand grenades, taken from the 27th of February military camp. Arms from the camp were loaded on trucks and sent in to the downtown area of Santo Domingo, where they were passed out to civilians. The following Communist leaders participated with army rebels in handing out arms, and in some cases assumed control of the distribution: Hugo Tolentino Dipp (PSPD leader who received guerrilla training in Cuba); Fidelio Despradel Roque (APCJ leader, trained in Cuba, and one of the chief figures in the APCJ guerrilla uprising in late 1963); Felix Servio Ducoudray Mansfield (one of the directors of the PSPD, lived in the Soviet Union and Cuba, former employee of the Peiping-Communist New China News Agency); Eduardo Houellefont Roques (APCJ member, student agitator, who was in Cuba in 1963); and Daniel Ozuna Hernandez (APCJ leader who figured prominently in the 1963 guerrilla movement).

Other Communists who, like those mentioned above, were engaged in the distribution of arms, and particularly in equipping their followers in both the PSPD and APCJ were: Buenaventura Johnson Pimentel (member of the PSPD Central Committee); Juan Ducoudray Mansfield (PSPD activist and propagandist who had once worked on Havana radio broadcasts to the Dominican Republic); Gerardo Rafael Estevez Weber (PSPD member); and Maximo Bernard Vasquez (who had been an APCJ liaison man with subversives in the Dominican military services at the time of the 1963 guerrilla movement). Bottles and gasoline from tank

trucks at several points in the city were distributed to civilians for making "Molotov cocktails." MPD members being particularly active in this work.

A mob of several thousand civilians, armed with clubs and rifles, marched on the Palace, responding to a call issued over a rebel-held radio station. Among them was a group of armed Communists, including PSPD members Ariosto Sosa Valerio, Milvio Perez Perez, and Silvano Lora Vicente (who had received guerrilla warfare training in Cuba).

Rebels seized the National Palace, and the rebel Army officers gathered to assume control. Members of the PRD arrived with the intention of installing an interim government headed by a PRD leader, Rafael Molina Urena, pending the return of Juan Bosch. Some of the rebel officers agreed, although many supported the establishment of a military junta to call for new elections, and others favored former President Joaquin Balaguer. After protracted discussions among the various factions, including officers of the Dominican Armed Services who had not participated in the revolt, the PRD leaders and rebel Army officers who were pro-Bosch prevailed, designating Molina Urena as provisional president. Military officers who had not joined the rebellion objected, and declared they would attack the rebels unless a military junta were installed without delay to prepare for national elections in September.

Many important Communists attended political meetings at the National Palace that day. Among those conferring with Molina Urena was Facundo Gomez (PSPD member and part owner of the "Scarlet Woman," having taken part in the attempted landing of arms from Cuba in November 1963—see annex I). Others who attended these meetings were Luis Gomez Perez (member of the PSPD Central Committee); Jose Israel Cuello Hernandez (who received Communist bloc training in 1964); Rafael Evangelista Aleji (PSPD member); Antonio Isa Conde (PSPD member who had received subversive training in Cuba in 1963) and his brother Narcisco (previously mentioned); and Moises Blanco Genao (APCJ member). Other Communists who participated in the meetings at the National Palace on April 25 were PSPD members Ariosto Sosa Valerio, Silvano Lora Vicente, and Diomedes Mercedes Batista, Miguel Angel Santamaria Demoriz, and APCJ members Amin Abel Hasbun, Ema Tavares Justo, and Daniel Ozuna Hernandez. Alejandro Lajara Gonzalez (member of the APCJ who had been active earlier in the day distributing arms to civilians) was appointed by Molina Urena to the position of Deputy Director of Investigation (the Security Service).

Communist agitators, including PSPD member Jesus de la Rosa Cano began inciting the armed mobs to burn and destroy property. Leaders of the APCJ and the MPD agreed that members of both groups be instructed to seize additional arms without delay. MPD members were told their party planned to kill any policemen found on the streets. Armed civilians roamed the city, many of them looting stores and private homes.

The offices and plant of the anti-Communist newspaper, Prensa Libre, were seized by an armed group which included Jose Vinicio Calventi Gavino (APCJ member) and Amadeo Conde Sturla (APCJ member). PSPD member Nicolas Pichardo Vicioso (a Communist propagandist), along with Antonio Isa Conde and Eduardo Houellefont Roques (both mentioned above as having been in Cuba), took advantage of the seizure of the Prensa Libre, and prepared immediately to publish propaganda leaflets. The offices of three anti-Communist political parties, the democratic conservative Union

Civica Nacional, the moderate rightwing Partido Liberal Revolucionista, and the moderate center party Vanguardia Revolucionaria Dominicana, were broken into and sacked during the day.

During the afternoon of April 25, Communist organizers continued to distribute weapons to groups regarded as reliable by the Communist parties, as well as to round up additional manpower for civilian militia units. Weapons depots and distribution points were set up. A building on Arzobispo Portes Avenue was a PSPD stronghold, and Diomedes Mercedes Batista, Jose Rodriguez Acosta (member of the PSPD Central Committee who was in Cuba in 1962) and other party leaders were observed there, leading a paramilitary force armed with submachineguns and rifles, and hand grenades. Another paramilitary center of the PSPD was the home of Buenaventura Johnson Pimentel on Calle Espallat. An APCJ stronghold was set up on Jose Gabriel Garcia Street in Ciudad Nueva, and a heavily armed force was using it as a base of operations.

Still another Communist stronghold and arsenal was established in a building on the corner of Arzobispo Merino and Luperon Streets, on the roof of which were machineguns. An armed Communist group, known as the Luperon commando, held a position at the corner of Hostos and Luperon Streets. Still another commando occupied a building on the corner of El Conde and Hostos Streets, and was set up by Manuel Gonzalez Gonzalez (Spanish Civil War veteran, PSPD Central Committee member and Cuban intelligence agent, extremely active as the PSPD's military expert since the outbreak of the revolt). Assisting Manuel Gonzalez in directing the military activities of the Communists during the revolt was Manuel Escobar Alfonso, prominent PSPD member. Asdrubal Dominguez Guerrero (PSPD propagandist, previously mentioned) led an armed group which seized and occupied a house on Bolivar Avenue, and a few doors away on the same avenue there was established an arms storage and distribution point.

On April 26, anti-rebel forces, which had at first been badly disunited and disorganized, now under the command of Gen. Elias Wessin y Wessin, head of the Armed Forces Training Center, began to move against the rebel-held area of the city. The Dominican Air Force bombed and machine-gunned various rebel-held installations. The ferocity of this and subsequent attacks consolidated public resentment and inadvertently presented the rebels with an effective propaganda weapon. Rebel radio broadcasts called upon the public to sack the houses of air force officers in retribution for the air attacks, and announced the names and addresses of these officers.

The distribution of arms to civilians continued. A large quantity of arms and ammunition had, by this time, fallen into the hands of Communists. Teams of APCJ and PSPD members were fanning out through the central part of Santo Domingo organizing paramilitary groups. These operations continued to be under the direction of Buenaventura Johnson Pimentel, Fidelio Despradel Roque, and Manuel Gonzalez Gonzalez.

Agitators continued to exhort the mobs, very active in this work being Ema Tavares Justo (APCJ militant and student activist, sister of Manuel Tavares Justo, the APCJ leader who had been killed in the abortive guerrilla movement of 1963). Antonio Isa Conde and Edmundo Garcia Castillo, both PSPD members, distributed mimeographed propaganda sheets calling on the people to fight and stating, in part, that "the hour has arrived to give arms to the working class * * * to form common units of soldiers and civilians and to organize people's combat units."

Additional Communist leaders were identified among the armed mobs and in the

rebel military forces. Juan Miguel Roman Diaz (member of the APCJ Central Committee who participated in the 1963 guerrilla operations) commanded a rebel stronghold, arsenal, and prison located at the corner of Estrelleta and Arzobispo Nouel Streets. Another APCJ post was located on Juan de Morpha Street under Jaime Duran Hernandez (Cuban-trained guerrilla warfare expert). Still another, on Caracas Street, was in the hands of an armed APCJ group under Fidelio Despradel Roques (also trained in Cuba in 1963).

Gustavo Ricart of the MPD Central Committee, who returned to the Dominican Republic in 1963 from Cuba bringing money to finance MPD activities, was identified as the commander of another rebel stronghold. With Ricart at the MPD command post was Ramon Pinedo Mejia, another MPD leader who was active in the APCJ guerrilla movement in 1963. Nicolas Pichardo Vicioso (previously mentioned), Manuel Ortiz Desangles (PSPD member and university student who conducts Communist indoctrination classes), Ignacio Perez Mencia (PSPD member), Carlos Dore Cabral (PSPD member), and Porfirio Garcia (also a PSPD member) were in charge of the production of a considerable number of Molotov cocktails during the day. Maximo Bernard Vasquez and Gerardo Rafael Estevez Weber, both previously mentioned, and APCJ and PSPD member Lisandro Macarrulla Reyes, armed with a machinegun, were with other Communists at a strongpoint and garrison at Arzobispo Portes and Sanchez Streets. Other installations manned by Communists, some with machinegun emplacements, were observed in various parts of the city.

As a result of the handing out of arms taken from the 27th of February military camp and other Government installations seized by the rebels, the leaders of the various Communist Parties were well equipped with weapons, and thereby became an increasingly important element in the rebel force. Rebel army officers and men, numbering about 1,000 at the outset of the rebellion, were soon greatly outnumbered by the armed civilians who, in a state of disorganization, became easy prey for disciplined Communist leadership.

Efforts by the U.S. Embassy toward a cease-fire between the rebels and opposing elements of the Dominican armed forces were unsuccessful. During the course of the day, April 26, a large number of American citizens had assembled at the Hotel Embajador, a hotel west of the city, seeking safety. They requested assistance from the U.S. Embassy in evacuating them from Santo Domingo, which was under bombardment by the Dominican Air Force and was by this time the scene of widespread rifle and artillery fire between the opposing factions. The Embassy secured from the rebel leaders agreement to cooperate in evacuating Americans from the nearby port of Haina, west of the city. Armed civilian groups, over which the Molina Urena regime had lost control, paid no attention to this agreement. On April 27, about 100 armed civilians, hearing over the rebel radio that a prominent Dominican newspaperman and broadcaster, well known as anti-Communist, was at the Embajador Hotel (actually he was not there), went to the hotel and fired several hundred shots, fortunately without loss of American lives.

April 27 saw the complete breakdown of law and order. Molina Urena, so-called provisional president for only 2 days, went to the U.S. Embassy in apparent defeat, accompanied by rebel army leaders, Col. Miguel Angel Hernandez Ramirez and Col. Francisco Caamaño Deno. Shortly afterward, Molina Urena abandoned his office and took asylum in the Colombian Embassy.

Among other defections of prominent PRD leaders from the rebel side at this time were Jose Pena Gomez, Maximo Lovaton Pittaluga,

and Antonio Martinez Francisco. The latter went to the San Isidro Air Force Base, General Wessin's headquarters, and on April 28, over the San Isidro radio station, appealed to the rebels to lay down their arms. Several of the more prominent PRD figures took refuge in foreign embassies.

During the day, before the fall of the Molina Urena Government, Alejandro Lajara Gonzalez (the young APCJ member appointed as deputy director of investigation only 2 days before) arranged for additional arms to be passed to the Communists. The offices and plant of the newspaper *Listin Diario* were taken over by a group of armed PSPD members. The group was headed by Asdrubal Dominguez Guerrero (PSPD propagandist) who, with Jose Israel Cuello Hernandez (PSPD member and student propagandist), both carrying automatic weapons, proceeded to round up the newspaper's staff to publish propaganda leaflets.

On April 28, the antirebel armed forces commanded by General Wessin established a three-man military junta headed by Col. Pedro Bartolome Benoit (Dominican Air Force), his fellow members being Col. Enrique Apolinario Casado Saladin (Army) and Capt. Manuel Santana Carasco (Navy).

During the early part of the day, the forces of the military junta seemed to be making progress against the rebels, but encountered heavier resistance than they had anticipated. By afternoon, the military junta forces had lost their earlier momentum.

The situation in the city was becoming increasingly tense and confused. The breakdown in public order was resulting in indiscriminate shooting on a rising scale. The police were no longer effective, and the junta forces, tired and disorganized, began to crumble. Armed mobs were terrorizing the city, firing on homes and other buildings, including the U.S. and other embassies.

With the collapse on April 27 of the Molina Urena "provisional government" after only 2 days in nominal power, PRD political figures had abdicated their positions of leadership, fearing their cause lost and their lives in danger. They left the rebel movement in the hands of politically immature army officers who had lost command over the armed civilians who now far outnumbered the rebel army forces. The new military junta at San Isidro was unable to exercise authority in the city. Communist leaders, by then in control of the armed mobs, moved quickly into the political leadership vacuum in Santo Domingo.

Late on the afternoon of April 28, the military junta and police authorities informed the U.S. Embassy that they could no longer provide any assurance for the safety of American lives. The U.S. Ambassador and his country team then recommended that U.S. marines be landed to establish a safety perimeter from which additional hundreds of Americans and other foreign citizens could be evacuated. By that night, approximately 600 marines were landed and had taken positions around the Hotel Embajador.

On April 29, the rebels held the central part of the city and retained the military, if not also the psychological, initiative. An armed mob under the direction of MPD leaders, among them Luis Giro Alcantara, but also including APCJ and PSPD members, such as Nicolas Pichardo Vicioso and Hector Homero Hernandez Vargas (who received guerrilla training in Cuba in late 1964), began a full-scale assault on the remaining police stronghold, Ozama Fortress. Fighting continued through the day, and the fortress fell on April 30. A substantial quantity of additional arms and ammunition fell into MPD and civilian hands with the capture of the fortress. Another armed mob sacked the Cathedral, and roamed the Ciudad Nueva area shouting "Country or Death" and "Long Live Castro".

Among the university students, such Communists as Asdrubal Dominguez Guerrero and Carlos Dore Cabral, PSPD members of the Secretariat of the Federation de Estudiantes Dominicanos (FED) were active in organizing the masses and in the street agitation. Others engaged in these activities were Orlando Martinez Howley and Apollinar Restituyo, PSPD members, and Catalina Pumarol Peguero, an APCJ member. Members of the APCJ who had been active in the revolt, and who were now working energetically to whip up anti-U.S. sentiment included Eduardo Houellemont Roques, Jose Guerra Nouel (who received guerrilla training in Cuba in 1963), and Orlando Rodriguez Fernandez.

House-to-house fighting continued between the rebels and the remnants of junta police and military units still in the center of town. The U.S. Embassy remained under sniper fire, and several other Embassies were fired upon.

The U.S. Government on April 29 ordered the landing of an additional 1,100 U.S. marines west of the central part of the city, and, during the night of April 29-30, approximately 2,000 troops of the 82d Airborne Division at San Isidro, east of Santo Domingo. Reinforcements arrived on succeeding days.

The leadership groups of all three Communist groups—PSPD, APCJ, and MPD—met with Benjamin Ramos Alvarez (head of the APCJ's district committee) and others to discuss tactics in light of the new developments. Top Communists also met with rebel military officers, among these Communist leaders being PSPD members Juan and Felix Ducoudray, Antonio Isa Conde, Manuel Gonzalez Gonzalez, Asdrubal Dominguez Guerrero, and Hugo Tolentino Dipp; and APCJ leaders Juan Miguel Roman Diaz and Fidelio Despradel Roque.

On April 30, the official rebel radio broadcast instructions to the armed mobs not to fire on U.S. troops, but firing continued and a number of casualties were inflicted on U.S. military personnel.

Two APCJ commando groups were particularly active. One was the "Dagoberto Sicart" unit of which a prominent member was Juan Miguel Roman Diaz (of the APCJ's Central Committee and participant in the 1963 guerrilla movement). The second unit, also manned by APCJ members, was called the "Gatillo Alegre" (Trigger Happy) commando. Both roamed the city looking for targets of opportunity.

Additional Communists working closely with rebel army officers were Rafael Mejia Lluberes (APCJ member who received political indoctrination and guerrilla training in Cuba in 1963) and Rafael Taveras Rosario (member of the APCJ's Central Committee who received guerrilla training in Cuba in late 1963 and early 1964).

By May 1, a shaky cease-fire had been achieved. However, snipers were active throughout the day, firing on the U.S. Embassy and U.S. troops. This was in keeping with one of the propaganda lines emanating from the rebel-held area, namely that the cease-fire was rigged to deceive the rebels, and that its real purpose was to permit the Junta forces to reassemble and attack the rebels from a sanctuary provided by U.S. troops. Another of the rebel propaganda themes emphasized the importance of the people remaining armed.

About 50 members of the PSPD, APCJ, and MPD, probably a high-command group, met in the home of PSPD leader Buenaventura Johnson Pimentel, one of the Communist strongpoints which had been fortified with machinegun emplacements on the roof.

On May 2, the Havana Daily, Hoy, published a telephone interview with Juan Bautista Mejia Gomez of the APCJ (who had served on the party's Central Committee in 1964). Mejia was quoted as saying that the APCJ "has a great deal of control over the

situation." The previous day Mejia had complained that Radio Havana broadcasts about him and the APCJ were doing a great deal of damage because they showed the Communist involvement in the revolt, and said it would be best if no further mention were made of the APCJ's participation in the fighting.

Despite official rebel radio broadcasts calling on the armed civilians not to fire on U.S. soldiers, a short-wave radio transmitter in the home of Fritz Antonio Abreu (APCJ member who traveled to Cuba and the Soviet Union in 1963) broadcast instructions to the civilian mobs to shoot Americans on sight. One of the voices recognized over the rebel station by Dominican listeners was that of Josefina Lora Iglesias (prominent member of the APCJ who participated in the 1963 APCJ guerrilla movement). Radio Havana continued to exhort the rebels in Santo Domingo to fight on. A large crowd gathered at Parque Independencia in one of the numerous rallies held there throughout the revolt, and heard a violently anti-American speech from Edmundo Garcia Castillo (PSPD member), who had earlier been identified among those distributing PSPD propaganda.

With Juan Miguel Roman Diaz, APCJ central committee member, at the strongpoint and prison he commanded at the corner of Estrelleta and Jose Gabriel Garcia Streets were Rafael Taveras Rosario (another APCJ central committee member, who received guerrilla training in Cuba), Norge Botello Fernandez (APCJ commando trained in Cuba), and Rafael Mejia Lluberes (another Cuban-trained APCJ leader).

On May 3, the rebel leaders began to consider how to give their movement the form and structure of legitimate government. Still in the leadership group of the rebel movement at this time were the following Communists: Juan Ducoudray Mansfield and his brother (both previously mentioned as top leaders and propagandists of the PSPD), Antonio Isa Conde (PSPD leader who received guerrilla training in Cuba), Juan Miguel Roman Diaz (previously mentioned, one of the leading APCJ figures), Fidelio Despradel Roques (Cuban-trained APCJ leader), Asdrubal Dominguez Guerrero (PSPD propagandist), and Hugo Tolentino Dipp (Cuban-trained PSPD leader).

Communist manifestos, particularly for the PSPD, were being published at the "Artes Graficas" print shop, where Maximo Bernard Vasquez (who had printed PSPD propaganda material in his own shop) and Rafael Estevez Weber (PSPD member) were among those working on Communist propaganda.

A rebel command post set up on Arzobispo Nouel Street was under the command of Jose Guerra Nouel (PSPD member who received guerrilla training in Cuba). At the command post was Alexis Licairac Diaz (member of the APCJ's youth section), who was in much of the fighting in the Ciudad Nueva area. Also active at this time were APCJ members Francisco Xavier Mella (Cuban-trained intelligence agent), Belkis Maldonado (PSPD member), Juan Jose Matos Rivera (APCJ member who participated in the 1963 guerrilla movement), and Silvano Lora Vicente (PSPD member and Cuban-trained guerrilla expert), who was in charge of a group collecting and distributing ammunition.

On May 4, APCJ and PSPD leadership groups discussed among themselves the desirability of their top leaders withdrawing from overt participation in the rebel movement in order both to support rebel claims that the movement was free of Communist influence, as well as afford protection for the principal figures of the Communist parties.

Colonel Caamano, generally regarded as anti-Communist, had said on several oc-

casions during the revolt that he was aware that the Communists had been playing an increasingly important role.

On May 5, it was the consensus at meetings of Communist leaders that, while rank-and-file members of the three parties should continue to fight on, prominent Communists should begin withdrawing from the scene. Some of the PSPD leaders went into hiding, among them Juan and Felix Ducoudray. A number of the APCJ leaders also withdrew, some of them attempting to leave Santo Domingo for towns to the north. Among these was Luis Genao Espallat, who was later captured by anti-rebel forces.

Some of the APCJ and PSPD leaders who left Santo Domingo were under instructions to attempt to organize local party members and sympathizers for eventual guerrilla action in the north. False identity cards were being prepared for Communist leaders by Milvio Perez Perez, a PSPD member who did special photographic work for the PSPD.

For their part, MPD leaders also agreed that the party's more prominent figures should go under cover for the time being. MPD leaders further decided that arms and ammunition in the hands of party members should be hidden for possible future use in guerrilla operations. Orders were given to MPD members to secure as many arms as they could and deliver these into party headquarters.

ANNEX I

CUBAN INVOLVEMENT IN DOMINICAN REVOLUTIONARY ACTIVITIES

Cuba's principal agency for promoting revolutionary activities in Latin America, the General Directorate of Intelligence (DGI), was responsible for training many Dominican rebel leaders, and has for some time provided financial support to the 14th of June Political Group (APCJ) and the Dominican Popular Movement (MPD). The largest department in the DGI is the one responsible for directing Latin American guerrilla warfare activities. The DGI officer who handles revolutionary operations for the Dominican Republic is Roberto Santiesteban Casanova who, while assigned to the Cuban delegation to the U.N. engaged in espionage in the United States and was deported for this activity in 1962.

Under the DGI's direction, a group of about 25 guerrilla trainees sent by the APCJ completed 6 months of training in Cuba in late 1963. Most of these trainees subsequently departed for the Dominican Republic and participated in the abortive pro-Castro guerrilla campaign which was initiated in late 1963. The DGI mounted a special operation called "Flora" to support this guerrilla campaign. Its purpose was to supply the APCJ and the MPD with almost a quarter of a ton of weapons and about 300,000 rounds of ammunition.

This arms shipment was supposed to take place in late October 1963. The arms were to be transferred at sea from a Cuban navy launch to a Dominican vessel. However, a storm postponed the operation, which was rescheduled for December. This time a Cuban fishing boat was used. The arms were transferred at sea to the Dominican fishing vessel, the *Scarlet Woman*. Dominican authorities intercepted the shipment on December 6, 1963. Most of the materiel was captured and a number of extremists were subsequently arrested.

Most of the Communists and extremists who were arrested were deported in May 1964. Beginning in October 1964, many of those who had been deported began to reenter the Dominican Republic clandestinely. At least 45 had returned by late April 1965. Most of these had spent their exile time in Cuba receiving additional training in guerrilla warfare techniques.

The DGI has made use of a number of intelligence collection agents recruited from

the Dominican Republic. These agents in most cases are not connected with Dominican guerrilla warfare groups. One intelligence-gathering operation, known as "Tiburón," has a single agent, Elpidio Ruiz, who received lengthy training in Cuba. He has been actively reporting from the Dominican Republic since August 1963. He is a member of the MPD but was forbidden by the DGI to become involved in guerrilla activities. His mission has been to report on Dominican military bases and the politico-military situation in the Dominican Republic. Xavier "Pichi" Mella is another DGI intelligence-gathering operative still active in Santo Domingo. He has been an active participant in the present revolt (see annex II).

Besides the support provided the Dominican rebels in the past few years by the DGI, Cuban propaganda media have been particularly active on behalf of the current Dominican revolt. Havana radio has broadcast distorted versions of the situation in the city of Santo Domingo in an effort to shore up the morale of the rebels and to demoralize the loyalist forces. All propaganda media have shrilly denounced the U.S. presence in the Dominican Republic as a "crime" and "flagrant aggression" whose sole purpose is to prevent the "constitutional forces" from winning. Fidel Castro's May Day speech was almost entirely devoted to praising the Dominican rebels and blasting the U.S. "intervention."

ANNEX 2

COMMUNISTS PARTICIPATING IN THE DOMINICAN REBELLION

1. Abel Hasbun, Amin: Member of the executive committee of the APCJ and a leader of the Communist-controlled student union at the University of Santo Domingo. Attended the second meeting of the (Communist-front) International Union of Students in Hungary in 1964. Was active in organizing Communist activities in the Dominican revolt on April 24, 1965. He was seen at the National Palace on April 25.

2. Abreu, Fritz Antonio: APCJ member. In September 1963 left the Dominican Republic for Cuba, later going to the Soviet Union. He returned to the Dominican Republic in October 1964. Active Communist from the outset of the Dominican revolt on April 24, 1965. As of May 2, there was at his home a radio station which broadcast exhortations to shoot Americans on sight. Arms and ammunition were stored in his house.

3. Bernard Vasquez, Maximo: Former high-level member of the APCJ; was an APCJ liaison man with a subversive faction of the Dominican military in connection with APCJ guerrilla uprising in December 1963. Early in 1965 plates and negatives for PSPD propaganda were made in his print shop. On April 25, 1965, was active in the distribution of arms to APCJ and PSPD members in the Dominican revolt. On April 26, was observed at a Communist strongpoint and garrison. As of May 3, was active in propaganda work.

4. Blanco Genao, Moises Augustin: APCJ member; observed with other Communists attending meetings at the National Palace on April 25.

5. Botello Fernandez, Norge Williams: APCJ member; in September 1963, went to Cuba where he received guerrilla training. Active among Communists from the beginning of the April 24, 1965, Dominican revolt. Was among those at one of the principal APCJ strongpoints and headquarters with Juan Miguel Roman Diaz.

6. Bujosa Mieses, Benjamin: PSPD member; identified on April 30, 1965, as active in the street fighting in the Dominican revolt.

7. Calventi Gavino, Jose Vinicio: APCJ member. In August 1961 he visited the Soviet Union with his brother, later visiting East Germany and Czechoslovakia. In Au-

gust 1963 he left the Dominican Republic for Cuba. He took part in the seizure of the Prensa Libre plant on April 25, 1965.

8. Conde Sturla, Alfredo: PSPD member who received special training in Cuba during 1962. Identified as among Communists active in the Dominican revolt as of April 30, 1965.

9. Conde Sturla, Amadeo: APCJ member; active in subversive activities at the University of Santo Domingo. Among leaders of armed civilian group which seized Prensa Libre, anti-Communist newspaper, on April 25, 1965. He was one of the more active terrorists in the first days of the rebellion.

10. Conde Sturla, Pedro: PSPD member; active in Communist-front student group at the University of Santo Domingo. As of April 30, 1965, identified among Communists active in the Dominican revolt.

11. Cuello Hernandez, Jose Israel: PSPD member; student and editor of Communist-controlled newspaper at University of Santo Domingo. He was seen with other Communists who attended meetings at the National Palace on April 25, 1965. On April 27, armed with automatic weapon, was part of group which seized *Listin Diario* newspaper and prepared to publish Communist propaganda. He was also seen distributing Communist flyers.

12. De La Pena Santos, Julio: APCJ member. Was second in command of a rebel post early in Dominican revolt.

13. Deschamps Erickson, Miguel Angel: MPD member; traveled to Cuba and bloc countries in 1962-63 on a false passport. Received guerrilla training in Cuba. Among Communists active since outbreak of Dominican revolt on April 24, 1965; was captured by loyalist forces.

14. Despradel Roque, Fidelio: A founding member of the APCJ; adheres to Chinese Communist line. Received guerrilla training in Cuba in 1963. A leader of abortive APCJ uprising in late 1963. Was captured and deported to Europe in May 1964. Returned illegally to Dominican Republic in October 1964. Received large sum of money from Chinese Communists. Participated in April 25, 1965, distribution of arms to civilians in Dominican revolt. Commanded an APCJ post of armed Communists set up on April 26. One of top rebel leaders as of May 3.

15. Dominguez Guerrero, Asdrubal Ulises: PSPD propaganda chief and active student leader. Has received money from Castro regime. Received bloc training in 1962. Active in revolt from outset, and, as of April 25, 1965, led an armed group which seized offices of *Listin Diario* newspaper on April 27. As of May 3, one of top leaders of rebel movement.

16. Dore Cabral, Carlos: PSPD member and official of the pro-Communist student federation, FED. On April 26, 1965, was among those Communists in charge of the production of Molotov cocktails; was seen during the rebellion at a Communist-controlled stronghold.

17. Ducoudray Mansfield, Juan: He and his family figure prominently in the top leadership of the PSPD. In 1962, was in Cuba working on the preparation of scripts for broadcasts by Radio Havana beamed to the Dominican Republic. His foreign travel since 1957 includes the U.S.S.R., Communist China, Poland, and Cuba. He has had contact with the Soviet Embassy in Havana. On April 25, 1965, was among those active in the distribution of arms to PSPD and APCJ members. As of May 3, was among the top leadership group of the rebel movement.

18. Ducoudray Mansfield, Felix Servio, Jr.: One of the directors of the PSPD; has lived in the Soviet Union; in Argentina in 1959, had close contact with leaders of Argentina Communist Party. In 1960 he was in Cuba where he was employed by the New China News Agency, and in October 1960, went to China, traveling under a Cuban passport. In

April 1963 he returned to the Dominican Republic from Cuba. On April 25, 1965, participated in distribution of weapons to civilians in Dominican revolt. As of May 3, was identified as one of the top leadership group of the rebel movement.

19. Duran Hernandez, Jaime: Important leader of the APCJ; in 1964 received guerrilla warfare training in Cuba; later went to Soviet Union with other trainees. He was arrested in Santo Domingo on April 24, the first day of the Dominican revolt, but was released on April 26. Immediately took over command of an armed Communist post.

20. Erickson Alvarez, Tomas Parmenio: Member of the MPD Central Committee who was secretary for rural affairs in 1963. He has gone to Cuba on at least three occasions in 1961, 1962, and 1964. On the last visit, he received guerrilla training. Identified as of April 30, 1965, as among the Communists active in the Dominican revolt.

21. Escobar Alfonseca, Manuel: Prominent PSPD member; received bloc training in 1963; was in Czechoslovakia in 1963. In the first days of the Dominican revolt, was active in distributing weapons to civilians, and in moving arms into strongpoints in Ciudad Nueva. Associate of Manuel Gonzalez Gonzalez in directing military activities of the Communists.

22. Estevez Weber, Gerardo Rafael: PSPD member, on the party's central committee. On April 25, 1965, was among those distributing arms to PSPD and APCJ members in the Dominican revolt. On April 26, was observed at Communist (PSPD) stronghold. The PSPD Central Committee met in his home the night of April 27. As of May 3, was active in Communist propaganda work.

23. Evangelista Alejo, Rafael: PSPD member. Attended meetings at the National Palace on April 25, 1965, with other Communists.

24. Felix Rodriguez, Manuel Demostenes: APCJ member; fought in the guerrilla uprising in late 1963. He was deported to France and from France went to Mexico; later returned clandestinely to the Dominican Republic. Identified with the rebel forces in Ciudad Nueva during the Dominican revolt.

25. Franco Pichardo, Franklin Jose de Jesus: PSPD member; in 1963 he attended the 26th of July celebrations in Havana. In December 1964, was in the Soviet Union, and in January 1965 was in Czechoslovakia. On February 1, 1965, returned to the Dominican Republic. Identified among Communists active in the current fighting in Santo Domingo.

26. Garcia, Porfirio "Rabeche": PSPD member; on April 25, 1965, was among those Communists directing the production of "Molotov cocktails."

27. Garcia, Castillo, Edmundo: PSPD member. On April 25, 1965, was seen distributing Communist propaganda. On May 2, made an anti-American speech to a crowd of people in Parque Independencia.

28. Genao Espailat, Luis Bernardo: APCJ leader; was in Cuba in 1962; participated in guerrilla uprisings in late 1963 and was subsequently arrested and deported. From 1963 to early 1965, sent books to Dominican Republic from Paris for use in APCJ training courses. Identified among Communists in current fighting in Santo Domingo. On May 3, he departed Santo Domingo for Santiago, and was later captured by loyalist forces.

29. Giro Alacantara, Luis Felipe Valentin: MPD leader; was in Cuba from September 1963 to March 1964. Identified on April 29, 1965, as among Communists active in current Dominican rebellion. On April 29, participated in the attack on Ozama Fortress.

30. Gomez, Facundo: PSPD member; part owner of the *Scarlet Woman*, a fishing boat which landed three MPD leaders, with arms and ammunition from Cuba, in the Dominican Republic during the 1963 guerrilla movement. On April 25, 1965, conferred

with top leaders of the Dominican revolt at the national palace.

31. Gomez Perez, Luis: Member of PSPD Central Committee and formerly a member of the APCJ; studied in the U.S.S.R. on a scholarship; known to have traveled to Cuba and in 1963 he received training in Czechoslovakia. Among those Communists attending meetings in the national palace on April 25, 1965.

32. Gonzalez Gonzalez, Manuel: Member of PSPD Central Committee; Spanish national who participated in the Spanish Civil War; also reported to be a Cuban intelligence agent. A military leader of the Communist forces under PSPD control in the Dominican revolt. On April 25, was seen bearing arms at a PSPD gathering at Parque Independencia; later that day set up a Communist "commando" group. On April 26, was in charge of an arms depot, where he was issuing arms to civilians and instructing them in using these weapons. Was among those attending the PSPD Central Committee meeting the night of April 27.

33. Guerra Nouel, Jose Bienvenido: APCJ member, active in Communist-controlled cultural group at the University of Santo Domingo. Was in Cuba in 1963 where he received guerrilla training. Identified as among prominent APCJ fighters in the current Santo Domingo revolt. On May 3, he set up a Communist command post in the Ciudad Nueva area.

34. Hernandez Vargas, Hector Homero: APCJ member; recently returned to the Dominican Republic secretly from Paris where he had been in exile since his deportation in May 1964 for participation in the guerrilla movement of late 1963. He received guerrilla training in Cuba in late 1964; a leader of the APCJ travel committee arranging for clandestine return of APCJ exiles to the Dominican Republic. In late March 1965 was one of group preparing propaganda for a possible armed uprising. Among active APCJ leaders in the present revolt in Santo Domingo. On April 29, participated in the attack on Ozama Fortress.

35. Houelmont Roques, Eduardo "Piti": APCJ member; student agitator in 1961, organizing disorders at University of Santo Domingo. Known as pro-Castro; was treasurer of the FED Student Federation. Was in Cuba in 1963. On April 25, 1965, was among the Communists participating in the distribution of arms to civilians in Dominican revolt. Was among armed mob which seized offices of anti-Communist newspaper *Prensa Libre* on April 25.

36. Isa Conde, Antonio Emilio Jose: PSPD member; pro-Castro student leader and agitator. He attended the 26th of July celebrations in Havana in 1963 and received guerrilla warfare training in Cuba the same year. He received financial assistance from the Czechs in Prague later in 1963. Was among PSPD group attending meetings at National Palace on April 25, 1965. Member of the PSPD-APCJ group that seized control of the plant of the anti-Communist newspaper *Prensa Libre* on April 25. Seen distributing Communist Party flyers calling on the people of Santo Domingo to arm themselves and fight for workers' rights. As of May 3, was identified as one of the top leadership group of the rebel movement.

37. Isa Conde, Narciso: Brother of Antonio. PSPD leader, central committee member. Among those Communists active on April 24, 1965; part of armed PSPD group at Parque Independencia on April 25, and later that day was among prominent Communists attending meetings at National Palace. On April 26, was identified as one of armed PSPD members on the streets; one of the leaders of the armed group that seized the plant of the newspaper *Prensa Libre*. Was active on May 1, distributing propaganda.

38. Johnson Pimentel, Buenaventura: PSPD leader and a member of the party's Central

Committee; also reported to be a member of the APCJ. On April 25, 1965 was active in the distribution of weapons to PSPD and APCJ members in Dominican revolt. Johnson's truck was used to distribute arms to civilians in the Ciudad Nueva area. His house on Espallat Street in Santo Domingo used as a rebel garrison in the present rebellion. "Molotov cocktails" stored there and machineguns mounted on roof. On May 1, 50 members (probably a high command group) of all 3 Communist parties—the PSPD, APCJ, and MPD—met at his house.

39. Lajara Gonzalez, Alejandro: APCJ member, named Deputy Director of Investigation during 2-day regime of Molina Urena. Arranged for the supply of additional arms to the Communists during the morning of April 27.

40. Licalrac Diaz, Alexis: Member of APCJ youth section and a student at the University of Santo Domingo. He was a delegate to the Communist-dominated Latin American Youth Congress held in Santiago, Chile, in March 1964. Active in fighting in Ciudad Nueva during the Dominican revolt and, on May 3, 1965, was stationed at a Communist command post in that area.

41. Lora Iglesias, Josefa: APCJ member, active in pro-Castro student group at the University of Santo Domingo. She participated in guerrilla activities in the Dominican Republic in late 1963 and was subsequently deported to Europe. In October 1964 she was in Cuba, where she received political training. She returned to the Dominican Republic in March 1965. Among the Communists active in the April 24, 1965, rebellion in Santo Domingo and in rebel radio broadcasts.

42. Lora Vicente, Silvano: PSPD member; received guerrilla warfare training in Cuba from late 1963 to early 1964. Lora visited Moscow in late 1964. On April 25, 1965, was one of the leaders of an armed Communist group at the national palace. Later that same day attended meetings between Communists and rebel leaders at National Palace. On May 3 was identified among rebel forces and was observed leading a group of PSPD members to collect ammunition for distribution among the armed mobs.

43. Macarrulla Reyes, Lisandro Antonio: PSPD and APCJ member; one of the organizers of the APCJ Communist cells in the Ozama section of Santo Domingo. Took a course in Marxism-Leninism in Havana in June 1962. On April 26, 1965, was observed armed with machinegun at PSPD strongpoint and garrison.

44. Maldonado, Belkis: PSPD member. Identified as of May 3, among active Communists taking part in the Dominican revolt.

45. Martinez Howley, Orlando: PSPD member and student leader; active in organizing street agitation and stirring up anti-U.S. sentiment.

46. Matos Rivera, Juan Jose: APCJ member who attended the 26th of July celebration in Havana in 1963. He participated in the APCJ guerrilla uprising in late 1963. He was deported to Europe and returned secretly to the Dominican Republic in January 1965. On May 3, 1965, he was active among Communists fighting in the Ciudad Nueva area.

47. Mejia Gomez, Juan Bautista: Leading APCJ member who served in 1964 on APCJ Central Committee; formerly in charge of legal matters for Agrupacion Patriotica 20 de Octubre, an APCJ front group. Identified as an active Communist participant in the Dominican revolt from the outset. On May 2, a telephone interview with him on the APCJ's role in the revolt appeared in the Havana newspaper, Hoy.

48. Mejia Lluberes, Rafael de la Alta-gracia ("Baby"): APCJ member; secretary of youth affairs of the party; received political indoctrination and guerrilla warfare training in Cuba in 1963. Returned clandestinely to the Dominican Republic in January 1964. On April 30, 1965, was among Communists working closely with rebel officers in the Dominican revolt. On May 2, he was active in the Ciudad Nueva area, and was at one of the principal APCJ command posts with Juan Miguel Roman Diaz.

49. Mella Pena, Francisco Xavier ("Pichi"): APCJ member and a known Cuban intelligence agent in Santo Domingo. He received training in Cuba as a "frogman" for an unknown mission in the Dominican Republic. Active rebel fighter since the outbreak of the Dominican revolt and observed at APCJ command headquarters and at an APCJ supply center.

50. Mercedes Batista, Diomedes: PSPD member who traveled to Cuba in July 1963; attended the Communist-dominated Second Latin America Youth Congress in Chile in March 1964. Active from outset of revolt on April 24. Was seen haranguing civilian crowd at Parque Independencia on April 25, and later that day was operating a sound truck urging the people to revolt. On April 25, was also among Communists attending meetings at National Palace. Was also identified at a PSPD stronghold leading an armed PSPD unit.

51. Mir Valentine, Pedro Julio: PSPD Central Committee member; close personal friend of Fidel Castro. A frequent traveler to Cuba (1961 through 1963). Traveled to Moscow in 1959. In 1961 he was sponsoring a daily radio program originating in Cuba, beamed to the Dominican Republic. Mir brought large amounts of money to the Dominican Republic in 1963. Identified on April 30, 1965, as among the Communists actively participating in the Dominican revolt.

52. Montas Gonzalez, Luis Adolfo: Member of the APCJ Central Committee and political committee. He was a delegate to the Communist-dominated Latin American Youth Congress held in Santiago, Chile, in March 1964. Identified as among Communists active in the Dominican revolt.

53. del Orbe, Henry Wilson: PSPD member who received guerrilla warfare training in Cuba in 1963. He had previously lived 13 years in Cuba, and has traveled to the U.S.S.R. On April 30, 1965, was identified among the Communists participating in the Dominican revolt.

54. Ortiz Desangles, Manuel: PSPD member and pro-Castro student agitator; has conducted indoctrination courses for University of Santo Domingo students, seen on April 26, 1965, directing the production of Molotov cocktails. Later captured by loyalist forces and held prisoner.

55. Ozuna Hernandez, Daniel: Prominent APCJ leader, who figured prominently in the 1963 APCJ guerrilla fighting; has given weapons familiarization instructions to APCJ members. On April 25, 1965, was among those distributing arms to civilians in Dominican revolt, and attended meetings with rebel leaders at National Palace later that day. Was captured by loyalist forces on May 2, and held prisoner.

56. Perez Mencia, Ignacio: PSPD member. On April 26, 1965, was observed directing the production of Molotov cocktails. Later identified at a Communist stronghold during the fighting.

57. Perez Perez, Milvio: PSPD member; owns a bookstore specializing in Communist literature in Santo Domingo and has done photographic work for the PSPD. On April 25, 1965, was among a group of armed Communists at the National Palace. He has been observed distributing arms and Molotov cocktails to civilians. As of May 5, was engaged in preparing false identity cards for Communist leaders.

58. Pichardo Vicioso, Nicolas: PSPD member; an officer of the Movimiento Cultural Universitario (a Communist front group). He was a member of the group

which seized anti-Communist newspaper Prensa Libre on April 25, 1965, preparing immediately to publish propaganda leaflets. Was engaged in the production of Molotov cocktails on April 26, and was observed taking weapons to a PSPD center on Calle Espallat. On April 29, participated in the attack on Ozama Fortress.

59. Pinedo Mejia, Ramon Agustin: MPD leader who traveled from Czechoslovakia to Cuba in 1962. He was involved in APCJ guerrilla activities in the Dominican Republic in late 1963. During the Dominican revolt was MPD representative at a meeting with the APCJ on April 25, 1965, and later stationed at an MPD command post.

60. Pumarol Peguero, Catalina: APCJ member and student at the University of Santo Domingo; close friend of Ema Tavarez Justo. She has been active in organizing street agitation and stirring up anti-U.S. sentiment.

61. Ramos Alvarez, Benjamin: High-level member of the APCJ, and head of the District Committee for Santo Domingo. All three Communist party leadership groups met with him on April 29, 1965, to discuss future tactics.

62. Restituyo, Apolinar: PSPD member and student agitator; active in organizing street agitation.

63. Ricart Ricart, Gustavo Federico: MPD Central Committee member, and the most prominent MPD leader in the Dominican Republic at the outbreak of the Dominican revolt. Was in Cuba 1962-63 and brought back approximately \$50,000 to fund MPD activities. Commanded a rebel stronghold as early as April 26, 1965.

64. Rodriguez Acosta, Jose Francisco: Member of PSPD Central Committee. Was trained in Cuba in 1962. Known to have been in Prague prior to February 1963; has also been in the Soviet Union. He was active in the party's military buildup early in the rebellion. One of the leaders of a PSPD armed group at a Communist strongpoint on April 25, 1965.

65. Rodriguez del Prado, Carlos: PSPD member and cousin of Cayetano Rodriguez del Prado, one of the principal leaders of the MPD. On April 25, 1965, he met at his house with other armed Communists active in the Dominican revolt.

66. Rodriguez del Prado, Cayetano: Member of the MPD Central Committee and Secretary of Propaganda. Participated in Cuban attempt to cache arms and ammunition, as well as infiltrate three top level MPD members into the Dominican Republic during the APCJ guerrilla uprisings. Deported from the Dominican Republic in May 1964 and traveled to Communist China. Wrote a pamphlet outlining methods by which MPD could use Dominican students in the Chinese manner to carry out a successful revolution. Was in police custody when Dominican revolt broke out, but was released on April 25. Was known to be in contact with PSPD and other Communists during the course of the revolt, but did not participate in active fighting because of ill health.

67. Rodriguez Fernandez, Orlando: APCJ member; active among Communists in the Dominican revolt; working energetically to organize anti-U.S. sentiment.

68. Roman Diaz, Juan Miguel: Member of APCJ Central Committee; participated in guerrilla activities in the Dominican Republic in late 1963. Deported in May 1964 to Lisbon; returned clandestinely to the Dominican Republic in January 1965. One of the top rebel Communists from the outset of the revolt, and leading military figure of the APCJ. Commanded one of the largest rebel strongholds which served as a command post, arsenal, and prison. (NOTE: killed in rebel assault on National Palace on May 19, 1965.)

69. de la Rosa Cano, Jesus: PSPD member; former ensign in the Dominican Navy. On

April 25, 1965, was inciting crowds to burn and destroy property.

70. Sanchez, Cordoba, Luis Rene: MPD member; in 1964 was Interim Secretary General of MPD. Identified as among Communists actively participating in the Dominican revolt; was captured by loyalists on May 3.

71. Santamaria Demorizi, Miguel Angel: Communist agitator; involved in Dominican subversive activities since at least 1961. In 1963, was in charge of making hand grenades for Communist groups. Was deported from both the Dominican Republic and France; returned to the Dominican Republic in late 1963 from Venezuela. Identified among Communists active in the Dominican revolt. He was at the National Palace on April 25, with other Communists.

72. Sosa Valerio, Ariosto: PSPD member. On April 25, 1965, was with the armed Communist group at the National Palace, and later in the day attended meetings there.

73. Tavaréz Justo, Ema: APCJ member and student agitator; she is the sister of Manuel Tavaréz Justo who was killed while leading the APCJ guerrilla movement in late 1963. She was among the Communists at the National Palace on April 25, 1965, and was active in Communist propaganda activities from the outset of the revolt.

74. Tavaras Rosario, Rafael Francisco "Fafa": Member of Central Executive Committee of APCJ; received guerrilla warfare training in Cuba in late 1963 and early 1964. Returned to the Dominican Republic from Cuba in December 1964 using a false passport. As of April 30, 1965, was identified among those Communists working closely with rebel military leadership. On May 2,

was at one of the main Communist command posts.

75. Tolentino, Dipp, Hugo: PSPD member; chief of a Dominican guerrilla unit trained in Cuba. Was deported in February 1962 and received training in Soviet bloc countries. Returned clandestinely to Dominican Republic. Participated in distribution of arms to civilians in Dominican revolt on April 25, 1965. As of May 3, was one of the top leadership group of the rebel government.

76. Valdez Conde, Nicolas Quirico: PSPD member; in 1959 was member of the executive body of the PSPD. Employed in Cuba as Russian interpreter for Fidel Castro in June 1963. Lived in Moscow for 3 years. Identified among Communists active in the Dominican revolt.

77. Vicioso Gonzalez, Abelardo Sergio: PSPD member who has been active in student affairs. Was in Cuba in 1960, and again in 1962 and 1963; attended a student congress in Cuba in August 1961, and then went to Czechoslovakia and the U.S.S.R. While in Cuba in 1962 was training for subversive activity in the Dominican Republic. Identified as of April 30, 1965 among Communists active in the Dominican revolt.

ADJOURNMENT

Mr. DODD. Mr. President, I move that the Senate adjourn, in accordance with the previous order, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 45 minutes p.m.) the Senate adjourned, under the order previ-

ously entered, until tomorrow, Friday, September 17, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 16 (legislative day of September 15), 1965:

EXPORT-IMPORT BANK OF WASHINGTON

Tom Lilley, of West Virginia, to be a member of the Board of Directors of the Export-Import Bank of Washington.

SUBVERSIVE ACTIVITIES CONTROL BOARD

John W. Mahan, of Montana, to be a member of the Subversive Activities Control Board for the term expiring March 4, 1970, vice Francis Adams Cherry.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 16 (legislative day of September 15), 1965:

DEPARTMENT OF JUSTICE

Vernol R. Jansen, Jr., of Alabama, to be U.S. attorney for the southern district of Alabama for the term of 4 years.

Macon L. Weaver, of Alabama, to be U.S. attorney for the northern district of Alabama for the term of 4 years.

James E. Luckie, of Georgia, to be U.S. marshal for the southern district of Georgia for the term of 4 years.

Casimir J. Pajakowski, of Indiana, to be U.S. marshal for the northern district of Indiana for the term of 4 years.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. JAMES D. MARTIN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 16, 1965

Mr. MARTIN of Alabama. Mr. Speaker, under permission to extend my remarks in the RECORD I would like to include my report to my constituents for July 16, 1965:

WASHINGTON REPORT

(By Congressman JIM MARTIN, Seventh District, Alabama)

RENT SUBSIDIES GET SENATE OKAY

It won't be long now until the Federal Government begins to take some of your hard-earned money to help pay the rent to help those who cannot afford it, or will not put forth the effort to earn it, to move into better neighborhoods. The Federal Government will use part of your tax dollar to help Robert Weaver push his program of economic integration. The Senate approved the Sparkman bill (S. 2213) by substituting its language for the language of the bill the House passed a week ago. Minor differences between the two bills will now be cleaned up in conference and the bill will soon be on its way to the White House for the President's signature. The main objective of the President and the ultraliberals, a Federal rent subsidy program, remains in the bill.

The Senate approved rent subsidies by defeating an amendment by Senator JOHN TOWER, of Texas, to take the rent subsidy

proposal out of the Sparkman bill. On this crucial vote the amendment was defeated 47 to 40. Only 5 Republican Senators voted for rent subsidies with 24 Republicans voting against. Forty-two Democrats went along with the President's demand to pass the subsidy provision and only 16 opposed it.

CHANGE OUR MONEY

The House passed the Coinage Act of 1965, to reduce the silver in half dollars and eliminate it in dimes and quarters, by a vote of 255 to 151. I voted against it because I do not believe this is the proper way to handle the matter. It is admitted there is a shortage of silver, but debasing our coins will not bring about the cure we need. The real trouble is deficit financing. The Federal Government insists on continuing to spend more than it takes in. The silver shortage is not the disease, it is only a symptom of the real disease, reckless and irresponsible spending. I opposed changing the silver content of our coins as a first step in devaluing our money as the only means to force the Federal Government to live within its means.

SUBWAY SYSTEM FOR WASHINGTON

While there were many valid arguments for voting against the bill for a subway in Washington, which passed the House on Thursday, the most pertinent argument is that it sets a pattern for the Federal Government to finance transportation systems for big cities throughout the country. The last Congress passed the Urban Mass Transportation Act providing for a total Federal outlay for the entire country of \$375 million and limited the share of any one State to 12½ percent of the total, or approximately \$47 million. Now the House has approved a grant of \$150 million for Washington alone and asks that we guarantee the entire bond issue of \$333 million, which will be an addi-

tion to the Federal debt. Plus this the Government will pay any operating loss of the system. This proves again that such bills as the Urban Mass Transportation Act are only a foot-in-the-door for the Federal planners who are determined to socialize all basic industries. I shall continue to vote against the expansion of such programs as I did in voting against the Washington subway bill.

L.B.J. INSULTS SOUTH AGAIN

Most shocking action of the week was the new affront to the South by Lyndon Johnson in naming Thurgood Marshall, former attorney for the NAACP, as Solicitor General of the United States. This means the third highest ranking officer in the Department of Justice will be a man whose whole history is a record of prejudice against the South, its institution and its people. The former NAACP attorney will now be the chief enforcement officer in prosecuting southerners and Southern States under the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

SOUTHERN POULTRY INDUSTRY THREATENED

It was my privilege this week to join forces with my friend and colleague, Congressman PRENTISS WALKER, of Mississippi, in preventing immediate approval of a \$2.6 million Federal loan to a Maine poultry company to start a new processing plant in Pennsylvania which would threaten serious injury to the entire poultry industry. We were able to get a postponement of approval of the loan until the House Agriculture Committee is able to investigate the situation. This will give poultrymen and their representatives an opportunity to present some facts showing that creation of such a new poultry complex is not in the best interest of the industry.

We also took a strong stand in opposition to including a Democrat sponsored egg price control bill in the omnibus farm bill without full hearings. The bill (H.R. 7481) would